



PLANNING STATEMENT

Prepared on behalf of Cefn Park Developments Ltd

in support of an

Outline Planning Application

for the

Proposed development of land for B1 light industrial and B2 / B8 industrial units including means of access and layout; illustrative strategic landscaping; with ecological, heritage and amenity (mitigation) zones

to Wrexham County Borough Council

The Oaks, Oak Road, Wrexham Industrial Estate, Wrexham, LL13 9RG

November 2019

Ref. J10-CPDL-PS-RevB

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1.0 INTRODUCTION & BACKGROUND

- 1.1 This Planning Statement (PS) has been prepared and undertaken by J10 Planning Ltd (the Agent) acting on behalf of Cefn Park Developments Ltd (CPDL - the Applicants) in support of an Outline Planning application to Wrexham County Borough Council (WCBC) for proposed industrial development.
- 1.2 The land associated with this proposal comprises an area of previously developed land (a brownfield site as defined in PPW10 [pg 37]); part of the WW2 Royal Ordnance Factory (ROF) located on the Wrexham Industrial Estate (WIE) off Oak Road, Wrexham, LL13 9RG.
- 1.3 The red lined application site area extends to 7.96 ha for the proposed development of land for B1 light industrial and B2 / B8 industrial units including means of access and layout and illustrative strategic landscaping; with an additional area of 14.24 ha for ecological, heritage and amenity (mitigation) zones.
- 1.4 The Wrexham Industrial Estate is situated on the eastern edge of Wrexham, approximately 2.5 miles from the Town Centre. It is the second largest industrial estate in the UK after Trafford Park, Manchester and comprises an area of some 550 hectares; providing accommodation for some 340 companies and supporting over 11,000 employees.
- 1.5 The application site is owned entirely by the applicants. They are not developers but will seek to develop the land in partnership with others (contractors, developers, owner-occupiers) with a view to disposing of parcels for owner-occupiers and retaining some other areas for long term leasehold investment purposes.
- 1.6 Accordingly, the purpose of this supporting statement is to:
- **Provide some introductory background to the application; a descriptive appraisal of the site, its location, setting and surroundings; to present a detailed description of the proposal; a summary of the pre-application process and identifying any key issues that will assist the reader;**

- **Identify the key local and national planning policy framework applicable to the proposed development and interpreting these in order to present the detailed case in support of the proposals;**
- **Summarise the reasons why outline planning permission should be granted, referring to the scheme deliverables, benefits and net gains this development proposal will offer.**

1.7 We consider that this approach will serve to provide the Council with a clear basis for interpretation and decision making. In summary, this statement, along with all the other supporting documentation and plans, demonstrate that the proposed development, subject of this application, is fully compliant with national policy guidance and with the adopted and emerging development plan so as to be acceptable.

The Application Pack

1.8 This Planning Statement (**J10 Planning**) should be read in conjunction with the following plans and documents, which are enclosed as separate items in the associated submission package:

- Pre-Application Consultation Report (PAC) : **J10 Planning**
- Parameters Masterplan and associated drawings : **Land Studio**
- Design & Access Statement : **Land Studio**
- Landscape & Visual Appraisal (part of DAS) : **Land Studio**
- Archaeological Assessment : **Gifford**
- Updated Archaeological Assessment : **Wessex Archaeology**
- Historical Scoping Report + Heritage Impact Assessment : **Townscape**
- Topographical Survey : **PM Surveys**
- Flood Consequences Assessment & Drainage Strategy : **Terraconsult**
- Mineral Potential Assessment Report : **Terraconsult**
- Phase 1 Investigation Study : **Opus**
- Phase 2 Site Investigation Report : **Terraconsult**
- Transport Assessment + Travel Plan (incorp. Access Strategy and Swept Path drawings) : **Prime TP**
- Utility Services Infrastructure Statement : **TMC**
- Ecological Assessment : **Kingdom Ecology**
- Outline Habitat Management Plan : **Kingdom Ecology**
- Preliminary Tree Report + Arboricultural Implications Assessment & Method Statement : **PMA**

1.9 This list is important as it comprises all the items requested by the Council during pre-application discussions and reflects the guidance provided by Officers; no other items were and have been requested.

1.10 These documents and drawings are all provided with the enclosed application and itemised in greater detail on a separate Planning Application submission schedule spreadsheet.

Site Description

- 1.11 The application site is located to the southern core of the Wrexham Industrial Estate with access available to the south of Oak Road.
- 1.12 It comprises previously developed land that extends to 7.96 ha (19.6 acres) that is generally level in and includes former ROF infrastructure and buildings. Overgrowth of vegetation has taken place and this combination of former ROF buildings extends beyond application site boundary to the south towards the River Clywedog into the area comprising an area of 14.24 ha (35.2 acres) that is proposed to facilitate ecology, heritage and amenity mitigation.
- 1.13 The site is not (formally) publicly accessible and no PROW's exist. However, Footpath ABE19 does run close to the far western site boundary and it is here that the applicant considers a connection could be made to offer public access across the site and back onto Oak Road where connections with other long-range footpaths could be made.
- 1.14 The local PROW network is shown on the PROW definitive map extract below.

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.



- 1.15 Direct vehicular access is available off Oak Road.
- 1.16 The site, however, has been used for a variety of unauthorised uses by 3rd parties and involves fly-tipping, burning plastic off copper wires, motorcycle riding.

- 1.17 The site cannot be securely closed off to prevent this unauthorised access due to utility wayleaves needing access to maintain services (electricity and water).
- 1.18 The site has been used for film-shoots and is used very fortnight for wargames.
- 1.19 As a result, the site is not a virgin, abandoned site but very much in semi-active use and indeed a number of these activities have caused (unauthorised) damage and vandalism. It has become a place where anti-social and nuisance uses occur and is a place where much fly-tipping is done. Its development will introduce natural surveillance, security and management'; thus, removing such uses, eyesores and problems.
- 1.20 The photo below shows just how determined some will go in gaining entry !



- 1.21 The site is located in a highly sustainable and accessible position on the WIE to take advantage of strategic transportation related infrastructure and we believe it benefits from very excellent sustainability credentials. The opportunity now exists to secure the delivery of new employment development.
- 1.22 The opportunity now exists to secure the delivery of new employment development along with other ecology, heritage and amenity benefits.

The Proposed Development

- 1.18 The application is made for Outline Planning Permission. The description of the development is as follows:

“Proposed development of land for B1 light industrial and B2 / B8 industrial units including means of access and layout; illustrative strategic landscaping; with ecological, heritage and amenity (mitigation) zones”

- 1.19 The proposal involves the development of a single parcel of land with direct vehicular and pedestrian access provided from Oak Road.

- 1.20 The accommodation schedule comprises the following:

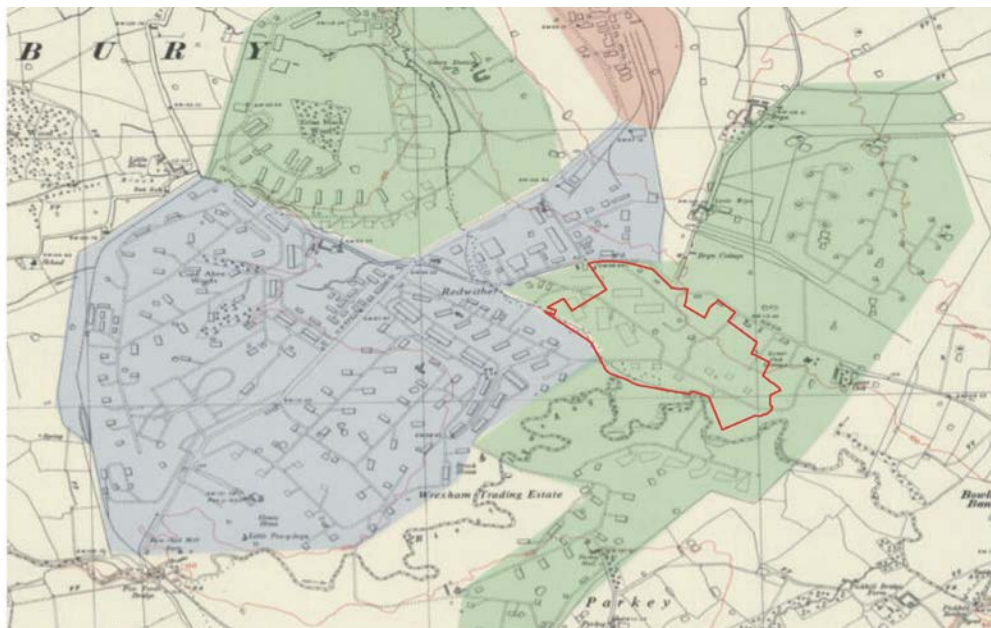
Site Area	7.96 ha
Site Area	19.6 acres
Mitigation Area (Ecology, Heritage, Amenity zones)	14.24 ha
Assumed potential Gross External floorspace	26,600 sqm
Proposed Uses	B1 light + B2 / B8
Parking spaces (based upon max. standards and worst-case scenario)	600
Mobility spaces	TBD at Reserved Matters stage
Cycle spaces	TBD at Reserved Matters stage
Height to u/s haunch	TBD at Reserved Matters stage
Height to Ridge apex	TBD at Reserved Matters stage

- 1.21 The proposal will deliver new employment space that is desperately needed.
- 1.22 Generous levels of formal and informal landscape space and strategic buffer have been designed into the scheme around the proposed building / parcel envelope to reflect the Estate layout and vernacular.
- 1.23 Moreover, significant levels of (Ecological Habitat, Heritage and Amenity) Mitigation Zone shall be delivered on the residual areas of the site owned by the applicant.

- 1.24 The proposals have been developed around a landscaped design solution that has embraced and been influenced by all the various technical and professional disciplines employed by the applicant (in particular highways, drainage, heritage, utility infrastructure, trees and ecology) and the guidance conferred by the Council during the informal pre-application discussions and from the more formal WG DMO consultation stage has allowed us to arrive at an acceptable design solution.
- 1.25 The applicant has listened to and been guided by the aspirations, concerns, feedback and guidance from Council officials, statutory consultees, the community representative and any neighbouring occupiers and members of the public that have gotten involved in and responded to the DMO pre-consultation process and is confident that the proposals now represent a scheme of the highest quality and sustainability credentials.
- 1.26 We can confirm that whilst the scheme involves the removal of a small number of TPO trees the compensation offered in lieu of their removal is considered to significantly outweigh their loss.
- 1.27 The scheme has been designed to ensure that the rural edge to the south is not only maintained and enhanced, but is managed to offer opportunities for ecology, heritage and amenity mitigation.

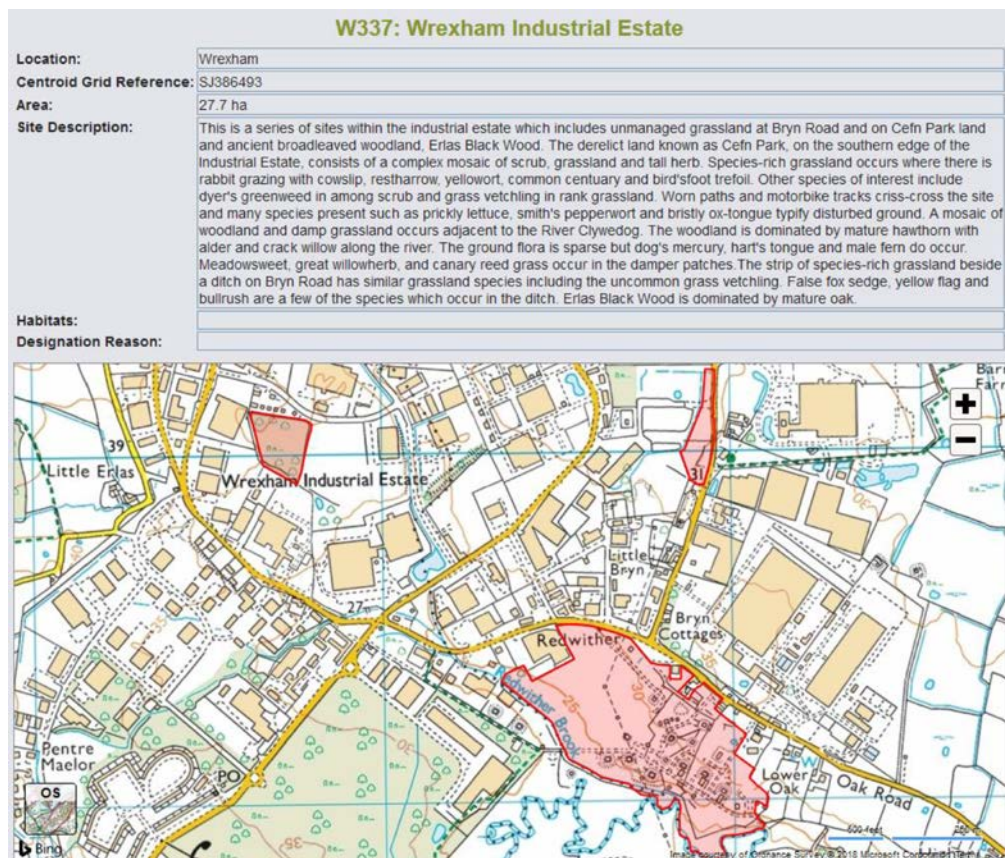
Planning History & Pre-Application discussions : chronology

- 1.28 Other supporting reports (DAS, Archaeology and Heritage Impact Assessment) all provide historical narrative and whilst we do not wish to repeat large tracts of this here it is important that this statement provides a summary overview of the sites' chronology in planning terms.
- 1.29 The site, as we know was, like the rest of the WIE former farmland until WW2 came around and the Ministry of War commissioned McAlpine to construct a Royal Ordnance Factory (ROF). The application site was part of this, yet despite the installation of infrastructure (rail tracks, roads, buildings and utility services) there is no evidence (having undertaken a detailed contamination SI across the site) that the site ever became operational for the manufacture of munitions; indeed many of the intended buildings were never completed.



- 1.30 The plan above shows that the land owned by CPDL was located to the east of the "core" operational manufacturing area of the ROF site (coloured blue). The green coloured areas do not appear to have become entirely active; the red area was the main transport/railway connection into the site. The research undertaken now suggests that a "dummy / decoy" site was located near Worthenbury in order to attract and divert attention away from this site should enemy bombing raids venture over.

- 1.31 There is no record of any enemy attacks during the war on the Wrexham ROF and moreover this site was only commissioned towards the back end of the campaign and so this may explain why parts of the site never became operational.
- 1.32 Following the war, the entire ROF site was slowly decommissioned and became home to the Wrexham Industrial Estate as we know it today.
- 1.33 In February 1996 an application was submitted (ref. ISY CB00031) by a Mr Price to develop the site as an off-road motorcycle practice track. Permission was refused in May 1996 on the grounds of amenity noise nuisance to neighbouring industrial and residential occupiers. No mention was made of nature conservation concerns.
- 1.34 Then in March 1998 the site was identified as a County Wildlife Site (ref. W337); an extract of this local non-statutory designation is shown below.



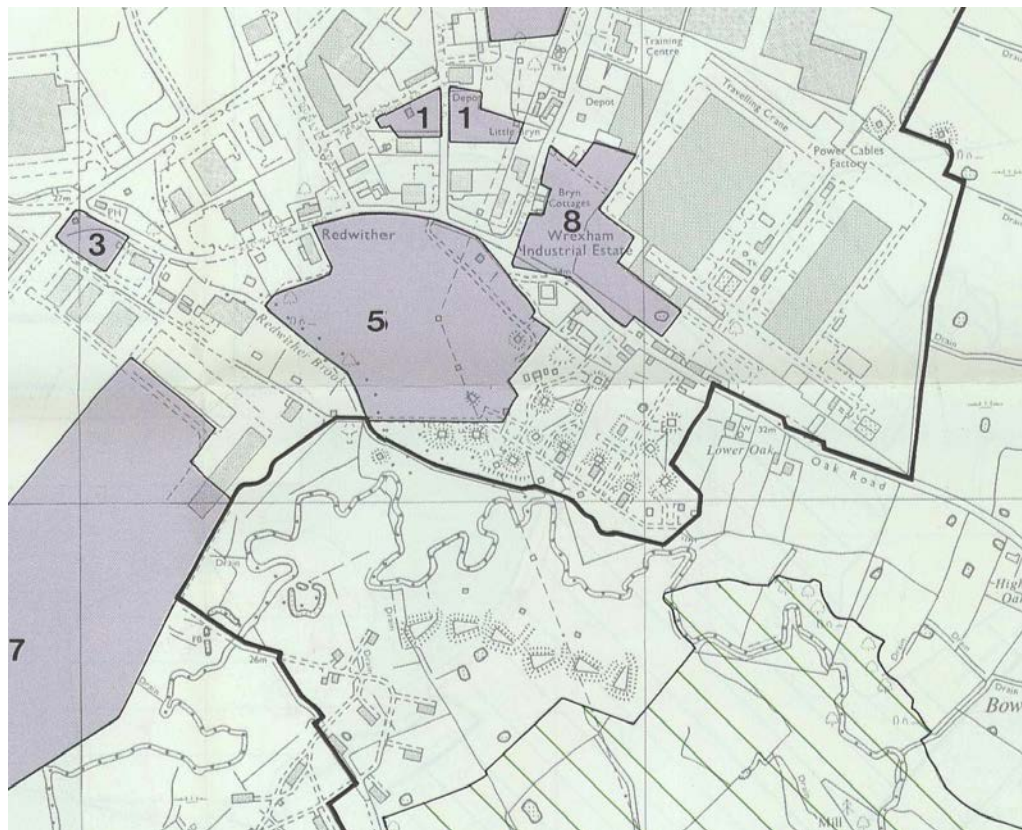
- 1.35 This appears to have coincided with pre-application discussions held between the Authority and Cefn Park Development Ltd, because in October 1998 an application for industrial development was submitted (ref. ISY CB02691).

- 1.36 This application was not received well and was refused in April 1999 on the grounds of its impact upon flora and fauna. Evidently, the proposal had “stirred” up some objection and the pre-emptive strike of the local designation was made to “frustrate” the redevelopment ambitions.
- 1.37 The decision notices from 1996 and 1999 are provided (see **APPENDIX A**).
- 1.38 The previous development plan, the Maelor Local Plan covered the plan period 1992 to 2001 and was adopted in February 1996; the plan extract shows that not only did almost the entire land ownership (**21.5 ha**) lie within the adopted settlement boundary of the WIE but that the western half was identified as an allocated employment site for **11.5 ha** and identified as Site Ref. 5 under employment Policy J1.

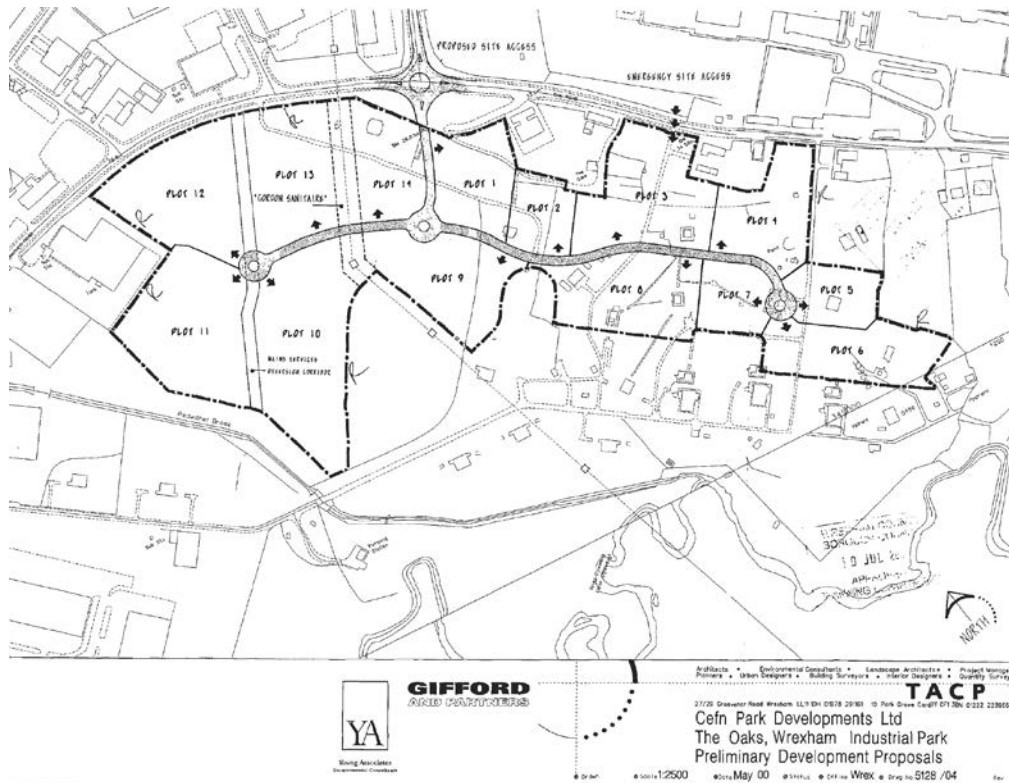
Policies

J1. Sufficient land will be allocated for employment purposes between 1992 and 2001 at:

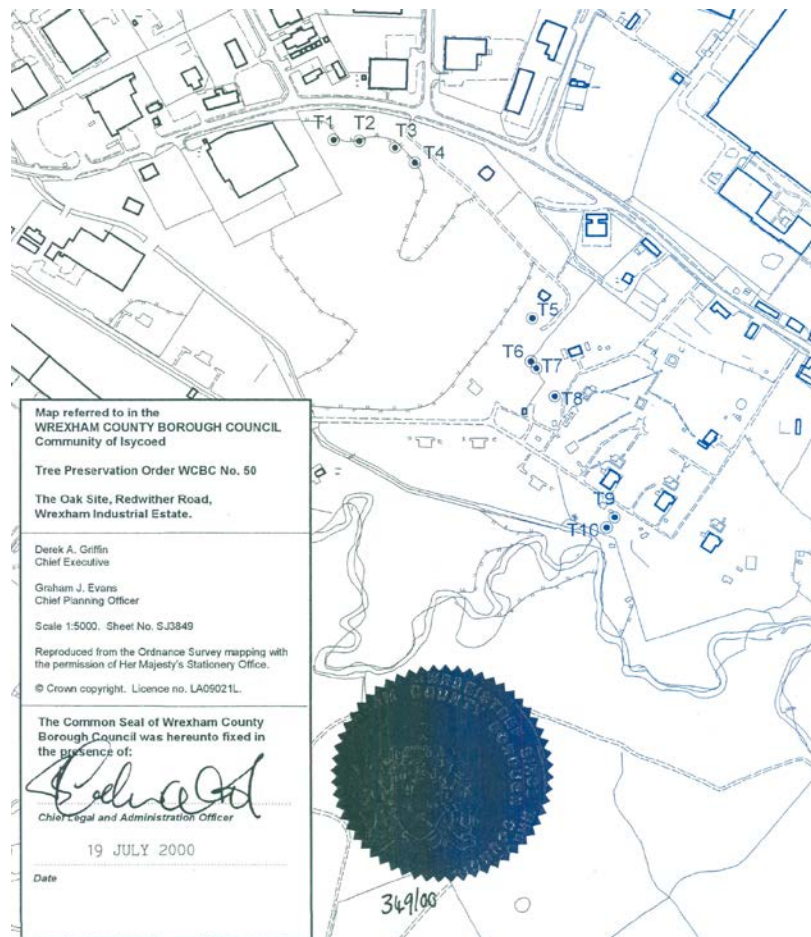
Allocated Sites for Employment					
Ref	Location	Area (ha)	Ref	Location	Area (ha)
1.	Abbey Road, Wrexham Industrial Estate.	1.5	10.	Wrexham Technology Park (Extension).	28.0
2.	Abenbury Way, Wrexham Industrial Estate.	1.7	11.	Five Crosses Industrial Estate, Coedpoeth.	0.8
3.	Redwither Road, Wrexham Industrial Estate.	0.8	12.	Gwersyllt.	0.4
4.	Bryn Road, Wrexham Industrial Estate.	9.9	13.	Hafod, Johnstown.	15.4
5.	Cefn Park, Wrexham Industrial Estate.	11.5	14.	Llay Industrial Estate.	9.6
6.	Fibreglas, Wrexham Industrial Estate.	32.2	15.	Metal Box, Gwersyllt.	2.8
7.	Firestone, Wrexham Industrial Estate.	34.2	16.	Queensway, Wrexham.	1.0
8.	Bryn Cottages, Wrexham Industrial Estate.	4.1	17.	Rhostyllen.	1.8
9.	Cefn Gasworks, Cefn Mawr.	0.7	18.	Adjacent to A483(T), Ruabon.	24.0
Total					180.4



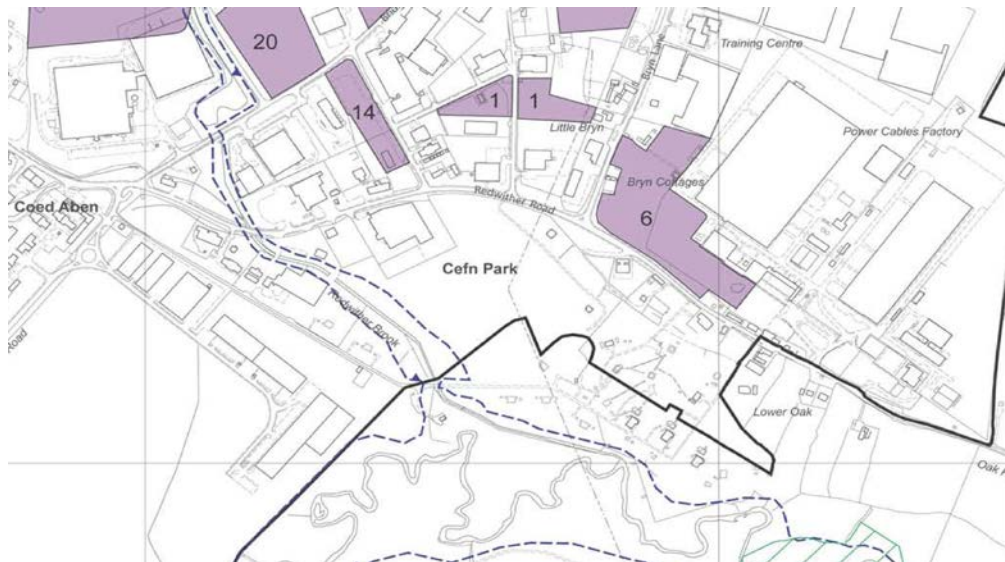
- 1.39 Consistent with the Local Plan employment allocation, but moreover consistent with the vast amount of new ecology assessment information collected over the course of 1999 by the applicants' professional team an Outline planning application for industrial development on 6 January 2000 (ref. ISY P/2000/0019) was submitted; a plan illustrating the proposal is shown below and shows an approved permission for some **12.1 ha** of land.



- 1.40 The scheme followed the ecology and heritage evidence that had emerged at the time and looked to avoid these more sensitive areas by directing development across the northern sector of the site as opposed the more sensitive areas to the south. This actually included what we now know is the most sensitive heritage areas of the site.
- 1.41 The scheme was reported to Wrexham's Planning Committee on 10 July 2000 and permission was duly granted and a decision notice issued on the same day. Copy paperwork associated with the application, consultation responses, its committee report, the decision notice and approved plans are all provided (see **APPENDIX B**).
- 1.42 Just a week later, on the 19 July 2000, the Council confirmed a TPO in seeking to protect 10 no. oak trees that were on the site (ref. WCBC 50), which would have affected a handful of the approved plots (numbers 12, 13, 14 and 1). It is believed this was instigated, not by the Planners, but by a Council representative seeking to again "frustrate" the development, much as the earlier Local Wildlife Site designation had done in 1998. The TPO plan extract is provided below.



- 1.43 Advanced development partnership discussions subsequently took place with a set of highly reputable developers (St Modwen) to bring the site forward, but then the recession introduced economic challenges which put pay to the site coming forward.
- 1.44 The subsequent plan was the Wrexham UDP, whose plan period is 1996 to 2011. It was adopted in February 2005 and the Proposals Map extract below clearly shows the site of the Outline planning approval (of **12.1 ha**) as lying within the settlement boundary of the WIE, and that **13.75 ha** of the land owned was within this boundary. Although it was no longer identified as an allocation it would naturally be available for redevelopment.



- 1.45 In July 2010 a representation to LDP1 was submitted (see **APPENDIX C**) but this never progressed as LDP1 was withdrawn in February 2012. In his report, the Inspector, drew notable and specific attention to “significant concerns” about both nature conservation and employment.
- 1.46 The whole development plan process had to be re-started and when it did the site was submitted (oddly) as a residential opportunity and it was therefore no surprise that it was immediately discounted by the Wrexham Policy Planners given its industrial context.
- 1.47 It wasn’t until 2016 when we became involved in advising the applicant whereupon we enquired why the site had been discounted. Officers responded in an email dated 11 March 2016 (see **APPENDIX D**), which suggested drainage, suspected contamination and ecology issues were the reason.
- 1.48 We subsequently lodged representations in April 2016 (see **APPENDIX E**) to the Preferred Strategy publication. Here, we drew attention to the fact that the proposal was employment not residential based and we set out how we would be looking to make progress in addressing the technical constraints Officers had identified in their email of March 2016. A host of studies and assessments were duly commissioned.

- 1.49 The applicant has been keen to engage with Officers in seeking their advice and guidance pertaining to this proposal and embarked upon an engagement process that commenced in October 2017 when we requested a pre-application meeting with Officers and presented to them in November 2017 with a Prospectus landscape design-based vision document and a host of evidence base documents (utility, highways, drainage, ecology, trees, heritage, geo-technical and archaeological) that demonstrated the site was clearly deliverable.
- 1.50 A meeting was held using the Council' development team approach service and encouraging feedback was provided in November 2017. This led to further dialogue with the NRW and the Council's ecology officer and a meeting was held in March 2018 to discuss how we were looking to approach ecological mitigation and a suggested plan was presented to reflect the Ecology officer ambition of a green network being delivered on the WIE. The correspondence material associated with this stage is provided (see **APPENDIX F**)
- 1.51 Having reached a position of agreement with the Ecology Officer and NRW over the level of mitigation that could be achieved and delivered through the redevelopment of the site a further LDP representation was submitted in May 2018 with an amended Prospectus document (see **APPENDIX G**), setting out why the site ought to be allocated as an employment site and questioning the rationale of the Council in allocating a greenfield site (i.e. the draft KSS3 site at Bryn Lane) over extant and available brownfield opportunities such as this site.
- 1.52 Since May 2018 the professional team has undertaken detailed Phase 2 site investigations, along with completing all other technical material requested by the pre-application guidance provided by Officers. Discussions with CADW have also taken place and, along with other findings, this has shaped the Parameters plan now submitted for approval.
- 1.53 The recently assented Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 means that from 1 August 2016 a far greater emphasis upon pre-application consultation with key stakeholders was introduced and a formal DMO process was activated.

- 1.54 This now places a responsibility upon applicants to undertake and follow a pre-application procedure of formal consultation and engagement with key statutory consultees (e.g. NRW, DCWW, HSE, CART, etc), the Local Authority, Town/Community Councils, local Ward Councillors and local residents and neighbouring businesses.
- 1.55 It applies to all Major applications (outline or detailed) where the project involves over 1,000 sqm of non-residential space and/or the site exceeds 1.0 ha or where the site involves 10+ residential dwellings and/or a site over 0.5 ha.
- 1.56 This process requires applicants to produce a Pre-Application Consultation Report (PAC) and it is this document that serves to address the policy requirement as set out in the legislation.
- 1.57 We consider that the applicant has duly taken account of the guidance.
- 1.58 Out-with of and in advance of the formal DMO process commencing we have undertaken detailed pre-application discussions with Officers (Planning, Highway and Ecology) at Wrexham CBC; whilst also , liaised with Welsh Water, NRW and CADW.
- 1.59 Additionally, we have also corresponded and issued the draft scheme to the local Ward Councillor and have extended an invitation to engage with and listen to the Isycoed (and the neighbouring Abenbury) Community Council as part of the DMO process.
- 1.60 The DMO process has revealed a previously unknown heritage asset interest in the remaining ROF features located in the eastern area of the site. A site meeting with CADW was held and as a result a new Archaeological Assessment was commissioned and the plans have been altered to ensure the features of interest for scheduling are now excluded. Essentially this involves no development east/south of the access road located to the east and this now forms the boundary of the proposed development area. CADW have confirmed that they are comfortable with the proposals, subject to this changes being made.
- 1.61 The course and intensity of this process is self-evident. The key message from our pre-application stage in late 2017 was that Officers would essentially be comfortable in supporting the design and technical case were we to follow their guidance. This, we have done.

- 1.62 Officers clearly recognise the positive impact delivering employment sites will have for the Borough as a whole. It is not lost on the applicant that the emerging LDP is (in its current Deposit draft form) seeking a rather punitive “green network” and imposing an equally questionable “wildlife site designation” that the applicant has challenged, along with the identification of greenfield over brownfield employment allocations (sic. KSS3).
- 1.63 The duly made LDP representations submitted in May 2018 and our involvement in the recent LDP Examination (September / October 2019), where we set out the need to maintain the UDP settlement boundary and ensure that it reflects the development zone of the site has been made to challenge the “soundness” of the draft emerging policy framework and it is hoped that the status quo of the site can be maintained in the LDP.
- 1.64 In the meantime, CPDL have, as we have set out, undertaken a significant amount of primary survey work and this has fed into the proposals which seek to provide a collective quantum of mitigation land and enhancement opportunity. Detailed discussions and proposals have been held with Wrexham’s Ecology officer and the NRW ecology team and CPDL believe that “with development” there will accrue considerable and significant levels of ecological betterment which would otherwise never come forward, together with positive heritage and amenity opportunities. Indeed, the strategy put forward is considered by CPDL to be logical realistic, viable and deliverable.
- 1.65 Additionally, Officers also know the implications of having an expired Local Plan and TAN23 brings, along with the guidance in TAN5 and PPW10, with respect the priority being upon delivering economic benefits in balance to any environmental betterment.
- 1.66 We have followed Officer advice and that is why significant effort has been made in addressing all the technical issues highlighted by Officers, in particular, ecological and heritage betterment. We therefore consider we have satisfactorily tackled and positively addressed and solved all queries posed by Officers during the pre-application stage.

- 1.67 In summary, Officers have been very positive and helpful in the guidance and advice conferred; they have welcomed the proposal, offered clear instructions as to what they considered necessary for the applicant to submit in support of the application and have helpfully advised the applicant's team as to what they would be comfortable in supporting and recommending, notwithstanding the fact that the opinions offered were those of Officers and not necessarily of elected Members.
- 1.68 Additionally, Officers confirmed that the proposed design solution (its highway and pedestrian accessibility, scale, layout, location, general setting and landscape impact/mitigation) were all acceptable and would form a constructive basis moving forward.

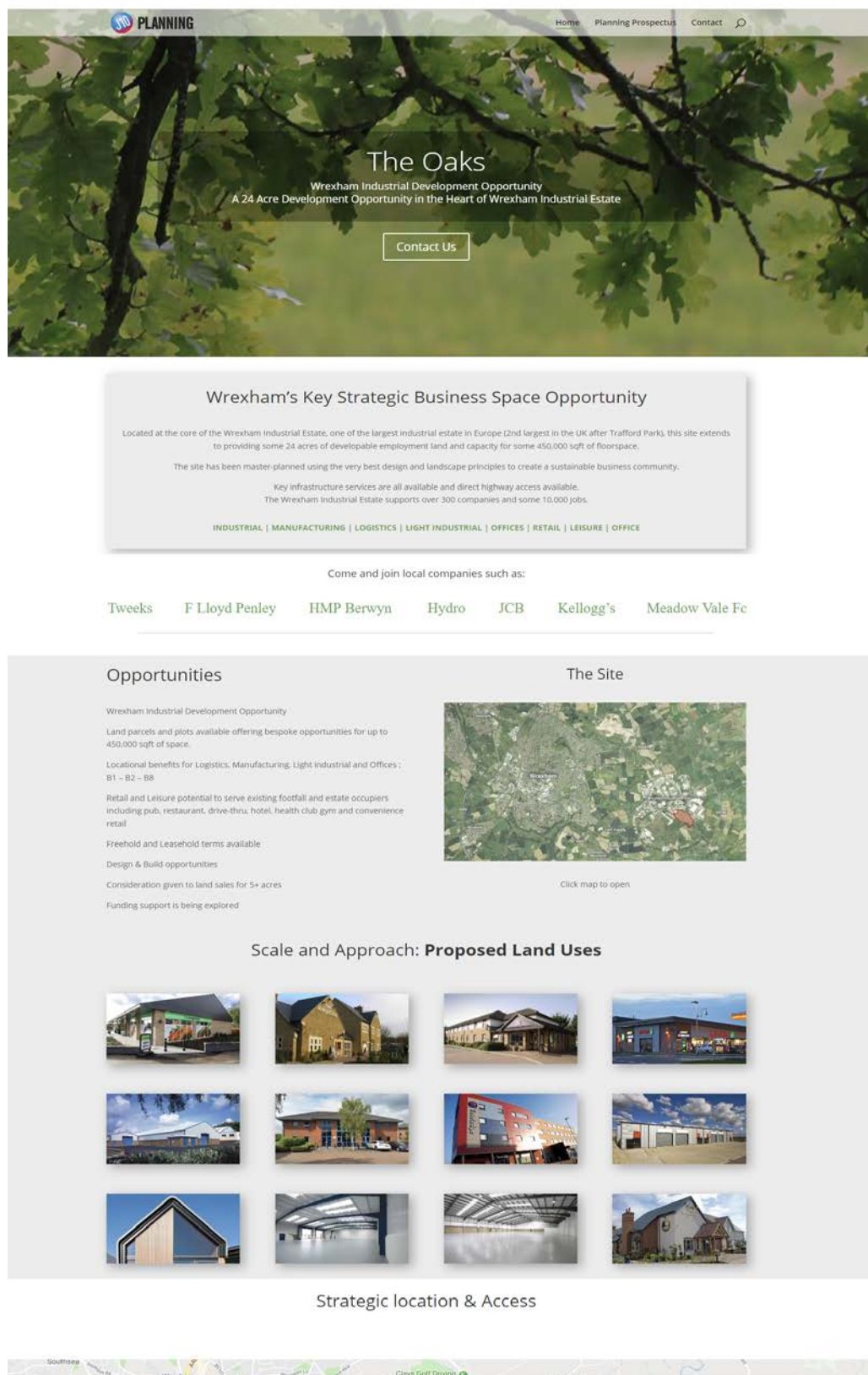
Market Demand

- 1.69 There is an acknowledgment amongst all those with interests or involvement in the Wrexham Industrial Estate (WIE) that it is a highly successful employment location and there is high latent demand for further growth that is currently not being met.
- 1.70 This is especially relevant for freehold opportunities and whilst there are a handful of known leasehold opportunities (through FI-REM) these are not able to satisfy all occupiers/operators.
- 1.71 WIE is first and foremost a B1 (light), B2 and B8 industrial location, however, it has since made a home for HMP Berwyn and is also home to a small residential community at Pentre Maelor.
- 1.72 The estate is starting to diversify but to remain competitive and attractive to investors and new companies it must adopt new ways of working and making itself attractive so as to remain a destination of choice. It must make room to accommodate new businesses and recent studies have shown that to remain viable it must diversify and modernise.
- 1.73 CPDL and, as far as we are aware, Wrexham's Economic Development team are regularly being contacted by new enquiries for land and premises; yet are unable to adequately satisfy them all.
- 1.74 The only available land resource left are those undeveloped assets owned by CPDL and FI-REM; both of which are now being promoted through the planning application process.
- 1.75 FI-REM offer solely leasehold opportunities whilst CPDL have an asset at the Oaks that will provide opportunities for freehold purchasers.
- 1.76 For instance, there is a known demand for small 1,500 to 5,000 sqft B1 light industrial units not being met and there are several single-site manufacturing occupiers looking for their own large site to occupy, along with a host of operators seeking medium-sized parcels of land for storage and depot distribution businesses.

- 1.77 There is also demand for Prison related services (e.g. leisure and retail) and a need to serve existing WIE occupiers with services and facilities to avoid unsustainable trips being made off-site; ones that would complement existing operations and provide a new dimension in making the estate more competitive with alternative destinations; yet these are not being fulfilled and a gap in the market exists to make the WIE a more “rounded” and attractive proposition for those currently located here as well as new investors.
- 1.78 The food manufacturing sector (through a range of companies) have located onto the WIE and to harness this sector there is a good argument to develop a Food Research Development Centre upon the estate to capitalise upon this interest and create a hub to attract more companies.
- 1.79 CPDL have marketed this site for some considerable time now and large marketing boards were erected in January 2018 in order to test the market and understand the level and type of demand. It also generated interest from developers seeking to partner with CPDL in bringing forward the site.



- 1.80 A website was developed (www.theoaksdevelopment.uk) and launched simultaneously and since January 2018 some 20 no. expressions of interest were received.



1.81 Expressions of interest have been submitted by some 16 organisations. These are shown in the table below (noting detailed information on each are not provided to protect the identity of the companies for the reason of commercial confidentiality).

Type of Company	Requirement	Use Class	Type of enquiry being sought	Freehold or Leasehold
Engineering steel fabricators	2.5 to 5 acres	B2	Relocation from within WIE	Freehold
Labels	1 acre	B1 light	Relocation and expansion from within WIE	Freehold
Developer	Small starter units over 3 to 5 acres	B1 light	New	Freehold
Gas engineers	2 acres 5,000sqft	B1 light B2	Relocation from outside of Wrexham Borough	Freehold
Contractors yard	0.5 to 1 acre	Sui generis	Relocation from within Wrexham Borough	Either
Haulage and warehousing	5+ acres	B8	Relocation and expansion from within WIE	Freehold
Haulage and warehousing	6 to 8 acres	B8	Relocation and expansion from within WIE	Freehold
Tyre suppliers / fitters	1 acre 3 to 6,000 sqft	Sui generis	Relocation and expansion from within Wrexham Borough	Freehold
Truck dealers	4 to 5 acres	Sui generis	Relocation from outside of Wrexham Borough	Freehold
Document storage / handling	TBD	B8	Relocation from outside of Wrexham Borough	Either
Furniture manufacturer, storage and distribution	5 acres 30,000 sqft	B2 B8	Relocation from outside of Wrexham Borough	Freehold

Abattoir	1 acre 5,000 sqft	Sui generis	Relocation from within Wrexham Borough	Either
UNDISCLOSED manufacturer and storage	100,000 sqft	B2 B8	Relocation from outside of Wrexham Borough	Leasehold
Cable systems	1 acre	B8	Relocation from within Wrexham Borough	Freehold
Commercial vehicle repair & MOT centre	1 acre	Sui generis	Relocation from within Wrexham Borough	Freehold
Waste depot	1 to 2 acres	Sui generis	Relocation and expansion from within WIE	Freehold

1.81 It shows that the application site (which extends to providing a potential gross area of 7.96 / 19.6 acres) could be filled at least twice over, were all these requirements satisfied.

1.82 The demand for space is clearly evident and most are freehold requirements across the B1 light, B2 and B8 spectrum of uses.

Deliverability

- 1.83 The advice provided by Officers during pre-application meetings was that it would be helpful for the applicant to demonstrate that the site(s) would come forward and were not just being promoted on a speculative basis.
- 1.84 The applicant is indeed serious about bringing forward the sites for development. A signal of their intent is the time and effort spent in promoting the sites through the emerging LDP but also investing significant resources in producing an Outline application that has involved commissioning detailed assessments, surveys and design work.
- 1.85 No longer is submitting a planning application a quick and cheap exercise, but one that requires commitment and funds. The applicant could have teamed up with a developer to fund the application process, but his preference was to maintain control over the planning process to provide certainty and maximise value.
- 1.86 Additionally, the applicants have invested in a quality design solution because, being local, they wish to ensure that they leave a legacy that involves more than just a transactional deal but one which provides employment and community betterment in the shape of habitat, heritage and amenity zones.
- 1.87 The significant number of expressions of interest demonstrates the sites' credentials as an attractive and viable development proposition.
- 1.88 The applicant has sought to ensure all technical and design issues have been resolved prior to submitting for planning.
- 1.89 The intention of the applicant is that following any grant of planning permission this will enable them to go back out to the market (refreshing the marketing but also going back to those who have previously expressed an interest to secure partner occupiers. The intention is to then partner with a specialist industrial developer (contractor) in bringing forward the site through Reserved Matters.

- 1.90 Assuming a permission is achieved by Spring 2020 the projected timescale for this will involve going out to the market in Summer 2020 with a view to selecting a preferred development (contractor) partner by the end of 2020 allowing enabling works (infrastructure – highways, services and site preparation) to commence during 2021, so that the spine road is introduced allowing for the first parcels to be brought forward under Reserved Matter application(s). It is anticipated that full delivery would take a few years from then depending upon the type of end users CPDL are catering for.
- 1.91 We trust that this demonstrates that the applicant is serious and deliverability of the site is proven.

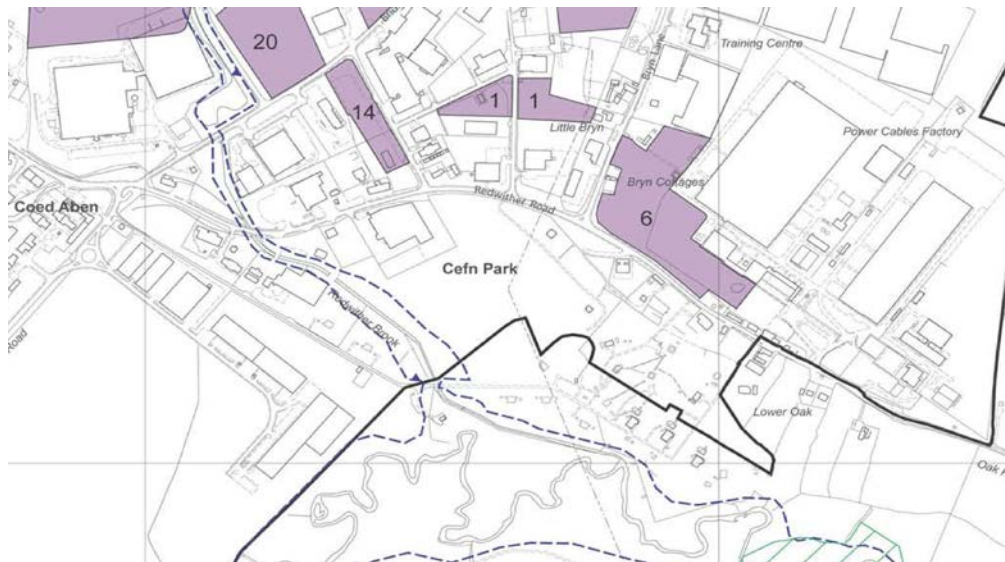
2.0 PLANNING POLICY CONTEXT

- 2.1 The purpose of this section of the statement is to set out the sequence of planning policy that is considered relevant to the consideration of this application; these are separately examined in detail by assessing and interpreting the merits of the proposals against them, with a view to demonstrating the case in support of the development proposals. The legal test for all planning decisions is to determine the application in accordance with the statutory development plan unless material considerations indicate otherwise.
- 2.2 A material consideration will be whether the plans are up to date. We have adduced that, in this instance, the development plan (for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004) comprises the Development Plan (the **Wrexham Unitary Development Plan**) which was adopted in February 2005.
- 2.3 S38(6) confirms that in determining planning applications “any determination must be made in accordance with the development plan unless material considerations indicated otherwise”. Case law (such as *R. Cummins v Camden LBC* 2001) has established that for a proposal to be in accordance with the Development Plan it is not necessary for it to accord with each and every policy, rather it should conform with the plan as a whole.
- 2.4 Moreover, a more recent judgement (*BDW Trading Ltd. (T/A David Wilson Homes (Central, Mercia and West Midlands) 27 May 2016*)) involved the judgment of Lord Justice Lindblom which offers yet another example of Section 38(6) duty being examined and scrutinised in the Court of Appeal. The appeal was brought about when questions were raised as to whether or not an Inspector, deciding an appeal against a refusal of planning permission on a residential scheme of 114 dwellings, failed to discharge the duty, under Section 38(6) of the Planning and Compulsory Purchase Act 2004, to make the decision in accordance with the development plan unless material considerations indicated otherwise. Lord Justice Lindblom offers some much-needed clarification on the law and the judgment clearly reiterates that the approach to planning decisions is not and should not be rigid and the person making the decision has some scope and autonomy in how they approach the policy position.

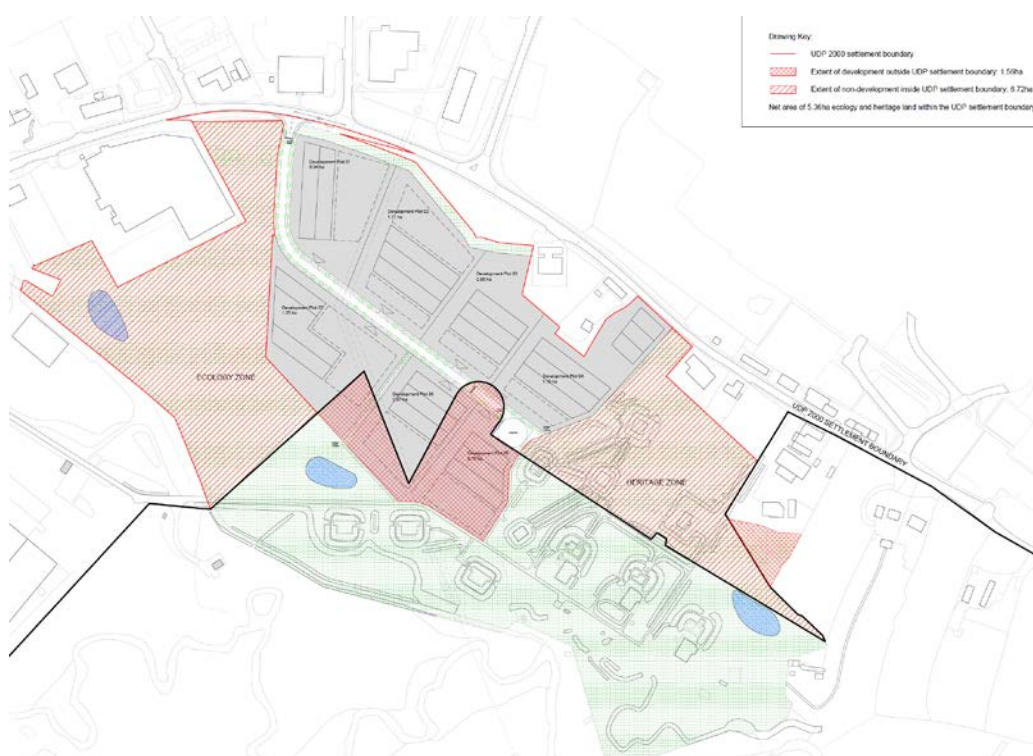
- 2.5 The next step is to consider whether any “other material considerations” indicate otherwise. This will include assessing whether the proposals are in conformity and accordance with national policy (the Welsh Spatial Plan, Planning Policy Wales, TAN’s, Interim Ministerial Planning Statements) and any non-statutory guidance (e.g. best practice). We have done this exercise and adduced that national and non-statutory considerations also support the proposals.

Local Development Plan

- 2.6 The starting point of any local planning policy assessment must be the Development Plan.
- 2.7 The principle Development Plan for the site comprises the “**Wrexham Unitary Development Plan**”, which was adopted in February 2005 and whose plan policies are currently being used for Development Control purposes. The plan period runs from 1996 to 2011.
- 2.8 Given its primacy, adopted status and the fact (most of) its policies are considered to be (generally) up to date, a degree of weight can still be attached to the relevant policies therein. However, this must be tempered by the fact that the plan has technically expired and there are National policies that have come on-stream since that must be afforded significant weight.
- 2.9 The site is currently illustrated by the Wrexham UDP Proposals Map as lying almost entirely within the settlement boundary of the WIE, as shown by the extract below.



- 2.10 We have overlaid the UDP boundary onto the proposed site plan and this is shown below:



2.11 This shows that just 1.56 ha of the proposed development area is outside of the settlement boundary, yet conversely 6.72 ha of land within the UDP settlement boundary is not proposed for development.

2.12 The fact is that the UDP settlement boundary was adopted in 2005 and followed / reflected the planning permission boundary granted 5 years previously in 2000; it does not follow any physical boundary and was totally arbitrary. As such whilst some of the site is now shown as lying outside of this boundary we would argue that the departure from the UDP settlement boundary is wholly justified.

2.13 For completeness the table below sets out the key facts:

Wrexham Maelor Local Plan (adopted 1996)	Settlement Boundary	21.5 ha of site within settlement boundary
Wrexham Maelor Local Plan (adopted 1996)	Employment allocation : Policy J1 site 5	11.5 ha site allocation
Planning permission (granted 2000)	PA ref. ISY P/2000/0019	12.1 ha granted permission
Wrexham UDP (adopted 2005)	Settlement boundary	13.1 ha of site within settlement boundary
Planning application : Nov 2019		Site area is 7.97 ha of which 6.4 ha is within settlement boundary and 1.56 ha is outside of settlement boundary

- 2.14 The approach should be to identify the provisions of the (existing and emerging) development plan and determine if the application is in accordance or in conflict. If in compliance (as is the case here) the starting point will be to approve proposals by granting planning permission as the decision is in accordance with the plan.
- 2.15 The current development plan status is that the application site falls within the settlement boundary of the WIE and it appears on a list of non-statutory local wildlife sites, whilst also being subject of a TPO.
- 2.16 We have therefore duly assessed and tested the proposals against all relevant policies from the **Adopted UDP** and consider the principal policies listed in the table below to be the most relevant and appropriate in this instance. Rather than simply reiterating what each policy seeks to achieve in great detail, since the Council will be entirely familiar with this, we will spend time emphasising and providing reasons why the proposal and the principle of the proposed development meets and conforms with these policies as set out in the table the follows below.

UDP POLICY	APPLICATION CONFORMITY
PS1 Broad Location of Development	Development ought to be directed to within defined settlement boundaries. The site is located within the settlement boundary of the WIE so is compliant.
PS2 Broad Location of Development	Development ought not to materially or detrimentally affect countryside, landscape/townscape character, open space or the quality of the natural environment. Our evidence (design, tree, ecology) demonstrates that the proposal will not harm such interests by virtue of the sites enclosed and contacted character and the retention of tree/hedgerow and enhanced and managed ecological habitats.
PS4 Broad Location of Development	Development should maintain the existing settlement pattern and character and be integrated with the existing transport network to reduce the need to travel by private car and offer alternatives. The proposal demonstrates that the integrity of the existing settlement will remain and that this site is located in a highly accessible and sustainable location to take advantage of public transport modes.
PS6 Employment	There is a need to deliver employment land and this site will serve to meet this need.
PS8 Transport	We have shown that the site is located in a position that enables maximum use of travel options in a highly sustainable manner and will encourage walking, cycling and public transport connections.
GDP1 Development Objectives	This policy seeks to ensure that all new development meet the following criteria: a) Character, appearance, design and layout

	b) Personal and community safety c) Design techniques to conserve energy and water resources d) Ensure safe/convenient pedestrian and vehicular access and making connections/links e) Convenient access to public transport f) Ensure amenity of environment are safeguarded from odour and noise effects g) Secure public services. h) Safeguard nature conservation habitats. i) Ensure that development is not subject to flooding, contamination, etc on or off site. j) Have regard to any Welsh linguistic identity. k) Secure the development of sustainable communities through economic, social and environmental wellbeing. The Council must accept that despite the proposals being detailed there may be items that need to be conditioned. The applicant considers that the Policy is met by the proposal and the submission demonstrates this.
EC4 Hedgerows, Trees & Woodland	This policy seeks to protect and conserve such features in order to enhance the character of the local landscape. The scheme submitted has been very careful to ensure that any loss is absolutely minimal; in particular those already providing a landscape buffer to adjacent uses and those that contribute to its inherent rural / urban fringe character. These features shall be maintained and managed and the illustrative layout has integrated them, with only minimal setting back to enable plenty of mitigation through new planting. Moreover, the root protection zones of all trees have been shown to be protected.
EC6 Biodiversity Conservation	Our ecological investigations have demonstrated that there are no special biodiversity habitats of significant importance in existence across the site but despite this any retained boundary landscaping features will serve to enhance the opportunities for existing habitats and the wider mitigation strategy will serve to provide for enhanced and managed habitats and serve to deliver the aspirational Green Network that has been drafted in the emerging LDP..
EC12 Development & Flood Risk	The Drainage Strategy / FCA report provided does not suggest that there will be any unacceptable risk of site flooding on or off site.
EC13 Surface Water Run-off	The Drainage Strategy / FCA report provided does not suggest that there will be any unacceptable adverse impact as a result of surface water run-off and that sustainable drainage solutions do exist.
E4 Employment development (of unannotated land) within Settlements	This policy supports development within settlement limits subject to it meeting Policy GDP1. However, proposals must not prejudice existing amenities through noise, vibration, smell, safety, health or excessive traffic generation and we consider that the proposal demonstrates that these can all be satisfactorily addressed through subsequent Reserved Matters details and appropriate conditions.

	This proposal is seeking to confirm the principle of developing a brownfield site on an existing industrial estate, so issues of height, scale, etc can all be addressed at future RM stages, because until known occupiers/operators are known it is difficult to fix on a final layout.
T8 Parking	In conformity with SPG16 adequate parking provision can be made to satisfy standards based upon the illustrative layout submitted.

2.17 The Authority is now embarking upon a replacement for the UDP in the shape of a Local Development Plan (LDP) which will cover the plan period 2013 to 2028, but until the plan has (fully) been through Examination and been adopted it carries limited weight as directed by Para 1.17 (PPW10) and the guidance contained in the LDP Manual (2nd edition August 2015) and Development Management Manual (Rev 2 May 2017).

2.18 At the time of writing the LDP has reached the Deposit Plan stage with a full suite of evidence base and draft policies and allocations; the LDP Examination has also (largely) been completed; having run between September and October 2019 and, subject to it being found “sound” it will be subject of a binding Inspectors Report which will allow the Authority to adopt the plan sometime during Q2 2020, as illustrated by the timeline table below.

STAGE	NOTES	DATE	STATUS
Approval of a refreshed delivery agreement	Publication and approval	11 October 2017	Approved
Publication of Deposit Plan for consultation	Consultation	April to May 2018	Completed
Review of responses, reporting to Planning Policy Panel, Executive Board and Full Council for approval to submit to WG		December 2018	Completed
Production of Focused Changes and inviting alternative sites		December 2018	Completed
Submission of plan to WG for Examination		April 2019	Completed
Independent Examination to test soundness of plan	Dependent upon WG availability	September/October 2019	Completed – although confirmation is awaited about any extra sessions
Inspectors Report	Publication	Maybe Q1/Q2 2020	Awaited
LDP Adoption	Must be within 8 weeks of receipt of a binding Inspectors Report	Maybe Q2/Q3 2020	Awaited

- 2.19 We are concerned that despite the plan having been through Examination there is a risk it could be found to be “unsound” (for whatever reason) and there is the indication that it has simply “paused” and will be re-opened. These situations could delay the plan being adopted and the ambition of having an adopted LDP in place in the early part of 2020 is under threat from additional slippage.
- 2.20 The ambition of adoption must be tempered and come with a health warning given that no Biodiversity evidence base exists to support the emerging ecological habitat network proposal upon the WIE; something that the Inspector of LDP1 drew attention to as a significant concern in his letter of February 2012 (see **APPENDIX H**) where he suggested the nature conservation approach failed to reflect the different approaches that are required in relation to international, national or local designations; but this has not been addressed since. We raised this concern before the LDP2 Inspector in the Matter 12 session (see **APPENDIX I**).
- 2.21 Also, in his letter, the LDP1 Inspector also questioned whether the low employment ambitions being provided for would meet the need for growth; the dangers of concentrating employment in single sites and whether restricting housing would limit the labour pool and lead to over reliance upon in-commuting. These mistakes appear to have been repeated by LDP2 and again we drew attention to the fact a greenfield site at KSS3 (Bryn Lane) was being promoted over and above available brownfield sites such as this during the Matter 5 and 9 sessions of the LDP Examination (see **APPENDIX I**).
- 2.22 Even if LDP2 is adopted during / by Summer 2020; this will leave just 8 years of the plan to run until it expires in Spring 2028 and an early Review will be almost certainly be required in line with WG guidance wherein plan reviews must take place following the 4th anniversary of a plan (therefore, as soon as Summer 2024).
- 2.23 CPDL have promoted the site for employment allocation but this has not (yet) been accepted by the Authority and in reaching their decision not to allocate the site the reasons are provided in a Site Register of comments and Officer Responses (doc. Ref. KPD14a dated January 2018); in which it provides a summary of comments made at the Preferred Strategy stage in relation to each and every candidate site including the Oaks site. This is reproduced in the table below:

Wrexham Industrial Estate (Oaks site) : WIE02CS	
Concerns Raised at Preferred Strategy LDP Stage	Officer Response
This location contains a number of sites related to the former Royal Ordnance Factory. These historic assets may require some form of pre-planning evaluation before considering a planning response.	Fails stage 1 of the Candidate Site Assessment process - constraints unlikely to be overcome (ecology, wildlife site). The settlement boundary in this location is to be amended to account for the wildlife site and ecological constraints within it.
Agent acting for site owner; the proposal is not for residential it is for industrial development; the reasons for discounting the site are invalid; not all of the site has ecological value and can be developed without compromising ecological integrity; outline permission has been granted (P/2000/0019); the site is brownfield; a TPO exists but this constraint would not prevent some development; only part of the site is in the flood zone; no known contamination issues; a net developable area of 13ha possible.	The candidate site submission form indicates that the proposal is for residential. Fails stage 1 of the Candidate Site Assessment process - constraints unlikely to be overcome (ecology, wildlife site). The settlement boundary in this location is to be amended to account for the wildlife site and ecological constraints within it.

- 2.24 The citations in the tables refer to the plans provided in the associated KPD07 Site Register document; a copy extract of which is provided below.

WREXHAM LOCAL DEVELOPMENT PLAN 2013 – 2028

SITE REGISTER

Site Ref: WIE02CS

Site Address: Oak Site, Oak Road, Wrexham Industrial Estate

Settlement: Wrexham Industrial Estate

Community: Isycoed

Ward: Holt

Size ha: 12.26

Greenfield: No

Brownfield: Yes

Settlement Hierarchy Tier: 1

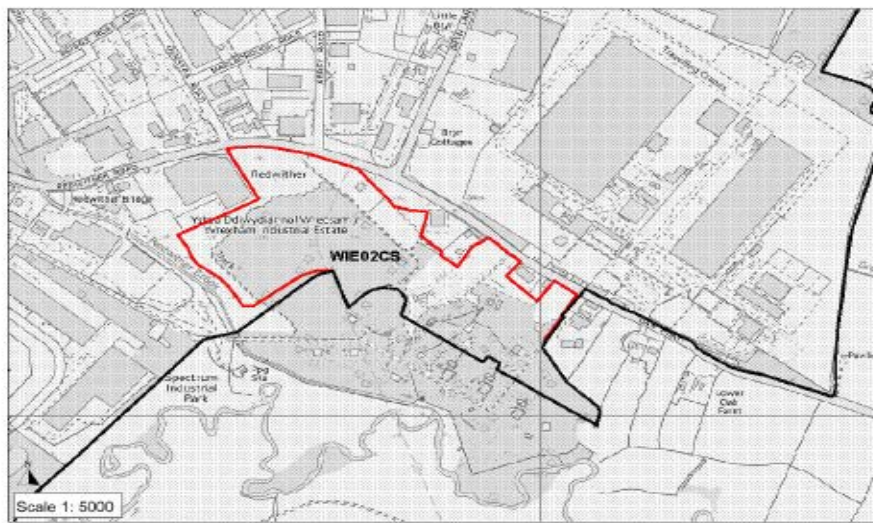
Current Use: Former Ordnance Factory

Proposed Use: Residential

Small Sites: No

Large Sites: Yes

Comment: Fails stage 1 of the Candidate Site Assessment process - constraints unlikely to be overcome (ecology, wildlife site). The settlement boundary in this location is to be amended to account for the wildlife site and ecological constraints within it.



2.25 In response to the comments submitted and the Officer response we would submit the following observations :

- *The site is fully available, viable and suitable.*
- *There are no site constraints impeding its deliverability.*
- *No objections were received during the Deposit Plan stage.*
- *The Council were previously satisfied and accepted that site should be developed for employment and indeed granted permission for a much larger site. The former Wrexham & Maelor Local Plan allocated the site for employment and subsequently outline planning permission was granted for industrial development and the Wrexham UDP settlement boundary was drawn around the site.*
- *It would appear that the Authority have ignored the planning history, UDP status and fact this site is brownfield, amongst other issues; we will be seeking to address these and other matters moving forward. There is no justification for removing the site from the settlement boundary and no evidence to support its designation as a wildlife site.*

- We have proven (through a host of our own evidence base that there are no known technical environmental or engineering constraints in bringing this site forward for development.
- All known issues (e.g. contamination, drainage/floodrisk, ecological, highway/access, minerals, agricultural land quality, tree and archaeological) have either been addressed or are in hand.
- The site development capacity has been tested to demonstrate that development can be accommodated.
- Indeed, we have shown that a host of public benefits exist including public access, wildlife network / biodiversity enhancement (long term management) and economic growth (jobs and investment) betterment can be delivered through the allocation and development of this site for employment purposes.
- The owners are in advanced discussions with a development partner, have established site viability, are preparing a planning application for the site and have a list of potential occupiers that confirms demand.

2.26 Following the Preferred Strategy stage the Authority published and released, in April 2018 (as part of the LDP2 Deposit consultation), the following plans. These suggest that the site would be excluded from the settlement boundary, be identified as a designated Local Wildlife Site and also as part of a new Wrexham Industrial Estate Ecological Network.

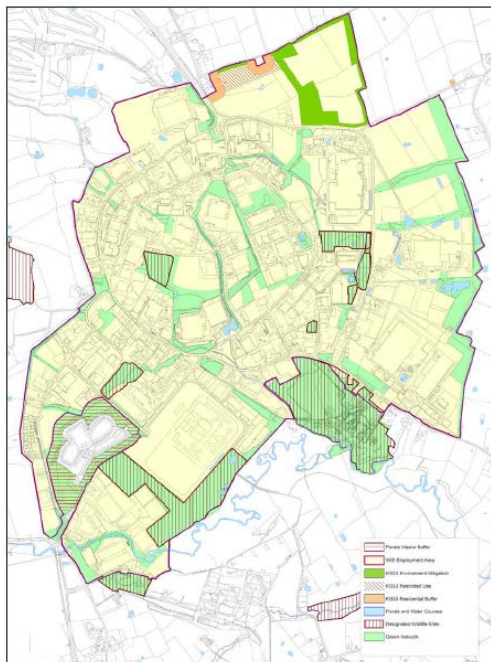


Fig 1- Wrexham Council Ecological Network Plan

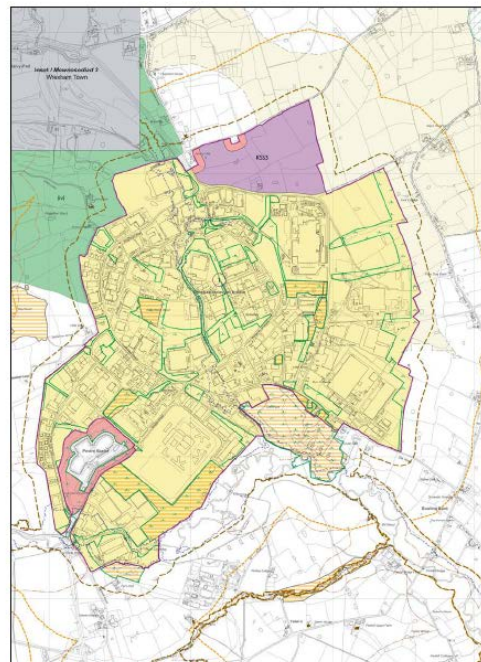
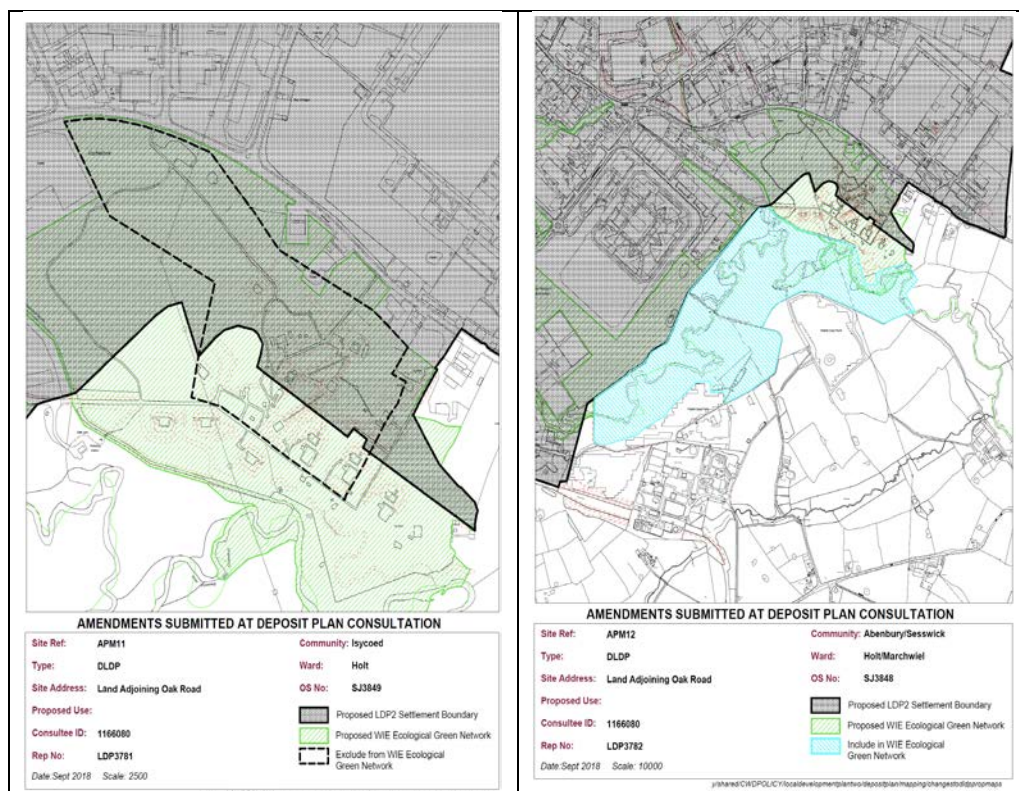


Fig 2 - Wrexham Council emerging LDP

2.27 CPDL have challenged these ambitions in their representation of May 2018 (see **APPENDIX G**).

- 2.28 The Council published KPD21 Schedule of Focused Changes & Minor Editing Changes to the Wrexham Deposit LDP in November 2018 and in here under Policy SP10 Wrexham Industrial Estate (minor editing changes MEC06 and MEC07) there is reference to “**Wrexham Industrial Estate Green Network and Employment Development and Nature Conservation supplementary planning guidance**”; yet none presently exists, apart from the plans shown above. This is worrying, because the Council surely shouldn’t be promoting a policy for nature conservation without any evidence base ?
- 2.29 In tandem with this publication, the Council also published, in November 2018, the document called “KPD20 Proposed Map Changes”. This document shows the two plans below with the proposed amendments requested by CPDL. However, they do not represent “agreed” Focused Changes and the Council Policy officers provided responses (shown below after the plans) that sadly recommend the emerging LDP plan for the WIE remains as shown above.



- 2.30 In response to the plan on the left the Council response (LDP 3781) was:

“the proposed ecological network is the minimum area required to maintain favourable conservation area status and biodiversity value on Wrexham Industrial Estate. Any reduction to this network would have an adverse impact upon protected species within the estate including priority species and habitats”.

2.31 In response to the plan on the right the Council response (LDP 3782) was:

“the proposed ecological network is directed to maintaining favourable conservation area status and biodiversity value on Wrexham Industrial Estate. The proposed area of land for inclusion within the network has little biodiversity value and given its location within the floodplain is not suitable for Butterflies or Great Crested Newts”.

2.32 By not making any changes the Council have effectively ignored the ecological evidence base presented by CPDL in duly made LDP submissions; this is despite the fact the Council have failed to undertake any of their own evidence base to counter the applicants evidence and are seeking to apply and promote a policy founded on nothing other than historic surveys and subjective speculation in retaining the LWS designation and Green Network arrangement. They have no quantitative or qualitative evidence to back up their responses and CPDL believe this position unsound.

2.33 Moreover, by doing this they have excluded the site from the settlement boundary, which is contrary to all rational planning principles governing brownfield land. This will naturally be contested by the applicant during the LDP Examination.

2.34 CPDL believe the emerging policy position with respect LWS, Green Network and changing the settlement boundary are presently “unsound” and without any credible evidence base in their support.

2.35 Notwithstanding the position taken by the applicant above, the published Deposit Draft LDP comprises a series of policies that the Authority are seeking to apply once the plan has been adopted.

2.36 We have assessed the proposal against some of the key relevant (emerging draft) policies from the LDP Deposit Plan and consider the principal policies listed in the table below to be the most relevant and appropriate in this instance.

LDP POLICY	COMMENTARY
SP6 Planning Obligations	This policy sets out a shopping list of items that could be sought from developments; our caution and concern is that it needs to recognise and include a viability mechanism to ensure that schemes are not “over-loaded” with challenging obligations and moreover that some prioritisation is given so developers can be clear on what items are most important.

	A host of deliverables are already being presented and these are considered appropriate and reasonable; to “load” more obligations on a scheme would harm viability and deliverability.
SP9 Economic Growth, Employment and Enterprise	We do not support the identification of a 28 ha greenfield site at WIE when there are already adequate brownfield alternatives available; for example, the CPDL controlled sites. We question the correlation between 4,200 jobs and the amount of land identified for allocation. We also question the need to protect all existing 25 employment sites, when the Authority have been prepared to grant permission for alternative uses (without any marketing evidence) in the past. The suggestion is that 45 ha is needed for the plan period and that an existing supply of 65 ha is available, so with an additional 28 ha allocated this will lead to a new supply of 93 ha. However, we question these levels and suggest the claimed 65 ha supply is far lower than it really is and therefore very vulnerable. We would propose that the greenfield employment site allocation (KSS3) is not developed in advance of brownfield alternatives being exhausted.
SP10 Wrexham Industrial Estate	We agree that WIE should be identified as the primary focus for new employment growth. It recognises that it can accommodate “ancillary related development” and we would urge the Authority to recognise that there is a need to enable other uses to be developed (many will deliver jobs) such as retail/leisure and even some residential too. We strongly object to the proposed ecological network that is proposed; there is no logic to it and areas of undeveloped land have simply been highlighted, many do not provide physical interconnectivity and are isolated. Moreover, the policy fails to identify any plan to deliver ecological betterment and in identifying various landholdings for this network the Council appear to have forgotten that they cannot compel landowners to deliver ecological betterment. We also question the evidence base for the network because there is no up-to-date survey and assessment data provided to demonstrate these areas (let alone proposed wildlife sites) have any value. The policy is contrary to PPW10 and TAN5 which are very clear in their direction regarding non-statutory designations and balancing ecology conservation and enhancement with economic benefits. Indeed, without (viable) development coming forward there is simply no incentive for landowners to offer up their land for such use. The policy (along with SP15 and NE1 and NE2) fail to identify a mechanism in delivering the green network ambition.
SP15 Natural Environment	This policy infers that “at all costs” such designations and features will be protected, conserved and enhanced. It places the same protection on RAMSARS as it does for locally designated wildlife sites, this is contrary to PPW and TAN5 and the protection should be proportionate.

	We feel the policy ought to include reference to a balancing exercise being undertaken to assess whether the benefits of development may outweigh any minor harm identified.
NE2 Locally Designated Sites of Nature Conservation & Geological Importance	This policy runs contrary to PPW10 and TAN5. Reference is made to a 2015 Local Wildlife Survey, but this is not provided as a publicly available evidence base document.
NE6 Waste Water Treatment and River Water Quality	CPDL's own evidence base confirm that satisfactory foul and surface water drainage solutions exist.

2.37 In conclusion, we feel that some of the emerging policies must change (e.g. those relating to Green Network and Wildlife Site designation) to make them “sound”. They will be challenged by the applicant at Plan Examination. However, in the meantime, we can conclude that the application proposals clearly comply with the existing UDP and the spirit of the emerging LDP.

Supplementary Planning Policy

2.38 There are some relevant approved/adopted non-statutory supplementary planning guidance documents that exist which have been considered by the applicant team in preparing this proposal; these comprise the following:

- SPG6 – Access to and use of Buildings
- SPG7 – Landscape and Development
- SPG15 – Cycling
- SPG16 – Parking Standards
- SPG17 – Trees & Development
- SPG29 – Wrexham Industrial Estate
- SPG31 – The Welsh Language & Welsh Communities
- SPG32 – Biodiversity & Development

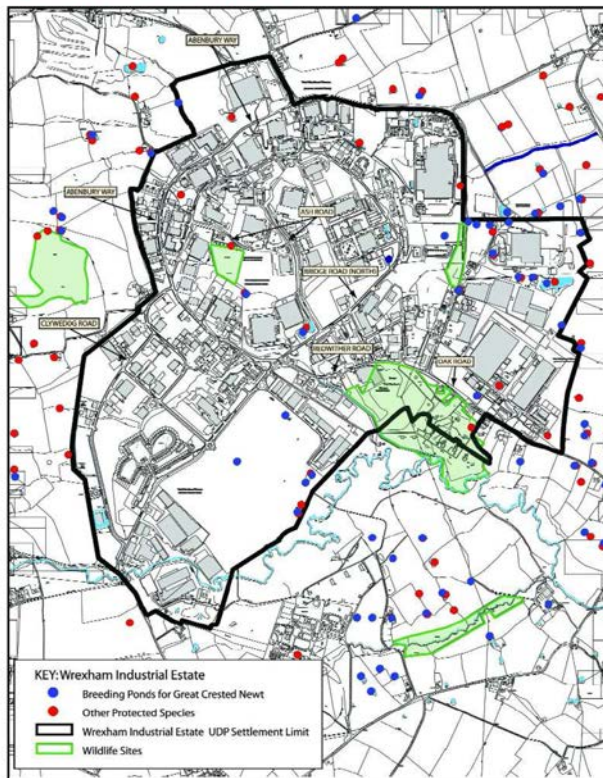
2.39 Notwithstanding the fact that the applicant considers the proposal complies with each and every one of these documents the applicant must question what weight that can realistically be afforded them, not least because the relevant Planning Acts (2004 and 2012) are clear as to the Regulations under which such guidance is published and the fact is that unless a document has been through “examination” its weight is tempered and diluted. In view of this, very limited weight can be given to such documents.

2.40 Of all of these the only SPG of any note and relevance is SPG29 (see **APPENDIX J**) which was adopted by the Council in August 2009. It has not been through any formal examination.

2.41 It considers “Employment Development & Nature Conservation”. It is this SPG where an aspirational 50% site compensation request was first raised (which sought to allow 50% development and 50% ecology). The SPG was based upon 2008 surveys and assessments, yet no background evidence is available. Moreover, it has not been updated and no recent survey evidence has been commissioned.

2.42 The application site features as an identified Local Wildlife Site (LWS) on the SPG29 Appendix 1 plan (extract below).

Appendix 1: Wrexham Industrial Estate Ecological Survey 2008



- 2.43 This SPG has been the pre-cursor to the emerging LDP Green Network plan and its associated SPG (yet to be made publicly available); with its references in emerging LDP Policy SP15 and EM6.
- 2.44 CPDL accepts that the site does have some “environmental value” but the weight placed upon the its ecological merit is mis-guided, over ambitious and contrary to all known principles of “brownfield first”. Despite its flaws CPDL have given it considerable attention and sought to promote an Ecological Strategy that will result in significant betterment and whilst the emerging policy for the site is heading in what CPDL believe is the wrong direction, the applicant has had very positive feedback as part of its pre-application discussions with Officers and the NRW. So much so, that Officers (and those in ecology and NRW roles) recognise that without any development being allowed on this site the ecological value will diminish further and further.
- 2.45 To this end, Heads of Terms (see **APPENDIX K**) have been drafted by CPDL and subject of detailed negotiations as part of pre-application discussions (see **APPENDIX F**). It is anticipated that these will serve to secure the restoration, maintenance and management of over half the site owned by CPDL and actually enable the ecological (and heritage) ambitions for enhancement and protection on the estate to be realised.

National Planning Policy

2.46 The overarching policy framework in Wales comprises the **Wales Spatial Plan (WSP)** which provides the operational strategic framework for planning policy in the Principality but is not spatially specific. WSP was updated in **July 2008**. Its 5 core aims and objectives are to:

- o Build sustainable communities;
- o Promote a sustainable economy;
- o Value the environment;
- o Achieve sustainable accessibility and;
- o Respect distinctiveness.

2.47 **WSP** is to be replaced by the emerging **National Development Plan (NDP)** draft version published 7 August 2019. This document is a lot more spatially specific than WSP and of particular note are the following Policies:

Policy 1 – Sustainable Urban Growth

Urban growth should support towns and cities that are compact and orientated around urban centres and integrated public transport and active travel networks. Higher density and mixed use development on sites with good access to urban centres and public transport hubs, including new and improved Metro stations, will be promoted and supported.

This policy directs growth to be connected to existing infrastructure and maximising sustainable access.

Policy 17 – Wrexham and Deeside

The Welsh Government supports Wrexham and Deeside as the primary focus for regional growth and investment. Wrexham and Deeside's role within the North region and the wider cross-border areas of Cheshire West and Chester and Liverpool City Region should be maintained and enhanced.

Strategic and Local Development Plans across the region should recognise Wrexham and Deeside as the focus for strategic housing and economic growth; essential services and facilities; advanced manufacturing; transport and digital infrastructure; and consider how they can support and benefit from Wrexham and Deeside's regional role.

The Welsh Government will work with cross border authorities to promote Wrexham and Deeside's strategic role and ensure key investment decisions support Wrexham and Deeside and the wider region.

Wrexham and Deeside is one of only 3 National Growth Areas being designated nationally and as such Wrexham is an area where growth will be encouraged.

2.48 **Planning Policy Wales (PPW) (Edition 10 December 2018)** provides more detailed strategic over-arching guidance on planning policy direction and is now less of a policy and land use specific document compared to its forebears; it instead focuses in on 4 central themes:

1. Placemaking in action
2. Active and social spaces
3. Productive and enterprising places
4. Distinctive and natural places

2.49 PPW10 has “placemaking” at its core and running through as a thread is the fundamental purpose of the planning system being able to contribute to and promote the achievement of “sustainable patterns of development”.

2.50 The “placemaking” theme introduces 5 key planning principles :

1. Growing our economy in a sustainable manner
2. Making best use of resources
3. Facilitating accessible and healthy environments
4. Creating and sustaining communities
5. Maximising environmental protection and limiting environmental impact

2.51 PPW10 comprises six chapters. We have considered the proposal in the light of each chapter and paragraph and set out our observations in the table below.

Para	Detail	Observation
Chapter 1 : Introduction		
1.17	A plan-led approach is the most effective way to secure sustainable development through the planning system and it is essential that plans are adopted and kept under review. Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated.	The importance of having an up to date local plan is key as is the presumption in favour of sustainable development
1.21	Up-to-date development plans are the basis of the planning system and set the context for rational and consistent decision making. Plans at all levels of the development plan hierarchy must be prepared in accordance with national planning policies. Planning applications must be determined in accordance with the adopted plan, unless material	Footnote 6 refers to Section 36(6) of the Planning & Compulsory Purchase Act 2004

	considerations indicate otherwise. Development plans must show how places are expected to change to accommodate development needs over the plan period. They provide certainty for developers and the public about the type of development that will be permitted at a particular location.	
1.30	Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning applications. It is led by the planning authority, working collaboratively with those proposing developments and other stakeholders including the local community. It must be undertaken in the spirit of partnership and inclusiveness (using the five ways of working) and supports the delivery of key priorities and outcomes (contributing to improving the social, economic, environmental and cultural well-being).	A collaborative approach has been taken
1.34	LPA's must refer to the Welsh Ministers, in accordance with the provisions of relevant Notification Directions, applications which they do not propose to refuse for the following categories of development: (i) Flood Risk Area Development – incorporating emergency services or highly vulnerable development (10 or more dwellings for residential schemes), where the entire site is within flood zone C2; (ii) Significant Residential Development – residential development of more than 150 units or residential development on more than 6 hectares of land, not in accordance with the provisions of the development plan in force in the area;	Referral to WG Ministers not required as neither threshold is triggered and the proposal is in accordance with the development plan despite exceeding 6 ha
Chapter 2 : People & Places : achieving well-being through placemaking		
2.21	Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. There may be occasions when one benefit of a development proposal or site allocation outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well-being goals.	This proposal serves to deliver a range of economic, social and environmental objectives
2.22	Economic Considerations - the numbers and types of long-term jobs expected to be created or retained; - whether, and how far, the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing local employment opportunities or upgrading the environment;	Employment is a key factor in assessing proposals; environmental and cultural are also key factors to be assessed and we consider all have

	- the contribution the development would make to achieving wider strategies, for example the growth or regeneration of certain areas; - the contribution this economic activity will have to wider policy goals; and - how the proposal would support the achievement of a more prosperous, low carbon, innovative and resource efficient Wales.	been addressed and are met
Chapter 3 : Strategic & Spatial Choices		
3.3	Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area.	The proposed design (albeit in Outline) demonstrates that the applicant has sought to achieve a high-quality design solution that will deliver on the objective of "placemaking"
3.4	Design is an inclusive process, which can raise public aspirations, reinforce civic pride and create a sense of place and help shape its future. For those proposing new development, early engagement can help to secure public acceptance of new development. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales. These objectives can be categorised into five key aspects of good design	The layout, form and arrangement has been developed in response to Officer feedback
3.22	The way a development is laid out and arranged can influence people's behaviours and decisions and can provide effective mitigation against air and noise pollution. Effective planning can provide calming, tranquil surroundings as well as stimulating and sensory environments, both of these make an important contribution to successful places.	The illustrative layout shows that pedestrian movement is maximised
3.32	The planning system is wide in its social, economic environmental and cultural scope and takes an all-embracing approach to sustainable development where decisions on short- and long-term needs and cost and benefits come together. It secures outcomes where multiple benefits (more than one ecosystem benefit) can be provided as part of plan making strategies or individual development proposals. The key features of the SMNR approach to which the planning system can contribute are: - improving the resilience of ecosystems and ecological networks; - halting and reversing the loss of biodiversity;	This scheme will serve to restore and halt the ecological decline of the site; enhance green infrastructure

	• maintaining and enhancing green infrastructure based on seeking multiple ecosystem benefits and solutions; • ensuring resilient locational choices for infrastructure and built development, taking into account water supplies, water quality and reducing, wherever possible, air and noise pollution and environmental risks, such as those posed by flood risk, coastal change, land contamination and instability; • taking actions to move towards a more circular economy in Wales; and • facilitating the move towards decarbonisation of the economy.	
3.39	In developing their spatial strategy planning authorities must prioritise the use of suitable and sustainable previously developed land and/or underutilised sites for all types of development. When identifying sites in their development plans planning authorities should consider previously developed land and/or underutilised sites located within existing settlements in the first instance with sites on the edge of settlements considered at the next stage. It is recognised, however, that not all sites of this nature are suitable for all types of development.	This site is PDL and within the extant settlement boundary of the UDP (unlike the emerging KSS3 site in the Submission version of the LDP) CPDL believe the emerging LDP has failed to consider the search sequence and ignored the evidence presented by the applicant in his LDP reps.
3.40	Where there is a need for sites, but it has been clearly demonstrated that there is no previously developed land or underutilised sites (within the authority or neighbouring authorities), consideration should then be given to suitable and sustainable greenfield sites within or on the edge of settlements. The identification of sites in the open countryside, including new settlements, must only be considered in exceptional circumstances and subject to the considerations above and paragraph 3.46 below. The search process and identification of development land must be undertaken in a manner that fully complies with the requirements of all relevant national planning policy.	Again, the search sequence is clearly defined.
3.51	Previously developed (also referred to as brownfield) land (see definition overleaf) should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all	The site is in a sustainable (existing WIE) locations; there are known protected species but significant mitigation is

	previously developed land is suitable for development. This may be, for example, because of its unsustainable location, the presence of protected species or valuable habitats or industrial heritage, or because it is highly contaminated. For sites like these it may be appropriate to secure remediation for nature conservation, amenity value or to reduce risks to human health.	proposed; industrial heritage assets also exist, although all of this is also afforded retention and protection. The land is not contaminated and neither does it suffer from any drainage issues.
3.52	Planning authorities should work with landowners to ensure that suitably located previously developed sites are brought forward for development and to secure a coherent approach to their development. To incentivise the appropriate re-use of previously developed land, planning authorities should take a lead by considering and identifying the specific interventions from the public and/or private sector necessary to assist in its delivery.	The Authority has worked collaboratively in finding solutions and encouraging this site come forward, however, Planning Policy personnel in the Authority have not recognised the work their development management and ecology colleagues have so positively engaged in
3.55	When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.	Lower grade BMV first (if at all) therefore KSS3 site fails to meet this test
3.57	Adequate and efficient infrastructure, including services such as education and health facilities along with transport, water supply, sewers, sustainable waste management, electricity and gas (the utilities) and telecommunications, is crucial for economic, social and environmental sustainability. It underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working.	Adequate infrastructure exists to support and be supported by this development

Chapter 4 : Active & Spatial Options		
4.1.10	Development proposals must seek to maximise accessibility by walking, cycling and public transport, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes, bus priority infrastructure and financial support for public transport services.	The proposal delivers pedestrian connectivity and active travel choice
4.1.33	In determining planning applications, planning authorities must ensure development proposals, through their design and supporting infrastructure, prioritise provision for access and movement by walking and cycling and, in doing so, maximise their contribution to the objectives of the Active Travel Act.	The proposal meets this requirement
4.1.36	Planning authorities must direct development to locations most accessible by public transport. They should ensure that development sites which are well served by public transport are used for travel intensive uses, such as housing, jobs, shopping, leisure and services, reallocating their use if necessary. In rural areas, planning authorities should designate local service centres, or clusters of settlements where a sustainable functional linkage can be demonstrated, as the preferred locations for new development.	The site is located to take advantage of such connections with public transport
4.1.56	Transport Assessments are an important mechanism for setting out the scale of anticipated impacts a proposed development, or redevelopment, is likely to have. They assist in helping to anticipate the impacts of development so that they can be understood and catered for appropriately.	A TA has been provided
Chapter 5 : Productive & Enterprising Places		
5.4.1	For planning purposes, the Welsh Government defines economic development as the development of land and buildings for activities that generate sustainable long-term prosperity, jobs and incomes. The planning system should ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses.	This proposal will deliver economic growth
5.4.13	Planning authorities should aim to: • co-ordinate development with all forms of infrastructure provision such as transport and utilities; • support national, regional, and local economic policies and strategies; • align jobs and services with housing and sustainable transport infrastructure, to reduce the need for travel, and dependency on travel by car; • promote the re-use of previously developed, vacant and underused land; • deliver physical regeneration and employment opportunities to disadvantaged communities;	This site is PDL and vacant, it will deliver employment opportunities

	- control and manage the release of unwanted employment sites to other uses; - propose specific locations for locally and strategically important industries which are detrimental to amenity and may be a source of pollution; and - identify protection zones around land and premises that hold hazardous substances and protect the ability of existing businesses to operate or expand by preventing the incremental development of vulnerable uses in the locality	
5.4.15	Whilst employment and residential uses can be compatible planning authorities should have regard to the proximity and compatibility of proposed dwellings to existing industrial and commercial uses to ensure that both residential amenity and economic development opportunities are not unduly compromised.	The proposal can safeguard amenity and not unduly compromise economic development
Chapter 6 : Distinctive & Natural Places		
6.1.23	The planning system recognises the need to conserve archaeological remains. The conservation of archaeological remains and their settings is a material consideration in determining planning applications, whether those remains are a scheduled monument or not.	The proposal will protect the remains as agreed with CADW
6.1.24	Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument (or an archaeological site shown to be of national importance).	The “in situ” protection of the known significantly important remains is proposed and secured
6.1.29	Historic assets of special local importance – planning authorities may develop lists of historic assets of special local interest, that do not have statutory protection, but that make an important contribution to local distinctiveness and have the potential to contribute to public knowledge.	The WW2 remains are not yet statutorily protected; they are not listed, nor identified as a SAM, or even appear on a local list. However, CPDL recognise their cultural heritage value as non-designated heritage assets and they are identified within a zone to be protected and enhanced

6.2.4	Green infrastructure plays a fundamental role in shaping places and our sense of well-being, and are intrinsic to the quality of the spaces we live, work and play in. The planning system should protect and enhance green infrastructure assets and networks because of these multi-functional roles. The protection and enhancement of biodiversity must be carefully considered as part of green infrastructure provision alongside the need to meet society's wider social and economic objectives and the needs of local communities. The multiple benefits that resilient ecosystems and green infrastructure offer to society, including the economic and social contribution they make to local areas, should be taken into account when balancing and improving these needs.	The quality of the built environment is enhanced by integrating green infrastructure into the development and this has been secured in this proposal
6.2.5	The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, helping to overcome the potential for conflicting objectives, and contributing towards health and well-being outcomes. There are multiple ways of incorporating green infrastructure, dependent on the needs and opportunities a site presents. Landscaping, green roofs, grass verges, sustainable urban drainage and gardens are examples of individual measures that can have wider cumulative benefits, particularly in relation to biodiversity and the resilience of ecosystems as well as in securing the other desired environmental qualities of places.	The proposal integrates green infrastructure into the scheme
6.2.11	Planning authorities must encourage the appropriate management of features of the landscape which are of major importance for wild flora and fauna in order to complement and improve the ecological coherence of the Natura 2000 network. The features concerned are those which, because of their linear and continuous structure or their function as 'stepping stones' or 'wildlife corridors', are essential for migration, dispersal or genetic exchange. The development of networks of statutory and non-statutory sites and of the landscape features which provide links from one habitat to another can make an important contribution to ecosystem resilience and the maintenance and enhancement of biodiversity and the quality of the local environment, including enabling adaptation to climate change.	The value of the sites' ecological habitats have been recognised and are promoted for restoration, management and maintenance
6.4.3	The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Addressing the consequences of climate change should be a central part of any measures to conserve	This development proposal has sought to satisfactorily address the non-statutory designated asset

	biodiversity and the resilience of ecosystems. Information contained in SoNaRR, Area Statements and species records from Local Environmental Record Centres should be taken into account. Development plan strategies, policies and development proposals must consider the need to: • support the conservation of biodiversity, in particular the conservation of wildlife and habitats; • ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats; • ensure statutorily and non-statutorily designated sites are properly protected and managed; • safeguard protected and priority species and existing biodiversity assets from impacts which directly affect their nature conservation • interests and compromise the resilience of ecological networks and the components which underpin them, such as water and soil, including peat; and secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks.	and ensures biodiversity is secured, protected species are safeguarded and improvements are made through a significant restoration, management and maintenance regime
6.4.4	It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals. Since these considerations are not confined by administrative boundaries they must be addressed strategically through consultation and collaboration with adjoining planning authorities and other bodies such as NRW and the third sector. All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission.	Significant mitigation is proposed to ensure no adverse effects will take place and the NRW have been party to such negotiations from a very early start
6.4.5	Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity. In doing so planning authorities must also take account of and promote the resilience of ecosystems, in particular the following aspects: • diversity between and within ecosystems; • the connections between and within ecosystems; • the scale of ecosystems; • the condition of ecosystems including their structure and functioning; and • the adaptability of ecosystems.	A net gain and betterment will accrue from this proposal

6.4.7	Planning Authorities should also refer to up to date ecological survey information (where appropriate).	CPDL have presented up-to-date evidence in support of this proposal
6.4.8	A proactive approach towards facilitating the delivery of biodiversity and resilience outcomes should be taken by all those participating in the planning process. In particular, planning authorities must demonstrate that they have sought to fulfil the duties and requirements of Section 6 of the Environment Act by taking all reasonable steps to maintain and enhance biodiversity in the exercise of their functions.	The applicant has been proactive in negotiating a future habitat restoration, management and maintenance regime for the site.
6.4.11	Planning authorities must have regard to the relative significance of international, national and local designations in considering the weight to be attached to nature conservation interests. Further guidance, particularly in relation to Natura 2000 sites, is contained in TAN 5: Nature Conservation and Planning.	A hierarchy exists and this site is at the bottom of that list
6.4.13	Differentiation should be given to the relative significance of the designation within the hierarchy, when considering the weight to be attached to nature conservation interests.	Authorities are guided to place greatest weight in protecting the best assets first
6.4.14	Statutory designation of a site does not necessarily prohibit development, but proposals must be carefully assessed to ensure that effect on those nature conservation interests which the designation is intended to protect are clearly understood; development should be refused where there are adverse impacts on the features for which a site has been designated. International and national responsibilities and obligations for conservation should be fully met, and, consistent with the objectives of the designation, statutorily designated sites protected from damage and deterioration, with their important features conserved and enhanced by appropriate management. Further information on Habitats Regulations Assessment is contained in TAN 5: Nature Conservation and Planning.	The site is a non-statutory Local Wildlife Site designation so does not fall within this category, so this higher order protection must be read in its context as even sites of a higher statutorily protected order can be developed
6.4.20	Although non-statutory designations carry less weight than statutory designations, they can make a vital contribution to delivering an ecological network for biodiversity and resilient ecosystems, and they should be given adequate protection in development plans and the development management process. Before authorising development likely to damage a local wildlife designation, planning authorities should give notice of the proposed operation to the County Ecologist and third sector environmental organisations. Where a Green Infrastructure Assessment has identified that certain features or characteristics of the site need to be conserved or enhanced,	The emerging LDP has failed to provide evidence of the site's importance and moreover it has failed to provide any measures of how they might achieve protection. Notwithstanding this, CPDL's

	planning authorities should state in their development plans what features or characteristics require this extra protection and why and explain how the policies will achieve this protection. Assessments should similarly consider the presence of protected and priority species including those on the Section 7 list and appropriate weight attached to their protection. Policies for non-statutory sites should make it clear that such designations do not preclude appropriate developments, where there are no adverse impacts on the features for which a site is designated.	proposal seek to address these deficiencies.
6.4.21	Planning authorities must follow a step-wise approach to maintain and enhance biodiversity and build resilient ecological networks by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for; enhancement must be secured wherever possible. 1. The first priority for planning authorities is to avoid damage to biodiversity and ecosystem functioning. Where there may be harmful environmental effects, planning authorities will need to be satisfied that any reasonable alternative sites that would result in less harm, no harm or gain have been fully considered 2. Planning authorities should ensure that features and elements of biodiversity or green infrastructure value are retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. The provision of up to date ecological survey information will assist in this process. Where necessary, planning authorities should seek to modify the development proposal through discussion with the applicant at the earliest possible stage. Biodiversity and green infrastructure modifications should draw on the issues and opportunities identified through the Green Infrastructure Assessment. 3. In some circumstances, it will be appropriate to attach planning conditions, obligations or advisory notes to a permission, to secure biodiversity outcomes. Planning authorities should take care to ensure that any conditions necessary to implement this policy are, relevant to planning, relevant to the development to be permitted, enforceable, precise, and reasonable in all other respects. 4. When all other options have been exhausted, and where modifications, alternative sites, conditions or obligations are not sufficient to secure biodiversity outcomes, offsite compensation for unavoidable damage must be sought	We have satisfactorily met this policy guidance in full without having to consider the 4th option
6.4.25	Planning authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial and identified green infrastructure function. Planning authorities should consider the	The trees subject of a TPO do not contribute to the character or amenity of the area

	importance of native woodland and valued trees, and should have regard, where appropriate, to local authority tree strategies or SPG. Permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland or trees are removed as part of a proposed scheme, developers will be expected to provide compensatory planting.	and perform no beneficial green infrastructure or ecology function. Significant compensation for their loss is proposed.
6.6.17	New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres also require approval from the SuDS Approval Body (SAB) before construction can commence. Adoption and management arrangements, including a funding mechanism for maintenance of SuDS infrastructure and all drainage elements are to be agreed by the SAB as part of this approval. This will ensure that SuDS infrastructure is properly maintained and functions effectively for its design life.	Noted for Reserved matters stage
6.6.18	The provision of SuDS must be considered as an integral part of the design of new development and considered at the earliest possible stage when formulating proposals for new development. In guiding new development, the planning system should at the very least ensure the incorporation of measures at an individual site scale, particularly in urban areas, in order to secure cumulative benefits over a wider area.	This has been achieved
6.6.19	Development proposals should incorporate design for surface water management, based on principles which work with nature to facilitate the natural functioning of the water cycle, providing issues such as land contamination would not result in the mobilisation of contaminants which may have an impact over a wider area. Design for multiple benefits and green infrastructure should be secured wherever possible and as part of Green Infrastructure Assessments suitable approaches towards the provision of SuDS should be identified. It may, in some circumstances, be necessary for 'hard' infrastructure solutions to be preferred because of practical or archaeological considerations but taking into account the role of water services in contributing to the quality of place, nature-based solutions should be the preference.	This has been achieved
6.6.20	Development proposals in sewered areas must connect foul drainage to the main sewer, and it will be necessary for developers to demonstrate to planning authorities that their proposal site can connect to the nearest main sewer. To ensure consistency of design and facilitate long-term maintenance, sewers should be built to Welsh Government standards and adopted. Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991 and Natural Resources Wales may refuse to	Connections exist

	issue an environmental permit for private treatment in such circumstances. Developers need an adoption agreement in place before construction commences and should consult sewerage undertakers in the early stages of design and planning.	
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- 2.52 PPW10 is supplemented by the **Technical Advice Notes (TAN's)** and by draft Ministerial Interim Planning Policy Statements (MIPPS).
- 2.53 The **Development Management Manual** (May 2017) and **Development Plans Manual** (August 2015) guide practitioners on the day to day implementation guidance.
- 2.54 Procedural advice is then set out in Circulars and Ministerial clarification letters.
- 2.55 As such, these documents may be used as material planning considerations to the determination of individual planning applications.
- 2.56 The Welsh Government publication “**Prosperity for All : the national strategy**” was issued in September 2017 and remains very relevant. It states that one of its key priority areas is “Skills and Employability”. It proceeds to set out 4 core well-being objectives of which we consider this proposal meets all five:
1. *Prosperous & Secure : in supporting people and businesses to drive prosperity and tackling regional inequality and promote fair work; and drive sustainable growth*
 2. *Health & Active : building healthier communities and better environments*
 3. *Ambition & Learning : equip everyone with the right skills for a changing world*
 4. *United & Connected : build resilient communities and deliver modern and connected infrastructure*
- 2.57 It identifies 5 cross-cutting themes of which “Skills and Employability” is one.

2.58 The most relevant TAN's (and MTAN's) that are considered to be material in this instance comprise the following:

- TAN5 : Nature Conservation & Planning (2009)
- TAN12 : Design (2016)
- TAN15 : Development & Floodrisk (2004)
- TAN18 : Transport (2007)
- TAN23 : Economic Development (2014)
- TAN24 : The Historic Environment (2017)

2.59 We do not consider it appropriate to slavishly cover each of them in exacting detail but instead we will summarise the key and salient and pertinent points from each of them. As a general comment we consider that the proposals comply with them all.

	COMMENTARY
TAN5	Protected species and habitats have been assessed and examined; with an extended Phase 1 Ecological Assessments undertaken. Significant levels of mitigation and proposals for enhanced and future management are set out. However, the Authority ought to be reminded that any attempt to go further in requesting additional obligations and commitments would be considered (by CPDL) as being unreasonable. If the site never came forward for development there is no mitigation or betterment. Development will bring positive outcomes. Moreover, the guidance is very clear as to the issues of proportionality and non-statutory designations. It directs that there must be a balance between ecology conservation and enhancement with economic benefits and CPDL consider this balance has been reached.
TAN12	As Para 2.5 states : Good design is not inevitable. It requires a collaborative, creative, inclusive, process of problem solving and innovation – embracing sustainability, architecture, place making, public realm, landscape, and infrastructure. The design solution arrived at (as expressed in the DAS) and the Landscape Design statement demonstrates that TAN12 has been followed and has taken a sensitive and sympathetic approach and response to the local natural and built environment assets. Para 5.12.2 is particularly relevant and states that : Large new employment buildings can often make a bold statement of their purpose. Recognising the functionality of business premises is important to ensure they contribute to the economic success of the occupier. However, robust design, high quality materials, flexibility of exterior and interior layout and appropriate landscape treatment such as earth form or planting, can help to integrate new business premises into their

	surroundings, minimise the need to artificially cool buildings and allow for easier conversion by successive occupiers. Service and utility features, exposed and imaginatively detailed, may in many cases provide elements of interest in otherwise plain facades. The need to consider the building and landscape maintenance processes once the development is completed is also essential to ensure that the development remains integrated. The applicant considers that this guidance has been met and issues of scale, appearance and materials have all been successfully resolved.
TAN15	The site does lie within a Flood Zone A (low risk category). Nonetheless an FCA has been undertaken to prove that a sustainable method of surface water drainage can be achieved. Connections to the mains (foul) drainage facility is possible.
TAN18	A full Transport Assessment has been submitted. The highway accesses have been proven and agreed with the Highway Authority and the layout has been proofed to accept service vehicles and the quantum of trips rates generated by the scheme. We believe this shows that the site is located in a highly sustainable location and accessible. The package of pedestrian enhancements (linkages, connections, safe routes and footway provision) are all significant benefits and improvements to the local area that this scheme can deliver.
TAN23	This is of significant material weight given that PPW defines economic development broadly so that it can include any form of development that generates wealth, jobs and income (including residential). It follows therefore, that the economic impact of these proposals must be given serious weight; the nature and extent of the benefits are provided in the summary section to this statement. The most relevant and pertinent Paragraphs in TAN23 comprise the following: Para 1.2.1 <i>As a consequence it is essential that the planning system recognises, and gives due weight to, the economic benefits associated with new development.</i> Para 1.2.2 <i>PPW advises that planning for economic land uses should aim to provide the land that the market requires, unless there are good reasons to the contrary</i> Para 1.2.5 <i>Local planning authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than prevent or discourage such development</i> Key factors in determining the weight and benefits of supporting schemes will be to ask the questions (posed under Section 2) of what are the alternatives, how many jobs will be directly provided and what other special merit might exist. In this instance the alternative is an unproven greenfield site(KSS3), yet we have

	demonstrated that significant investment, economic growth and investment benefits will be generated from developing this site. This scheme will deliver and generate many construction and supply chain jobs and the new housing will serve to support enhanced local services and facilities once occupied. Section 3 discusses supporting strong rural economies; recognising that sustainable development is essential to building strong and vibrant rural economic communities; and it is important in aligning existing and future homes and jobs.
TAN24	Section 1 discusses the importance of heritage impact assessment and the need to assess and understand sites and their significance. It also recognises the links between nature conservation and habitats and historic environment assets and the duty to ensure any works on one do not detrimentally impact upon the other. Section 4 discusses the importance of not just assessing the presence but also the value of any archaeological remains; with a view that those significant enough for retention are providing surety over being protected in situ. Annex A discusses Scheduled Ancient Monuments and whilst no SAM presently exists it is understood that this process will be instigated by CADW to protect the assets agreed with the applicant.

2.60 In conclusion, having assessed the relevant national planning policy guidance, it is our contention that the proposed development is supported, fully compliant and is endorsed by local and national planning policy.

3.0 SUMMARY BENEFITS IN SUPPORT

- 3.1 This statement has assessed the suitability of the application site for the proposed development and having concluded that the proposal is inherently compliant with Local and National policy it is my opinion that this proposal must be approved.
- 3.2 I have then sought to consider whether there happen to be any other material considerations that might balance out any reason for approval and actually outweigh its compliance with policy; to such an extent so as to make the proposal unacceptable.
- 3.3 My conclusion is that there is nothing to prejudice a positive determination and indeed it is my opinion that suggests the exact opposite. What has been revealed by the site planning history, technical studies and pre-application consultation demonstrates that this proposal should be supported and encouraged to come forward.
- 3.4 The principle of developing the site for employment use is not something that is controversial or disputed by Officers. The main issue has been that of ecology but early meetings with the Council Ecologist and NRW sought to present a mitigation solution that would reflect the emerging desire for a “green habitat network” across the Estate.
- 3.5 Furthermore, the pre-application discussions held with the Council since October 2017 have confirmed our belief that the proposal would be welcomed and was likely to be acceptable in meeting planning policy requirements. Such discussions have proven most useful in establishing the framework and direction of the proposals and we would like to thank the people involved in this process for this co-operative and helpful stance. We therefore feel that the proposals suitably reflect the intent inferred and the advice and guidance provided.
- 3.6 The application is submitted in order to facilitate the implementation of the proposals and, subject to an approval during Spring 2020, this will pave the way for the site to be developed from 2021 onwards; particularly given the interest shown already by operators, occupiers and developers.

- 3.7 CPDL have spent significant resources on the planning process and the commitment to delivering the site is reflected in the fact this is an Outline planning application with a detailed level of supporting material. In this age of DMO consultation the resources needed to promote a site do not come cheaply and as such this will have deterred many speculative approaches. This is a very serious and real development and CPDL are committed to delivering and achieving a permission. This site represents a significant investment for them and they are committed to delivering new employment space and securing and maintaining local jobs locally in Wrexham Borough.
- 3.8 We believe this statement, together with the accompanying and supporting documentation and associated plans demonstrate this and satisfactorily illustrate all the points that need to be considered.
- 3.9 These cumulatively present a compelling case as to why this scheme should be supported and granted planning permission and moreover the benefits (as set out below) present a compelling case as to why this scheme should be supported and granted planning permission.
- 3.10 The development will achieve sustainable development in accordance with the emerging policy emphasis upon providing a series of **economic, social and environmental net gains**.
- 3.11 We believe the development will achieve sustainable development in accordance with an emphasis on generating significant and mutually supportive economic, social and environmental benefits which collectively constitute sustainable development; this being a key concept and ambition being driven by the placemaking agenda promoted by Planning Policy Wales.
- 3.12 A range of **considerable community and public benefits** are provided, which cumulatively present a compelling case as to why this scheme should be supported and granted planning permission. These benefits will go beyond simply delivering new housing and can be summarised as **scheme deliverables** with **roles** in the following manner:

ECONOMIC DELIVERABLES & ROLE

- Based upon a potential site capacity of 14,000 sqm (150,699 sqft) of B1 (c) light industrial and 14,200 sqm (152,852 sqft) of B8 warehousing and distribution floorspace (totaling 28,200 sqm / 303,551 sqft) and using the HCA “employment Density Guide 3rd edition Nov 2015) we would predict that the site could generate employment in the range of 297 B1 and 184 B8 jobs : supporting a total of around **481 jobs**.
- The total project contract value for this project is in the region of **£29 M** and this will help to secure existing construction jobs based locally and create new ones.
- In what are still tough economic times; skilled jobs in the locality that will help maintain employment and provide and contribute towards the ongoing economic investment in the locality is a significant bonus.
- It is estimated that the development would need a constant **50 direct operative jobs** a day to sustain a 3-year construction programme with another **65 supply chain jobs** indirectly supported.
- Significant **local spend and economic output** during the construction period of the development will represent a big boost to existing businesses. Indeed, construction industry bodies have found that for every £1 spent in the construction industry this generates £3 in the local economy so with a £29 M project this is an investment worth up to **£87 M** over a 3-year build period; spend that will lead to new services being offered locally.
- Post-completion, the **spending power of another 481 employees** into the local economy can also be expected to be significant; with ongoing local expenditure being spent in sustaining local services and facilities beyond just the construction cycle.
- The completed development will also generate **Council Business Rates revenue** for the Authority and (based upon c. £3.50/sqft) this scheme could generate up to **£1,062,432 per annum** into the public purse and coffers, in supporting and enhancing existing public services.
- This proposal seeks to deliver jobs, economic growth and prosperity into the local economy.

SOCIAL DELIVERABLES & ROLE

- This scheme will deliver quality modern employment buildings making WIE more competitive and sustaining its attractiveness as the UK's second largest industrial estate.
- Providing for new jobs will deliver social and **economic wellbeing to residents of Wrexham** Borough by creating wealth and underpinning investment in the local economy and supporting new infrastructure.
- Ensuring new development respects its neighbours in terms of its scale, layout, design and operational functioning; providing an adequate buffer between it and any non-industrial uses; these can be controlled through conditions and the subsequent Reserved Matters detail.
- Providing access for all sectors of the community, particularly those with mobility difficulties – the design incorporates **DDA compliant** grade access into the buildings and across the sites.
- Accessible by foot/cycling to local amenities and facilities and taking advantage of public transport interfaces (bus routes) thus, promoting sustainable travel choices and **reducing the need to travel** using private modes of transport.
- The development of the site for a use that meets Highway safety needs and will provide for sufficient off-street parking spaces, turning and access for all refuse, emergency and delivery vehicles.
- It will also enable enhanced levels of public access, interpretation of its historic use and connectivity / linkages with existing PROW's.

ENVIRONMENTAL DELIVERABLES & ROLE

- Retaining **connective, permeable and safe pedestrian** links/routes into and adjacent to the development site; thus, maintaining **public access** throughout the site and delivering new pedestrian footways into the site and the opportunity of linking with existing PROW's.
- Delivering an **environmental dividend** that is more than equivalent to the amount of development land being brought forward. This will enable a significant **biodiversity and habitat enhancement** package for future management with **heritage asset protection** that amounts to **12.24 ha of land** (far greater than the 7.96 ha of land being promoted for development).
- Resulting in the **comprehensive development** of the site with a sympathetic and sensitive design taking account of the neighbouring urban grain and its landscape setting and character.

- Delivering a “market-responsive” development proposal at a density that is appropriate and delivers **“place-making”**.
- The design has taken account and respect of its landscape setting, ecological habitat and tree / hedgerow infrastructure and sought to integrate these features and ensure maximum retention, mitigation and enhancement is enabled through new strategic landscaping, compensating the loss of any existing protected trees with mature “feature” trees; reinforced planting, buffer, dark corridor and biodiversity opportunities.
- The proposed layout and detail of the scheme in design terms offers the highest **quality design solution** that could be expected for this site and the applicant has invested heavily in this to get it right and it will serve to significantly enhance the design quality of the area; thus, benefiting the special character and appearance of the site in its rural / industrial-urban fringe setting.

3.13 The development proposals therefore generate significant and mutually supportive economic, social and environmental benefits and gains which collectively constitute sustainable development in line with PPW and must not be underestimated.

3.14 We consider these scheme deliverables should be afforded **full weight as material planning considerations**. They are significant enough to justify and demonstrate that the proposals are acceptable and would serve to outweigh any perceived or apparent concerns (or harms) that this proposal could be considered to have upon the locality, the few TPO trees to be removed and the wildlife designation.

3.15 This proposal has also demonstrated that it is in full accordance and wholly compliant with all national and local planning policy and associated best practice guidance governing development proposals.

3.16 We submit that considerable and significant weight should be afforded to the Policy documents referred to as material considerations in support of the proposals.

3.17 This is a scheme of high quality and advanced sustainability; which strategically fits with planning policy and other material planning considerations.

- 3.18 On this basis, and from the assessment of the relevant material planning considerations, we genuinely consider that the proposed development should be granted **Outline Planning Permission**.
- 3.19 Any planning conditions that are to be attached should follow the guidance set out in Welsh Government Planning Circular 16/2014 whereby any planning conditions must meet the following six tests:
- *Necessary;*
 - *Relevant to planning;*
 - *Relevant to the development to be permitted;*
 - *Enforceable;*
 - *Precise; and*
 - *Reasonable in all other respects.*
- 3.20 We would request that in the event a draft decision notice and conditions are prepared, that we are fully involved in the process in order to ensure that the wording of such conditions meet the above tests and enable the swift commencement of development.
- 3.21 In addition, CPDL recognise that the Authority will be keen to secure the delivery of the Ecological Habitat, Heritage & Amenity Mitigation Zones and that the best way of doing this is through a S106 legal agreement.
- 3.22 However, the applicant appreciates that such agreements can often take a long time to produce and they are keen to proceed as rapidly as possible to deliver new employment opportunities and fulfil occupier/operator demand.
- 3.23 In the light of this they have taken the initiative of producing draft Heads of Terms that have already been discussed and agreed with the Authority prior to this application coming forward. The applicants' lawyers will now look to produce an acceptable Unilateral Undertaking so that by the time the proposal is ready for determination it will have reached an advanced/engrossed stage. The draft HOT's are provided (see **APPENDIX K**). These reflect those that have been found to be acceptable on other sites (sic. FI-REM) upon the WIE through recent negotiations with Wrexham Planners, Ecology officers and the NRW.

- 3.24 Moreover, a letter of intent has been provided (see **APPENDIX L**) to address the specific heritage requirements associated with the intended habitat management plan for the site. It is considered that there are currently too many unknowns regarding the site to produce a viable heritage management plan at this stage because it's advisable to await both the planning decision and the CADW scheduling team's appraisal of the site, so that greater certainty can be provided regarding those elements of the site that will actually require both management and future resourcing. This letter provides a commitment to producing and implementing the plan with the Council and CADW, etc rather than attempting to deliver something with imprecise parameters now.
- 3.25 The issue of formal designation by CADW is likely to affect both heritage and ecological management; were scheduling to take place (and we expect this to be instigated soon) the works set out in the Ecological Management Plan would require agreement, if not formal consent. The proposed ponds and the introduction of material for butterfly banks would both require formal consent from CADW within the terms of the legislation, while the creation of habitat piles would, at least, require their agreement. Similarly, any heritage management plan produced in advance of a formal decision on designation could promote unsustainable aspirations. Moreover, it will require agreement with CPAT, but designation would also require sign off by CADW, altering the nature of the document. In the worst case, a document produced too early could become completely redundant and require rewriting within a matter of weeks.
- 3.26 Given this, the draft HOT's are considered a good starting point for the various agencies to get together and agree a common strategy and mutually beneficial plan.
- 3.27 **This application is technically robust and it has been demonstrated that there are few, if any, negative impacts that would result. The overall planning balance is weighted strongly in favour of granting permission as per Section 38(6) of the Planning & Compulsory Purchase Act 2004. The proposals must be supported and permission approved without any delay in accordance with the Planning Policy Framework because we have demonstrated that no adverse impacts are evident in impeding such a positive determination being reached and any impacts which might be judged to occur would have to significantly and demonstrably outweigh the benefits when assessed against policies taken as a whole and in our opinion none exist. Accordingly, we commend these proposals to the Council.**

APPENDIX A

Planning History

(1996 to 1998)

In pursuance of its powers under the Acts and Orders referred to below, the Borough Council, as District Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application.

THE GUILDHALL,
WREXHAM,
CLWYD,
LL11 1AY.

01.04.
38600
49300
F CC
-

Applicant

Mr J.M. Price

Code Number

ISY CB00031

Agent

Mr J.M. Price,
2 Penllwyn,
Nant Parc,
Johnstown,
Wrexham, LL14 1YG.

Date received

5th February 1996

Decision date

7th May 1996

Town and Country Planning Act 1990
Town and Country Planning (General Development Procedure) Order 1995

REFUSAL OF PLANNING PERMISSION

LOCATION AND DESCRIPTION

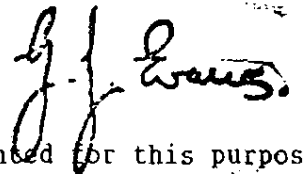
LAND ADJACENT TO REDWITHER ROAD, WREXHAM INDUSTRIAL
ESTATE, WREXHAM

CHANGE OF USE TO OFF-ROAD MOTORCYCLE PRACTICE TRACK

PARTICULARS OF DECISION

PERMISSION REFUSED FOR THE REASON(S) STATED BELOW

- 01 The proposed use would, having regard to the proximity of residential and industrial premises adjoining two boundaries of the site adversely affect to an unreasonable extent the amenities of those occupying the properties by reason of noise nuisance and disturbance which would be contrary to Proposal S4 of the Wrexham Maelor Local Plan.



Officer appointed for this purpose
Refer to the Statement of Applicant's Rights and General Information enclosed.

In pursuance of its powers under the Acts and Orders referred to below, the County Borough Council as Local Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application.

LAMPIT STREET,
P.O. BOX 1290,
WREXHAM,
LL11 1WL.

21.12.
38800
49220
O MA
I

Applicant Cefn Developments Limited

Code Number ISY CB02691

Agent Strutt & Parker,
19 Grosvenor Street,
Chester,
CH1 2DD.

Date received 26th October 1998

Decision date 12th April 1999

Town and Country Planning Act 1990
Town and Country Planning (General Development Procedure) Order 1995

Refusal of Outline Planning Permission

LOCATION AND DESCRIPTION

OAK SITE, REDWITHER ROAD, WREXHAM INDUSTRIAL ESTATE,
WREXHAM.

INDUSTRIAL DEVELOPMENT.

PARTICULARS OF DECISION

OUTLINE PERMISSION REFUSED FOR THE REASON(S) STATED BELOW

- 01 Insufficient information has been submitted to enable the Local Planning Authority to fully assess the impact of the development upon the ecological amenities of the locality. As such the development will be likely to adversely affect flora and fauna in the area.

Officer appointed for this purpose
Refer to the Statement of Applicant's Rights and General Information enclosed.

APPENDIX B

Planning History

(2000)

In pursuance of its powers under the Acts an Orders referred to below, the County Borough Council as Local Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application

Expiry Date:
07/03/2000
Grid Reference:
E 338800
N 349220



Applicant Cefn Developments Ltd

Agent Strutt & Parker
19 Grosvenor Street
Chester
CH1 2DD

Code ISY P/2000/0019

Number

Date 11/01/2000

Received

Decision 10/07/2000
Date

Town and Country Planning Act, 1990

Location of application

Oak Site Redwither Road Wrexham Industrial Estate Wrexham

Description of application

Industrial development

Particulars of decision that Outline Planning Permission be GRANTED
Subject to the following:-

Condition(s)

1 .

Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced:-

- a) the design of the buildings;
- b) the siting of the buildings;
- c) the external appearance of the buildings;
- d) the landscaping of the site.

2 .

Plans and particulars of the reserved matters referred to in condition 01 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are thereby approved.

3 .

The development hereby permitted shall be begun before the expiry of five years from the date of this permission or two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.

COPY

Applicant	Cefn Developments Ltd	Code	ISY P/2000/0019
Agent	Strutt & Parker 19 Grosvenor Street Chester CH1 2DD	Number Date Received Decision Date	11/01/2000 10/07/2000



4 .
The area shown "hatched" on the approved plan, (drawing number "⁵~~1~~128/03") is specifically excluded from this grant of planning permission and no development shall take place within the area.

5 .
Details to be approved as part of the reserved matters shall show distribution, protection and enhancement measures of the species and habitats referred to in the Young Associates report dated May 2000. Development shall be carried out in strict conformity with such details as are thereby approved.

6 .
No development shall commence until a management plan has been produced which sets out the management of the exclusion zone for a period of no less than 25 years.

7 .
No part of the development shall be commenced until the results of a full investigation and assesment of contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include full details of any remediation necessary to avoid risk when the site is developed. Development shall only be carried out in full accordance with the scheme as approved.

8 .
No development shall commence until a scheme to deal with contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public/buildings/environment when the site is developed.

9 .
The erection of fencing for the protection of trees and shrubs shall be undertaken before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The above mentioned fencing shall consist of 1.5 metre high chestnut paling fence or other approved fence erected at full extent of each tree and shrub. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written permission of the Local Planning Authority.

10.
No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition

Applicant	Cefn Developments Ltd	Code	ISY P/2000/0019
Agent	Strutt & Parker 19 Grosvenor Street Chester CH1 2DD	Number Date Received Decision Date	11/01/2000 10/07/2000



works, soil moving, temporary access construction or any operations involving the use of motorised vehicles or construction machinery) until a detailed levels survey which includes the location of existing trees, shrubs and hedges on or immediately adjacent to the site, has been carried out and submitted to the Local Planning Authority. No alterations in site levels shall take place except in accordance with a scheme approved in writing by the Local Planning Authority showing the existing and proposed levels.

11.

No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction or any operations involving the use of motorised vehicles or construction machinery) until a detailed surface and foul and surface water drainage layout has been submitted to and approved by the Local Planning Authority. Such layout shall provide for the long term retention of trees/hedges/key landscape features/archaeological features. No development shall take place except in accordance with the approved service/drainage layout.

12.

No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed and showing the relationship of proposed mounding to existing vegetation and surrounding landform. Details of soil stripping, storage and replacement shall be included where appropriate. Development shall be carried out in accordance with the approved details.

13.

No works to trees shall be undertaken except by a qualified arboriculturalist.

14.

Prior to any work on site commencing, the contractor shall contact the Council's Arboricultural Officer giving him seven days notice of a meeting on site to review all work procedures, access routes, storage areas and tree protection measures. Development shall only be carried out in strict accordance with the agreed measures.

15.

Development shall not commence until a photographic survey (comprising photographs in 35mm print) showing each internal and external elevation of all existing buildings and structures to be demolished has been carried out. The resultant photographs shall be deposited with the Local Planning Authority.

16.

No part of the development on site shall be commenced until the road works approved under Code No. CB01935 have been completed to a standard suitable for adoption by the Highway Authority.

Applicant	Cefn Developments Ltd	Code	ISY P/2000/0019
Agent	Strutt & Parker 19 Grosvenor Street Chester CH1 2DD	Number	
		Date	11/01/2000
		Received	10/07/2000
		Decision	
		Date	



Reason(s)

- 1 .
To comply with Section 92 of the Town and Country Planning, 1990.
- 2 .
To comply with Section 92 of the Town and Country Planning, 1990.
- 3 .
To comply with Section 92 of the Town and Country Planning, 1990.
- 4 .
To protect named species/habitats/biodiversity which would otherwise be damaged/lost by the development hereby permitted.
- 5 .
To protect named species/habitats/biodiversity which would otherwise be damaged/lost by the development hereby permitted.
- 6 .
To protect named species/habitats/biodiversity which would otherwise be damaged/lost by the development hereby permitted.
- 7 .
To prevent pollution of the water environment.
- 8 .
To prevent pollution of the water environment.
- 9 .
To protect trees which are of significant amenity value to the area.
10.
To ensure that the works on the site properly take account of the future health of the trees.
11.
To ensure that the works on the site properly take account of the future health of the trees.
12.
To ensure that the works on the site properly take account of the future health of the trees.

Applicant	Cefn Developments Ltd	Code	ISY P/2000/0019
Agent	Strutt & Parker 19 Grosvenor Street Chester CH1 2DD	Number	
		Date	11/01/2000
		Received	10/07/2000
		Decision	
		Date	



13.

To ensure the work is carried out to accepted arboricultural practices for the long term well being of the tree(s).

14.

To ensure that the works on the site properly take account of the future health of the trees.

15.

To ensure a record is retained of the built development on site which is considered of regional and national significance.

16.

To ensure a safe and convenient means of gaining access to the site in the interest of highway safety.

Note(s) to applicant

1.

Your attention is drawn to the observations of the Environment Agency attached to this decision.

2.

You are advised that dependant upon the traffic patterns associated with any further detail design application and the timing of any application, especially with respect to the proposed Industrial Estate Link Road construction, further site works or commuted sum payments may be applicable. A further assessment will be required, based on the current TIA, at the time of submission of a detailed application.

3.

Your attention is drawn to the observations of the Coal Authority attached to this decision.

4.

You are advised that the Council's Arboricultural Officer may be contacted on Wrexham 01978 292529.

5.

You are reminded of the presence of houses near to the site and any development must take account of the amenities of residents.

Applicant Cefn Developments Ltd

Code

ISY P/2000/0019

Agent

Strutt & Parker
19 Grosvenor Street
Chester
CH1 2DD

Number

Date

11/01/2000

Received

10/07/2000

Decision

Date



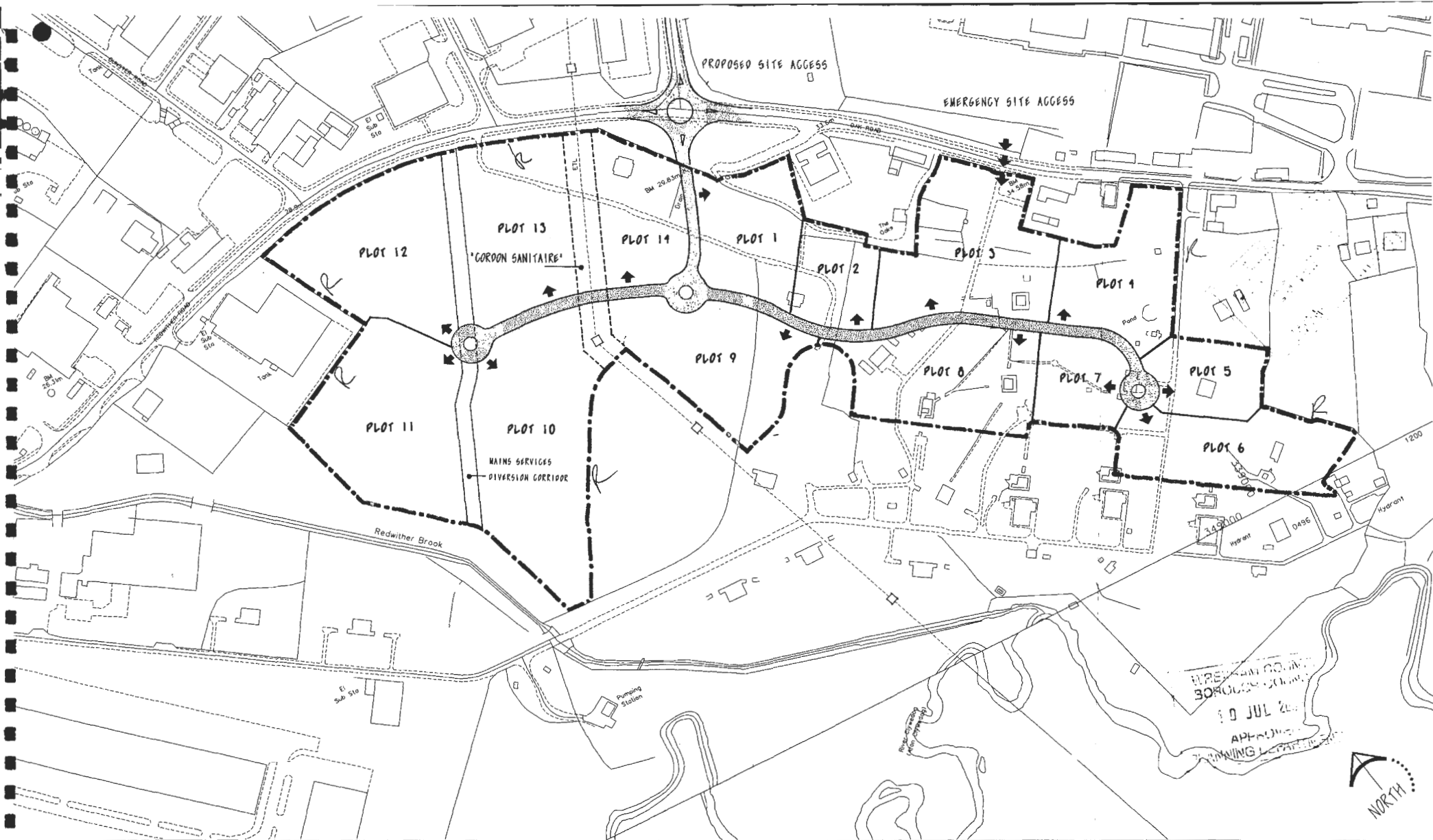
A handwritten signature in black ink, appearing to read 'G J Evans'. The signature is written in a cursive style with a large 'G' and 'J'.

Officer Appointed for this purpose

Refer to the Statement of Applicant's Rights and General Information Enclosed

G J Evans, Chief Planning Officer, Lambpit Street, P O Box 1290, Wrexham, LL11 1WL.

Re



Young Associates
Environmental Consultants

**GIFFORD
AND PARTNERS**

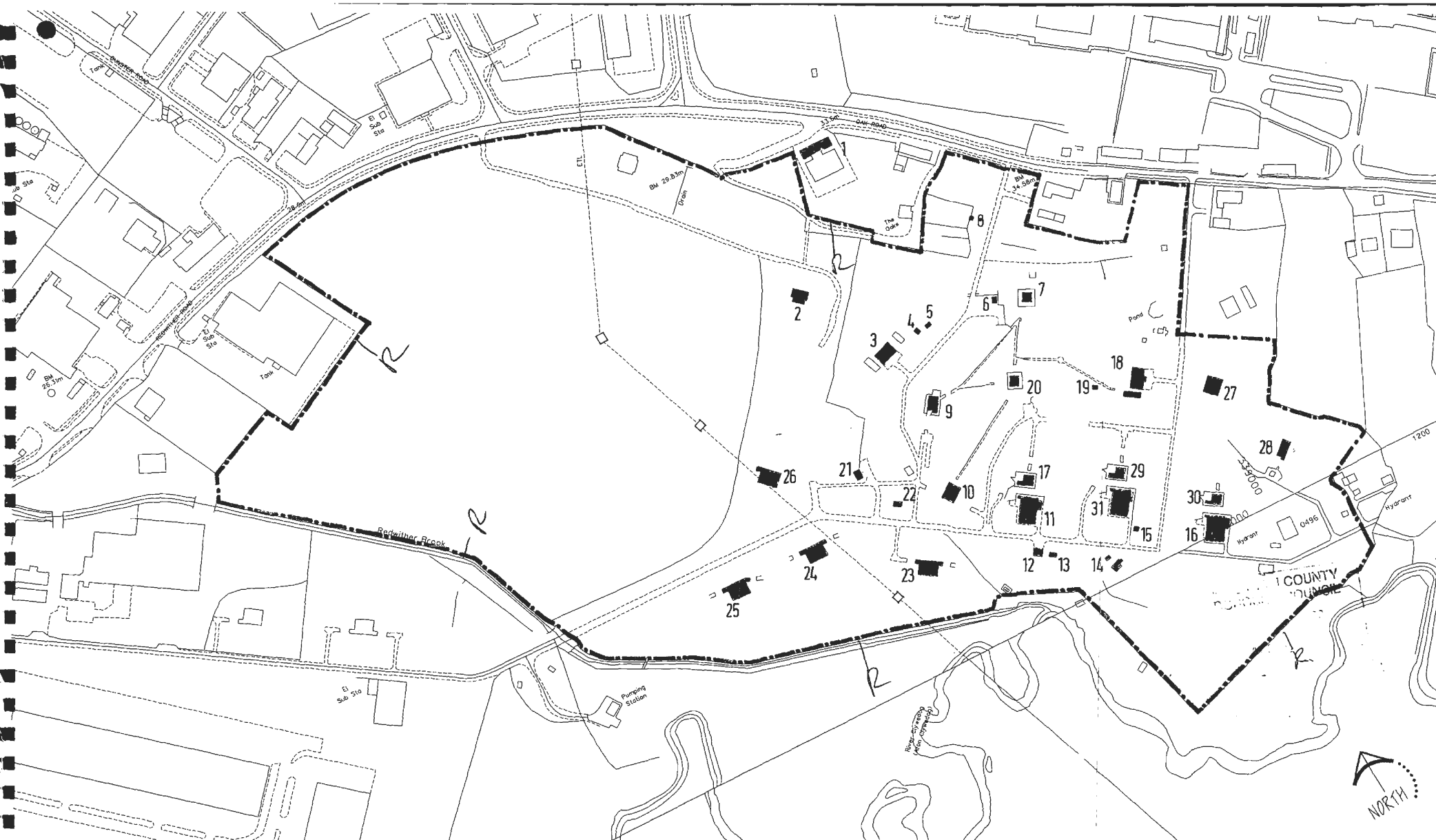
Architects • Environmental Consultants • Landscape Architects • Project Manager
Planners • Urban Designers • Building Surveyors • Interior Designers • Quantity Survey

TACP

27/29 Grosvenor Road Wrexham LL11 1QH 01978 291161 10 Park Grove Cardiff CF1 3BN 01222 228966

Cefn Park Developments Ltd
The Oaks, Wrexham Industrial Park
Preliminary Development Proposals

Drawn • Scale 1:2500 • Date May 00 • Status • Office Wrex • Draw No 5128 /04 • Rev



R O F STRUCTURES TO BE REMOVED
R O F STRUCTURES TO BE RETAINED

IDENTIFICATION NUMBERS REFER TO FIGURE 7
OF GIFFORD & PARTNERS DESK BASED ASSESSMENT OF ARCHAEOLOGY



Young Associates
Environmental Consultants

**GIFFORD
AND PARTNERS**

Architects • Environmental Consultants • Landscape Architects • Project Manager
Planners • Urban Designers • Building Surveyors • Interior Designers • Quantity Survey

TACP

27/29 Grosvenor Road Wrexham LL11 1DH 01978 291161 10 Park Grove Cardiff CF1 3BN 01222 228966

Cefn Park Developments Ltd
The Oaks, Wrexham Industrial Park
Areas of Archaeological Interest

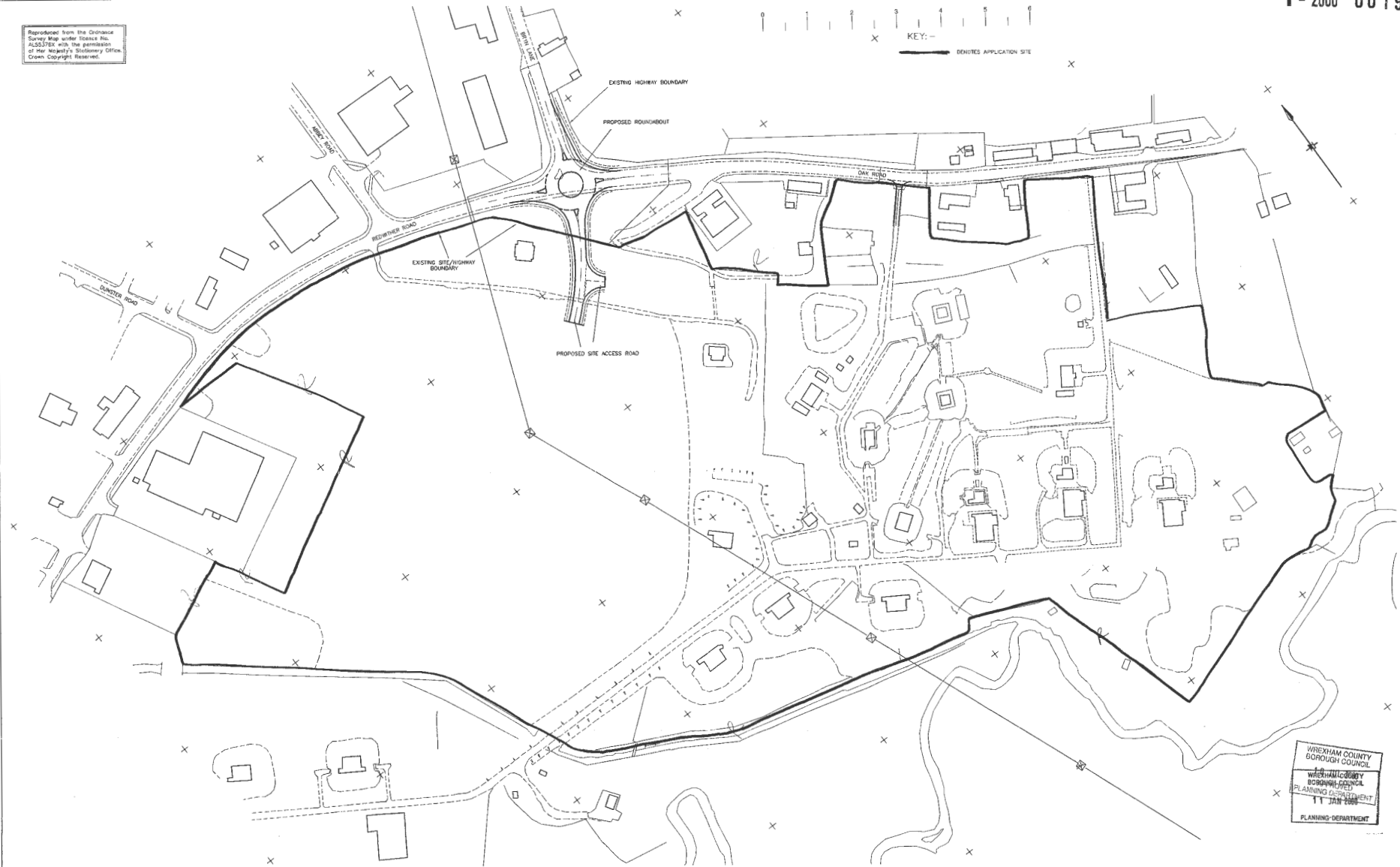
Drawn Date May 00 Status Office Wrex Drwg No 5128 /02

Rev

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KEY: - DENOTES APPLICATION SITE



WREXHAM COUNTY BOROUGH COUNCIL
PLANNING DEPARTMENT
11 JAN 2000

Employer.
STRUTT & PARKER
19 GROSVENOR STREET
CHESTER
CH1 2DD

Contract.
THE OAKS SITE - WREXHAM INDUSTRIAL ESTATE.

Revisions		Details		Ckd/App		Revisions		Details		Ckd/App	
No.	Date					No.	Date				

VERYARDS Ltd CONSULTING ENGINEERS	ROSSETT / CHESTER. TEL 01244-571444 FAX 01244-576272. OFFICE ALSO AT CARDIFF.	
Original		
Dwg Size 594x841		
A.1.		
Scale 1:1250	Date JAN '98	
Drawn PGS	Ckd APP	
DBG No. RC3461/PA/04	Rev	

Title.
EXTENT OF APPLICATION SITE

REPORT OF THE CHIEF PLANNING OFFICER Date 10/07/2000

APPLICATION NO:
P/2000/0019

LOCATION:
Oak Site Redwither Road Wrexham
Industrial Estate Wrexham

DATE RECEIVED:
11/01/2000

COMMUNITY:
Isycoed

DESCRIPTION:
Industrial development

CASE OFFICER:
KAJ

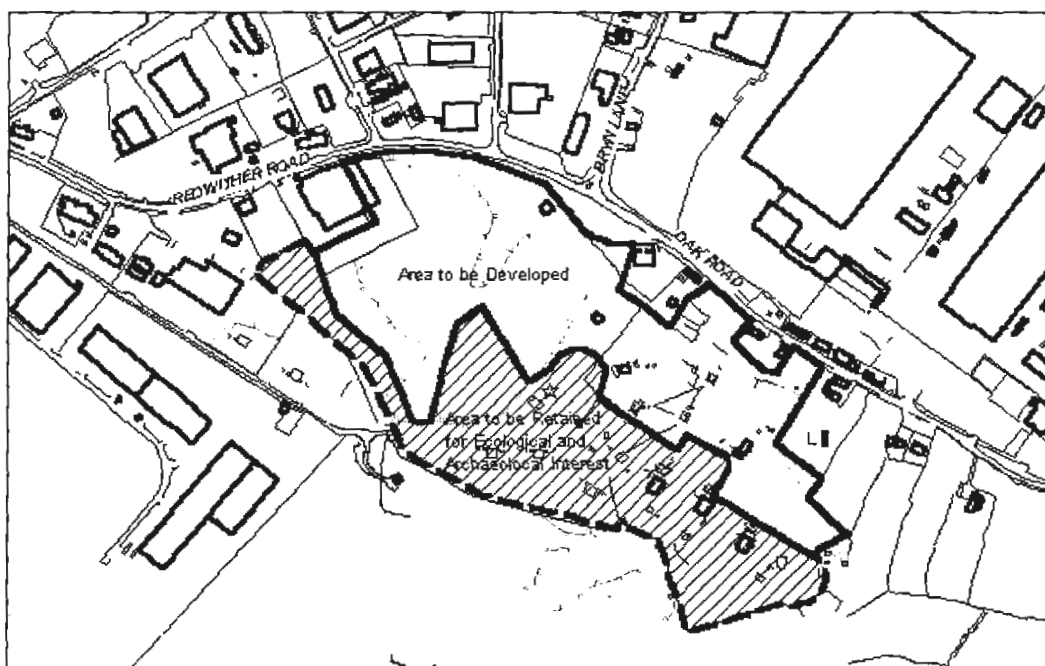
WARD:
Holt

APPLICANT(S) NAME:
Cefn Developments Ltd

AGENT NAME:
Strutt & Parker

THE SITE

A large vacant site approximately 22 ha at the eastern edge of the Industrial Estate. The site is bounded by Oak Road to the north, Redwither Road to the west and Clywedog Valley.

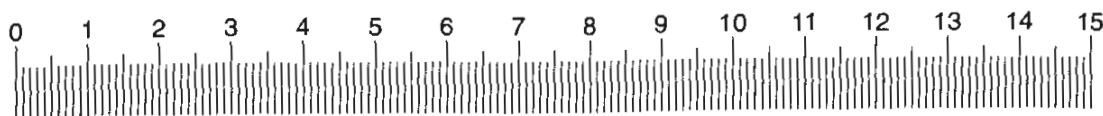


PROPOSAL

As above.

HISTORY

CB01935 Construction of roundabout and emergency access.



REPORT OF THE CHIEF PLANNING OFFICER Date 10/07/2000

CB2691 Approved 13.5.98.
Industrial Development. Refused 12.4.99.

DEVELOPMENT PLAN

The site is located within the settlement limit for Wrexham Industrial Estate. Policies S1, S6, J1, E1, E2, E4 and E10 apply.

CONSULTATIONS

Community Council:	The development should be refused for the following reasons:- (i) The development would adversely affect the wildlife, flora and fauna of the area; (ii) The industrial development of the site would cause unacceptable levels of nuisance to nearby and adjoining occupiers of residential property and is unnecessary having regard to other industrial land presently available for use on Wrexham Industrial Estate; (iii) The existing roads in the area are incapable of dealing with the additional traffic likely to be generated by this proposal.
Local Member:	Notified 11.1.2000.
National Grid:	No adverse comments.
Public Protection:	No objections.
Highways:	No objections.
Coal Authority:	No adverse comments.
Welsh Water:	No adverse comments.
Environment Agency:	Recommends condition.
Wildlife Trust:	Object. The area is important for wildlife, particularly species rich grassland, support measures to reduce loss of habitat, Redwither Brook corridor and the bat roosts should be retained.
CCW:	Recommend application be refused.
Adjacent Occupiers:	Two letters of objection on the following grounds 1. Loss of privacy and, 2. Wildlife will be destroyed.
Site Notice:	Expired 9.2.00.

SPECIAL CONSIDERATIONS/ISSUES

Background: Members may recall that a previous outline application CB2691 for industrial development was refused on 12.4.99 for the following reason:-

- (i) Insufficient information has been submitted to enable the Local Planning Authority to fully assess the impact of the development upon the ecological

REPORT OF THE CHIEF PLANNING OFFICER Date 10/07/2000

amenities of the locality. As such the development will be likely to adversely affect flora and fauna in the area.

Proposal: The current application is a re-submission of the previously refused outline application for industrial development. The applicants have reduced the site proposed for development and submitted an Ecological Report as part of the application documentation. This includes survey data.

Policy: The site is located within the settlement limit for Wrexham Industrial Estate as defined in the Wrexham Maelor Local Plan. The western part of the site is allocated specifically for employment. The proposed development would comply with Policies S1 and J1 contained within the Local Plan and there can be no policy objection in principle to industrial development on this site.

Ecology: The site is known to be of high ecological and wildlife value and is registered as a wildlife site. The site supports a good diversity of flora and fauna, including a number which are uncommon either nationally or locally. Any future development proposals for this site will need to take into accounts its ecological interest.

As originally submitted the proposals did not indicate which areas of ecological interest were proposed to be retained and which areas of land were to be developed. Following discussions with the applicants agent, additional information including survey data and plans have been submitted. The proposals now provide a 'proposed development area' which includes the northerly part of the site. Approximately one third of the site will be retained for its ecological and for archaeological interest, thus ensuring that the species and habitats of value can be retained alongside the development. The Council's Ecological Officer believes that the proposals acknowledge the importance of the area for wildlife and set aside an area which is large enough to retain the habitats and species of value, and is a reasonable compromise. I have reconsulted the Countryside Council for Wales and the Wildlife Trust on the amended proposals and I will report any comments received on my addendum report.

Amenity: The comments/objections made by the Community Council and adjacent occupiers have been noted. This application is for outline permission only and details such as noise, privacy etc will be considered at the detailed design stage.

Archaeology: Part of the site includes a number of buildings and structures of the former Marchwiel Royal Ordnance factory. The applicants have submitted an archaeological assessment to determine the heritage value of these structures. I will report any comments made by the Council's Archaeological Officer regarding this assessment on my addendum report.

Conclusions: I have considered the application carefully and consider the proposals as amended to be acceptable.

I therefore recommend accordingly.

REPORT OF THE CHIEF PLANNING OFFICER Date 10/07/2000

RECOMMENDATION That permission be GRANTED

CONDITION(S)

- 1 .
Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced:-
 - a) the design of the buildings;
 - b) the siting of the buildings;
 - c) the external appearance of the buildings;
 - d) the landscaping of the site.
- 2 .
Plans and particulars of the reserved matters referred to in condition 01 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are thereby approved.
- 3 .
The development hereby permitted shall be begun before the expiry of five years from the date of this permission or two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
- 4 .
The area shown "hatched" on the approved plan, (drawing number "S128/03") is specifically excluded from this grant of planning permission and no development shall take place within the area.
- 5 .
Details to be approved as part of the reserved matters shall show distribution, protection and enhancement measures of the species and habitats referred to in the Young Associates report dated May 2000. Development shall be carried out in strict conformity with such details as are thereby approved.
- 6 .
No development shall commence until a management plan has been produced which sets out the management of the exclusion zone for a period of no less than 25 years.
- 7 .
No part of the development shall be commenced until the results of a full investigation and assesment of contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The assessment shall include full details of any remediation necessary to avoid risk when the site is developed. Development shall only be carried out in full accordance with the scheme as approved.

REPORT OF THE CHIEF PLANNING OFFICER Date 10/07/2000

8 .

No development shall commence until a scheme to deal with contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public/buildings/environment when the site is developed.

9 .

The erection of fencing for the protection of trees and shrubs shall be undertaken before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The above mentioned fencing shall consist of 1.5 metre high chestnut paling fence or other approved fence erected at full extent of each tree and shrub. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written permission of the Local Planning Authority.

10.

No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction or any operations involving the use of motorised vehicles or construction machinery) until a detailed levels survey which includes the location of existing trees, shrubs and hedges on or immediately adjacent to the site, has been carried out and submitted to the Local Planning Authority. No alterations in site levels shall take place except in accordance with a scheme approved in writing by the Local Planning Authority showing the existing and proposed levels.

11.

No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction or any operations involving the use of motorised vehicles or construction machinery) until a detailed surface and foul and surface water drainage layout has been submitted to and approved by the Local Planning Authority. Such layout shall provide for the long term retention of trees/hedges/key landscape features/archaeological features. No development shall take place except in accordance with the approved service/drainage layout.

12.

No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed and showing the relationship of proposed mounding to existing vegetation and surrounding landform. Details of soil stripping, storage and replacement shall be included where appropriate. Development shall be carried out in accordance with the approved details.

REPORT OF THE CHIEF PLANNING OFFICER Date 10/07/2000

13.

No works to trees shall be undertaken except by a qualified arboriculturalist.

14.

Prior to any work on site commencing, the contractor shall contact the Council's Arboricultural Officer giving him seven days notice of a meeting on site to review all work procedures, access routes, storage areas and tree protection measures. Development shall only be carried out in strict accordance with the agreed measures.

REASON(S)

1 .

To comply with Section 92 of the Town and Country Planning, 1990.

2 .

To comply with Section 92 of the Town and Country Planning, 1990.

3 .

To comply with Section 92 of the Town and Country Planning, 1990.

4 .

To protect named species/habitats/biodiversity which would otherwise be damaged/lost by the development hereby permitted.

5 .

To protect named species/habitats/biodiversity which would otherwise be damaged/lost by the development hereby permitted.

6 .

To protect named species/habitats/biodiversity which would otherwise be damaged/lost by the development hereby permitted.

7 .

To prevent pollution of the water environment.

8 .

To prevent pollution of the water environment.

9 .

To protect trees which are of significant amenity value to the area.

10.

To ensure that the works on the site properly take account of the future health of the trees.

REPORT OF THE CHIEF PLANNING OFFICER Date 10/07/2000

11.

To ensure that the works on the site properly take account of the future health of the trees.

12.

To ensure that the works on the site properly take account of the future health of the trees.

13.

To ensure the work is carried out to accepted arboricultural practices for the long term well being of the tree(s).

14.

To ensure that the works on the site properly take account of the future health of the trees.

NOTE(S) TO APPLICANT

1.

Your attention is drawn to the observations of the Environment Agency attached to this decision.

2.

You are advised that dependant upon the traffic patterns associated with any further detail design application and the timing of any application, especially with respect to the proposed Industrial Estate Link Road construction, further site works or commuted sum payments may be applicable. A further assessment will be required, based on the current TIA, at the time of submission of a detailed application.

3.

Your attention is drawn to the observations of the Coal Authority attached to this decision.

4.

You are advised that the Council's Arboricultural Officer may be contacted on Wrexham 01978 292529.

www.struttandparker.com

13 Hill Street Berkeley Square London W1X 8DL Telephone 020 7629 7282

Chartered Surveyors
Rural and Commercial Property
Consultants and Managers
National Estate Agents

mab/sp/7989
JM/HMW/CB2691
7 January 2000

P- 2000 - 00 19

**INDUSTRIAL DEVELOPMENT: THE OAKS SITE
REDWITHER ROAD, WREXHAM INDUSTRIAL ESTATE, WREXHAM
APPLICATION NO. ISYCB02691**

Part I
Part II
Certificate of Ownership
Location plan
Site plan
Detailed site plan
Ecological Survey

WREXHAM COUNTY
BOROUGH COUNCIL
11 JAN 2000
PLANNING-DEPARTMENT

S. Preddin
MALCOLM A BRYMER
for Strutt & Parker
encs

WREXHAM COUNTY
BOROUGH COUNCIL
10 JUL 2000
APPROVED
PLANNING DEPARTMENT

JG Donald BSc FRICS

JAN Laing FRICS
JPR Clippo BSc FRICS
PL Banks FRICS IRRV ACI Arb
N Aslin FRICS
GC Bealin FRICS
JW Dean FSVA
MW Quary BSc FRICS
AG Cane FRICS
GR Petherick FRICS
RDS Herbert FRICS
D Leppard
R Lochrane FRICS
AJW Martin BSc ARICS
N Greene FRICS
PR Bailey FRICS
CK One FRICS FAVV
J Reseves MA FRICS
TJA Fiddes BA ARICS
TS Richardson FRICS
SWS Broke FRICS FAVV
JH Brown MA FRICS
PJ Huttery FRICS FAVV
RD Pryor FRICS
NM Verity MA ARICS FAVV
SP Bland BSc ARICS
JH Brown BSc FRICS
SA Jones BSc ARICS

RT Miller FRICS
PA Monk BSC Dip Fin ARICS FAW
SJC Underhill
JG Waterton ARICS
AD Yeandle BSC ARICS
PA Beddows TO BSC ARICS FAW
P O'Rathore MA ARICS FAW
RP Matland BA FRICS
AJ Rettie FRICS
JPN Major FRICS
RFB Duncan FRICS FAW
PW Sale BSC HSE MOB RVS WAFM
CEJ Kanneuther ARICS

JH Anderson FRICS
AC Bail FRICS
RE Gardner FRICS
PG Lee DL FRICS

Associates
PW Smith FRICS
KM Thomas HND (Agric)
HR Williams ARICS FAW

Consultant
AL Speechley FRICS

Banchory
AD Herrington MA Dip LE ARICS FFAV
DW Strang Steel ARICS

Canterbury
SRT Beckhouse
SL Deakin FRICS
Jl Farrell BSc (Agric) ARICS FFAV

Cheshmford
RAD Cowlin FRICS IRRV
F Fagan ARICS
PJ Fearn MA ARICS FFAV
WL Gemmill BSc MRPSA (Agric)
SD Hawes FRICS FFB
JM Smallman

Edinburgh
AG Smith ARICS

Exeter
RC Carslake ARICS
CA Huntington Whiteley FRICS
RD Thomas FRICS FFAV

Grantham
TP Bagge FRICS
NP Simper NDA

Harrogate
RDH Davies ARICS FAIA
JL Gloag FRICS

Ipswich
PJG Aldous BSc ARICS
T Dansie FRICS
CA Loyd ARICS
JWM Penn Dip Est Man

Lewes
JF Bridgland BSc ARICS
TI Page-Ratcliff
JS Smith ATII ATT
ND Watson ARICS FAIA

London
PA Baxendale
MJ Mc Andrew ARICS
MPR Rimell

London Residential
HJ Elston
Diana Rowell
JR Shingles

Market Harborough
RMJ Trustram EVC
RL St B Vigne FRICS

Moreton-in-Marsh
JS Feilding FRICS

Morpeth

Newbury
AG Chichester MA FRICS FAW
JHS Preston FRICS
MS Woods BSC

Northampton
 AN Angley MA FRICS
 CA Fife ARICS FAVV
 RC Taylor-BSc

Norwich
 AC Brown BSc ARICS
 ER Pratt MA FRICS FAVV
 NP Steele FRICS

St Albans
 LR Hickish FRICS
 JC Moss BA BSc ARICS

Salisbury
 SR Butcher BSc
 Teresa Dent BSc
 AW Fortescue ARICS
 If Hepburn FRICS FAVV

William Hillary
 WR Hillary FRICS
 CL Greville-Hewson BSc FRICS

Overseas representation throughout the world

Application Form - Part 1

Application for Planning Permission or Approval of Details of Development

P- 2000 - 0019



Please read the attached notes before completing this form.

All questions must be answered. Please use block capital letters. Five copies of this form are required.

1. Name and Address of Applicant

Name of Applicant: **Cefn Park Development Ltd**
Address: **The Estate Office, Wrexham**

Post Code: **LL13 9TT**
Telephone: **01978 262889** Fax:

2. Name and Address of Agent (if any)

Name of Agent: **Strutt & Parker**
Address: **19 Grosvenor Street**
Chester

Post Code: **CH1 2DD**
Telephone: **01244 320747** Fax: **01244 320069**

3. Details of Application

What type of planning permission are you applying for?

(Only one permission type should be ticked Yes):

a) **Outline Planning Permission** ☒ Yes ☐ No

Please tick any of the following details which are reserved for subsequent approval

☒ Siting ☒ Landscaping
☒ Design ☐ Access
☒ External Appearance

b) **Full Planning Permission** ☐ Yes ☒ No

In most cases this will include change of use applications.

c) **Approval of Reserved Matters** ☐ Yes ☒ No

Following the grant of outline permission.

Please state the **Code No** and **Date** of the outline permission.

Code Number: Date:

d) **Renewal of a Temporary Permission** ☐ Yes ☒ No

Or permission for retention of a building, or continuance of use without complying with a condition subject to which planning permission has been granted.

Please state the **Code No** and **Date** of the previous permission.

Code Number: Date:

Please identify particular Condition:

See Note 1, Notes for Applicants.

4. Particulars of Site

Full address or location of the land to which this application relates if different from (1) left: **Oak Site, Redwither Road**
Wrexham Industrial Estate

State Applicant's interest in the land (i.e. owner, prospective purchaser, tenant etc): **Owner**

Area of site measured in hectares/square metres: **22 ha's**

Please edge this land in **red** on the plan. If you own/control any other nearby land, please edge it in **blue** on the plan. See Note 3.

5. Particulars of Proposal

Brief particulars of proposed development, including the proposed use of land/buildings: **Employment**

Does the proposal involve new building(s)? ☒ Yes ☐ No

Does the proposal involve any demolition of buildings? ☒ Yes ☐ No

Underground bunkers etc

If residential development state number of dwellings:

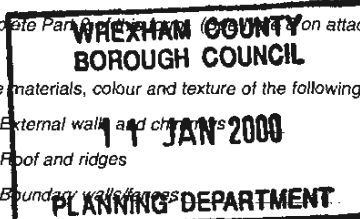
If the application is for any purpose other than residential, please complete Part 6 (Other than residential) on attached sheet).

State materials, colour and texture of the following:

i) **External walls and chimneys**

ii) **Roof and ridges**

iii) **Boundary walls/fences**



6. Present or Previous use of Land or Buildings

Does the proposal involve a change of use: ☒ Yes ☐ No

Please state the present use of building / land:

Scrub land WREXHAM COUNTY BOROUGH COUNCIL

If vacant, please state the last known use:

12 JUL 2000

Duration of present / last known use:

7. Highway Considerations

Does the proposal involve the construction of new access to highway:

New Vehicular access ☒ Yes ☐ No

New Pedestrian access ☒ Yes ☐ No

See approved application for new roundabout ISY CBO 1935

Does the proposal involve the alteration of existing access to highway:

Alteration to Vehicular access ☐ Yes ☒ No

Alteration to Pedestrian access ☐ Yes ☒ No

Are there any public rights of way on or adjacent to the site other than the road giving access?

(e.g. public footpath, bridleway etc) ☐ Yes ☒ No

8. Drainage

Describe how surface water will be disposed of: Mains surface drainage

Describe how foul water will be dealt with: Mains foul drainage

9. Trees and Landscaping

Are there any trees on or adjoining the site? ☒ Yes ☐ No

Are there any trees to be felled? ☐ Yes ☐ No

If Yes to either of above, please indicate position of trees on plan.
Outline application to be subject to reserved matters

Are there any landscaping/planting proposals? ☐ Yes ☐ No

If yes, please describe below and show on plan.

10. Checklist

The following items need to be submitted to the Planning Department to enable this application to be determined:

1. 5 copies of this completed application form: ☒
2. 5 copies of a location plan. (See additional note d): ☒
3. 5 copies of all detailed plans (if required): ☒
4. A certificate of ownership. (See additional notes): ☒
5. The appropriate fee. (See Notes on Fees): ☒

11. Additional Notes

- a) Please read attached leaflet, **Notes for Applicants**, before filling in this form. If you require help filling in this form, staff in the Planning Department will be pleased to assist. Telephone: Wrexham (01978) 292490, or call in to the Planning Department at the address below.
- b) A certificate of ownership must accompany this application, unless you are seeking approval of reserved matters. See note 6 (Notes for Applicants).
- c) If your application, either in whole or in part relates to development of an industrial, office, warehousing storage or of a shopping nature, you should fill in Part 2 of this application form, which is available separately from the Planning Department.
- d) Ordnance Survey maps of a scale suitable for location plans are available for all areas within the County Borough of Wrexham. These plans may be purchased (see fee sheet) from the Planning Department at the time you submit this application.

12. Declaration

I/We wish to apply for:

- a) Planning permission to carry out the development described in this application and the accompanying plans. ☒
- b) Planning permission to retain buildings or works already constructed or carried out, or a use of land in retrospect as described in this application and accompanying plans. ☐
- c) Approval of details that were reserved in the outline permission and are described in this application and the accompanying plans. ☐

* Please tick appropriate box.

Signed:

Strutt & Parker

On behalf of: Cefn Park Developments Ltd

(Insert applicant's name if signed by an agent.)

Date: 6 January 2000

Please return the items shown on the checklist to:

Chief Planning Officer, Lambpit Street, PO Box 1290, Wrexham, LL11 1WL.

Application Form - Part 2

Additional Information required in respect of
Applications for Non Residential Development

P- 2000 - 0019



Answer those questions relevant to the proposed development. Please use block capital letters.

1. Proposed Development

In the case of industrial development:

Give a brief description of the processes to be carried out:

Outline application only.

Describe the end product:

Give a brief description of the type of plant or machinery to be installed,
and its noise control:

If the proposal forms a stage of a larger scheme for which planning
permission is not presently being sought, please give what information
you can about the ultimate development:

Is the proposal related to an existing use on or near the site?

☐ Yes ☐ No

If Yes, please explain this relationship:

Is this proposal to replace existing premises in this area or elsewhere
which have become obsolete, inadequate or otherwise unsatisfactory:

☐ Yes ☐ No

If Yes, please give details (including floor area) of such premises and
state your intentions in respect of those premises:

Floor Area:

2. Existing and Proposed Floorspace (Internal)

What is the total internal floor space (m²) of all buildings to which this
application relates?

Existing Proposed New

Please give the amount of internal floor space included in the above
figure for the following uses (m²):

Existing Proposed New

a) Industrial floor space:

b) Office floor space:

c) Retail trading floor space:

d) Storage floor space:

e) Warehousing floor space:

f) Floor space of other uses:

3. Staffing

How many staff will be employed as a result of the development
proposed?

If you have existing premises on the site, how many of the total
employees will be new staff?

If you propose to transfer staff from other premises please give details
of the numbers involved and of the premises affected.

Number of Transferred Staff:

Address of Affected Premises:

4. Trade Effluent or Refuse

What is the nature of any trade effluent or trade refuse?

What is the volume of this effluent or refuse?

What are your proposed means of disposal?

5. Traffic

What provisions have been made for the parking, turning, loading and
unloading of vehicles within the curtilage of the site?

Please show the location of proposed parking spaces and distinguish
between parking for operations and for private vehicles.

What is the estimated traffic flow to the site on a normal working
day?

i) Vehicles used by the applicant:

ii) Other vehicles:

6. External Storage

Will any storage take place outside the building? ☐ Yes ☐ No

If Yes, it must be clearly indicated on the plan together with any screening.

7. Signature

Signed: *Shirley A. Parker*

On behalf of: Cefn Park Developments Ltd
(Insert applicant's name if signed by an agent.)

Date: 6 January 2000

Ffurflen Gais - Rhan 2

Gwybodaeth Ychwanegol sydd i'w roddi parthed
Ceisiadau am Ddatblygiadau heb fod yn rhai Preswyl

Atebwch, mewn llythrennau bras, y cwestiynau hynny sy'n berthnasol i'r datblygiad arfaethedig.



1. Y Datblygiad Arfaethedig

Mewn achos o ddatblygiad diwydiannol:

Disgrifiad byr o'r prosesau a weithir:

Disgrifiad o'r cynnyrch terfynol:

Disgrifiad byr o'r math o offer a pheiriannau a osodir, a rheolaeth sw'n:

Os bydd y cynnig yn flurfio rhan o gynllun mwy, na cheisir caniatâd cynllunio amdano ar hyn o bryd, rhwch gymaint o wybodaeth ag y gallwch am y datblygiad terfynol:

Ydy'r cynnig yn berthynol i ddefnydd presennol ar neu ger y safle?

☐ Ydy ☐ Nac Ydy

Os Ydy, nodwch y berthynas:

Ydy'r cynnig hwn i ddisodli adeilad sy'n bod yn yr ardal neu fan arall sy'n ddarvoudedig, yn annigonol neu fel arall yn anfodddhaol:

☐ Ydy ☐ Nac Ydy

Os Ydy, rhwch fanylion (gan gynnwys arwynebedd y llawr) am unrhyw adeilad o'r fath a nodwch eich bwriad parthed yr adeiladau hynny:

Arwynebedd llawr:

2. Arwynebedd Llaur (mewnol) sy'n Bod ac a Gynigir

Beth yw cyfanswm arwynebedd llawr mewnol (m²) yr holl adeiladau perthynol i'r cais hwn?

Sy'n Bod

Cynnig Newydd

Nodwch yr arwynebedd llawr mewnol yn y cynnig uchod at y dibenion canlynol (m²):

Sy'n Bod

Cynnig Newydd

a) Llawr Diwydiannol:

b) Llawr Swyddfa:

c) Llawr masnach:

ch) Llawr storfa:

d) Llawr warws:

dd) Llawr defnydd arall:

3. Staffio

Faint o staff a gyflogir o ganlyniad i'r datblygiad arfaethedig?

Os oes gennych eisoes adeiladau ar y safle, faint o gyfanswm y gweithwyr fydd yn staff newydd?

Os ydych yn bwriadu trosglwyddo staff o adeiladau eraill, rhwch fanylion am y nifer perthynol a'r adeiladau dan sylw.

Nifer y Staff Drosglwyddir:

Cyfeiriad yr Adeilad Dan Sylw:

4. Elifant Masnach neu Wastraff

Beth yw natur unrhyw elifiant neu wastraff masnach?

Beth yw cyfiant yr elifiant neu'r gwastraff hwn?

Beth yw'ch bwriad parthed ei wared?

5. Traffig

Pa ddarpariaeth a wnaed ar gyfer parcio, troi, llwytho a dadlwytho cerbydau o fewn cwrtil y safle?

Dangoswch leoliad darpariaeth o'r fath ar y cynlluniau gan wahaniaethu rhwng parcio ar gyfer anghenion gweithredol a dibenion eraill.

Faint o draffig a ragwelir ddaw i'r safle mewn diwrnod gwaith arferol?

i) Cerbydau a ddefnyddir gan y gweithwyr i ddod i'w gwaith:

ii) Cerbydau eraill:

6. Storio Allanol

Fydd unrhyw storio yn digwydd tu allan i'r adeilad? ☐ Bydd ☐ Na fydd

Os bydd, rhaid ei ddangos yn eglur ar y cynllun ynghyd ag unrhyw gysgodi.

7. Llofnod

Arwyddwyd:

Ar ran:

(Rhwch enw'r ymgeisydd os arwyddwyd gan asiant).

Dyddiad:

Certificate of Ownership and Agricultural Holding

Under Article 7 of the Above Order

wrexham
COUNTY BOROUGH
WREXHAM
WRECSAM

Either Certificate A or Certificate B needs to be completed and in all cases the Certificate of Agricultural Holding in order to validate your planning application or appeal. Two boxes need to be signed and dated.

Certificate A: To be completed if the applicant is the freeholder or holds a lease of more than 7 years.

Statement of Ownership

I certify that on the day 21 days before the date of the accompanying planning application/planning appeal* that I was the owner of all the land to which the planning application/planning appeal* relates.

* Delete were applicable

Signed:

Shirley Parker

On behalf of: Cefn Park Developments Ltd

Date: 6 January 2000

or

Certificate B: To be completed if the applicant is other than the owner.

Statement of Required Notice

I certify that I have given the required notice to everyone else who on the day, 21 days before the date of the accompanying planning application/planning appeal*, were owners of all or part of the land to which the planning application/planning appeal* relates.

Owners Name:

Address at which notice was served:

Date on which notice was served:

* Delete were applicable

Signed:

On behalf of:

Date:

WREXHAM COUNTY BOROUGH COUNCIL
10 JUL 2000
APPROVED
PLANNING DEPARTMENT

and

Certificate of Agricultural Holding: To be completed in all cases.

Statement of Agricultural Holdings

Please delete the statements which do not apply. If the Applicant is the sole agricultural tenant please delete the first statement and write "not applicable" across the second statement. If the Applicant is not the sole agricultural tenant please delete the first statement and complete the second statement.

I None of the land to which this planning application/planning appeal* relates forms part of an agricultural holding

~~I have given the required notice to every person who on the day, 21 days before the date of the accompanying planning application/planning appeal* was a tenant of an agricultural holding on all or part of the land to which this planning application/planning appeal* relates~~

Name of Tenant:

Address at which notice was served:

Date on which notice was served:

* Delete were applicable

WREXHAM COUNTY BOROUGH COUNCIL

11 JAN 2000

PLANNING DEPARTMENT

Signed:

Shirley Parker

On behalf of: Cefn Park Developments Ltd

Date: 6 January 2000

Statement of Owners Rights - The grant of planning permission does not affect the owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or lease.

Statement of Agricultural Tenants' Rights - The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

Tystysgrif Perchnogaeth a Daliadau Amaethyddol

O dan Erthygl 7 o'r Gorchymyn Uchod

Er mwyn dilysu eich cais/apêl cynllunio mae'n rhaid cwblhau Tystysgrif A neu Dystysgrif B a Thystysgrif Daliadau Amaethyddol ym mhob achos. Mae angen llofnodi a dyddio dau flwch.



Tystysgrif A: I'w llenwi os mai'r ceisydd yw'r rhydd-ddeiliad neu os oes ganddo brydles am gyfnod hwy na 7 mlynedd

Datganiad Perchnogaeth

- I Rwyf fi'n tystio mai fi oedd perchennog yr **holt** dir y mae'r cais/apêl* cynllunio amgaeedig yn berthnasol iddo ar y dydd penodedig 21 niwrnod cyn dyddiad y cais/apêl*.

* Dilêr fel sy'n addas

Llofnod: _____

Ar ran: _____

Dyddiad: _____

neu

Tystysgrif B: I'w llenwi os nad y perchennog yw'r ceisydd.

Datganiad o Hysbysiad Angenrheidiol

- I Rwyf fi'n tystio fy mod wedi rhoi'r hysbysiad angenrheidiol i bawb a oedd yn berchennog ar y tir neu ran ohono ar y dydd penodedig 21 niwrnod cyn dyddiad y cais/apêl cynllunio amgaeedig* y mae'r cais yn berthnasol iddo.

Enw'r Perchennog: _____

Y cyfeiriad lle cyflwynwyd yr hysbysiad: _____

Dyddiad y cyflwynwyd yr hysbysiad: _____

* Dilêr fel sy'n addas

Llofnod: _____

Ar ran: _____

Dyddiad: _____

a

Tystysgrif Daliad Amaethyddol: I'w llenwi ym mhob achos.

Datganiad o Ddaliad Amaethyddol

Dilêwch y datganiadau amherthnasol os gwelwch yn dda. Os mai'r Ymgeisydd yw'r unig denant amaethyddol, dilêr y datganiad cyntaf gan ysgrifennu "amherthnasol" ar draws yr ail ddatganiad. Os nad yr Ymgeisydd yw'r unig denant amaethyddol, dilêr y datganiad cyntaf gan gwblhau'r ail ddatganiad.

- I Nid oes dim o'r tir y mae'r cais/apêl* cynllunio hwn yn berthnasol iddo yn rhan o ddaliad amaethyddol

- I Rwyf fi wedi cyflwyno'r hysbysiad angenrheidiol i bob person (ar wahân i myfi fy hun) oedd, ar y dydd 21 dydd cyn dyddiad y cais cynllunio/apêl cynllunio* atodol, yn denant deiliad amaethyddol ar y cyfan neu ran o'r tir perthnasol i'r cais cynllunio/apêl cynllunio*.

Enw'r Tenant: _____

Y cyfeiriad lle cyflwynwyd yr hysbysiad: _____

Dyddiad y cyflwynwyd yr hysbysiad: _____

* Dilêr fel sy'n addas

Llofnod: _____

Ar ran: _____

Dyddiad: _____

Datganiad o Hawl Perchnogion - Nid yw cael caniatâd cynllunio yn effeithio ar hawl y perchnogion i gadw neu i werthu eu heiddo, oni bai fod yna ddarpariaeth i'r gwrthwyneb yn y cytundeb neu'r brydles.

Datganiad o Hawl Tenant Amaethyddol - Gall cael caniatâd cynllunio ar gyfer datblygiad nad yw'n un amaethyddol effeithio ar sicrwydd deiliadaeth tenant amaethyddol.

P-2000-0019

WREXHAM COUNTY
BOROUGH COUNCIL

1.1 JAN 2000

PLANNING DEPARTMENT

WREXHAM/
WRECSAM

Oak Site
Redwither Road
Wrexham Industrial Estate

Application Input Sheet

no:

2000 - 0019

Third Ref:

1. Location

Location: Oak Site, Rockhill Road
Weymouth Industrial Estate
Weymouth
Community: 04 (Holt)

2. Applicant Details

Applicant Name: Self-Proposed Development Ltd
Address: The Estate Office
Weymouth LU3 9TT
01978 262889
Type: ☐ C ☐ G ☒ P ☐ S
C = Council Development G = Government Department
P = Private Development S = Statutory Undertaker

3. Agent Details

Agent Name: Stuart & Barker
Address: 19 Cannon Street
Dorchester
DN1 2DD
01244 320444 01244 320089

4. Proposal

Industrial Development

5. Application Type

Application Type: ☒ A
A = Advert J = General Regs S = Telecom Notice
B = Agn Notice K = Hedgerow Notice T = TPO
C = Cons Area L = Listed Building U = LUC Proposed
D = Cons Area Tree M = Minerals V = LUC Existing
E = OHL N = Renewal of Temporary X = Relax Conditions
F = Full O = Outline Y = Env Act
G = DGD P = Env Statement Z = Hazardous
H = Householder Q = Pre-App Enquiry
I = Dem Notice R = Res Matters

6. Dates and Committees

Date Rec'd: 11.1.2000 Valid Date: 11.1.2000
Extended Date: _____
Delegated ☐ Full Council ☐
Planning Committee ☐ Sub-Committee ☐
Date of Committee: _____

7. Development Type (WOPS)

WOPS No: 3
MAJOR MINOR OTHER
1. Dwellings 7. Dwellings 13. Minerals
2. Offices 8. Offices 14. General Regs
3. Industry 9. Industry 15. Householder
4. Retail/Distribution 10. Retail/Distribution 16. Advertisement
5. Waste Disposal 11. Waste Disposal 17. All other
6. Other 12. Other

Determination: _____
Certificate Type: A ☒ B ☐ C ☐ D ☐
Site Area: 22.62 ha
Case Officer: KNT
Grid Refs: E: 3 38800 N: 3 49220
Departure: Y ☐ N ☐

8. Fees

Fee Paid £00.00 Balance £ _____
Refund Y ☐ N ☐ £ _____

9. Notes

CB 31 CB 26 11 ENQ 16/15
W. 03370

10. Site/Press Notices

	SITE	PRESS
Env Statement	☐	☐
Departure	☐	☐
Right of Way	☐	☐
Major Development	☒	☒
Listed Building	☐	☐
Conservation Area	☐	☐

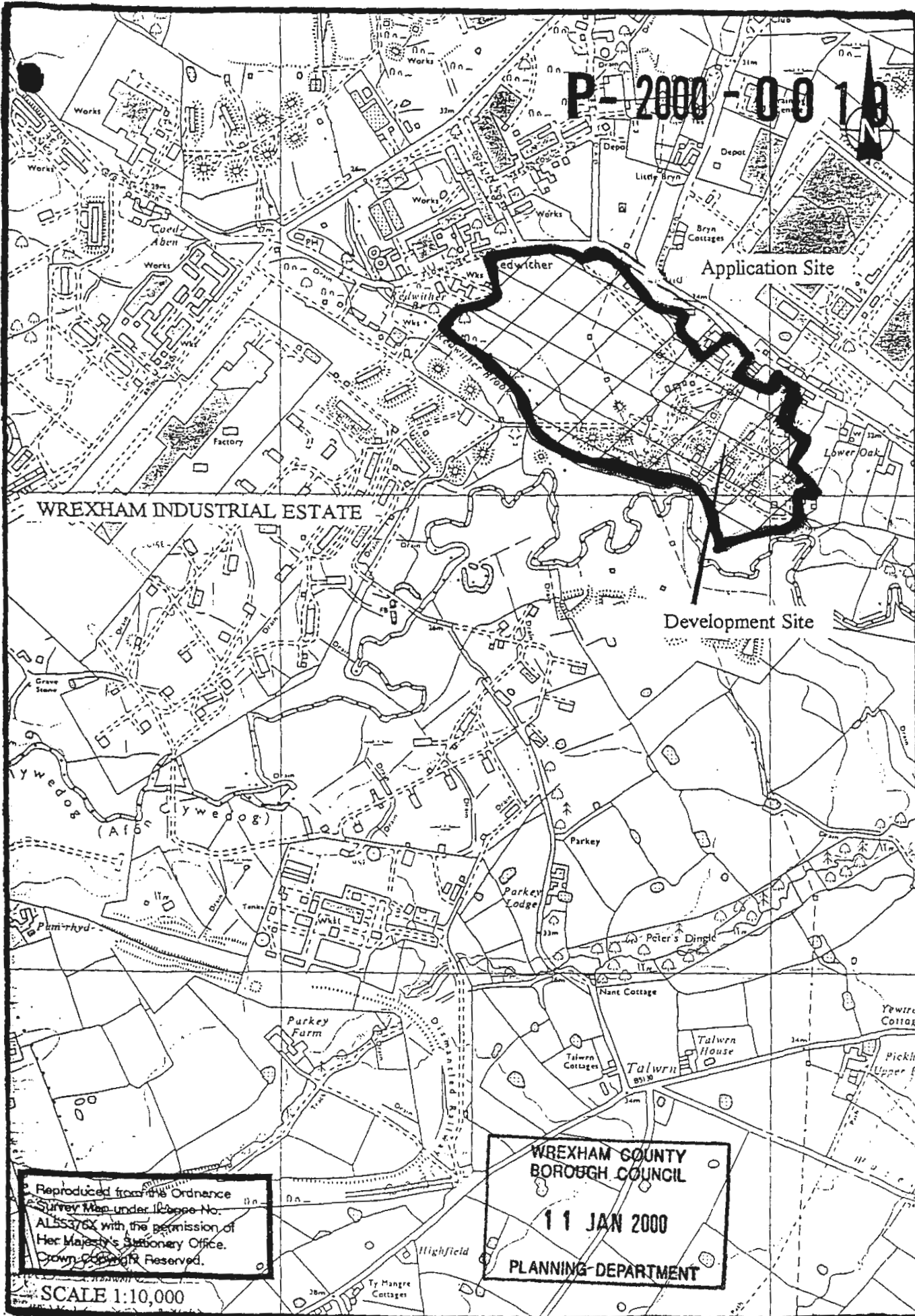
11. User Defined

Departure ☐ Env Impact Analysis Req'd ☐
Council Development ☐ Press Advert Req'd ☒
Retrospective ☐
Date of Application: 6.1.2000
Land Use (existing): M121
Land Use (proposed): M121
No. of Dwellings: _____ Special Classfn: _____
Outline No: _____ Assoc No: _____

12. Consultations

16
42 - Cllr M. G. (Hornby)
CAWNC T P P EN.

P-2000-0018



WREXHAM INDUSTRIAL ESTATE

Application Site

Development Site

WREXHAM COUNTY
BOROUGH COUNCIL

11 JAN 2000

PLANNING DEPARTMENT

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SCALE 1:10,000

LOCATION PLAN

FIGURE 1

CB 2691 EMPLOYMENT DEVELOPMENT OF LAND BELONGING TO CEFN PARK, OFF
OAK ROAD, WREXHAM INDUSTRIAL ESTATE

LANDSCAPE COMMENTS:

Because of the high ecological value of the site (certainly in relation to the rest of the industrial estate and surrounding farmland) and its location immediately next to the edge of the industrial estate where it borders on the Clwedog valley, I disagree strongly with the potential allocation of the whole site for industry (Policy EC in the draft UDP). It is essential that the areas of highest ecological value are protected (once identified). The site includes areas which are also of considerable visual interest and importance, which may well overlap with the areas of ecological interest. In particular a wide buffer zone between the Clwedog valley and any industrial development should be retained. It should also be borne in mind that land drops in height to the south and west of the site, so any development could be conspicuous from the other side of the Clwedog valley. There is a ditch on the SW boundary which should also be buffered and kept as a wildlife/landscape corridor.

UDP Policy E15 encourages reclamation and restoration. If this is carried out it would need to be done carefully as it is the small scale variations of topography within the site, together with old buildings and structures, which provide the different habitats and niches, resulting in the diversity of wildlife which has been identified so far. I would probably prefer restoration to be limited to making the site safe and secure e.g. demolishing unsafe buildings, filling dangerous holes etc. There should be a plan of the old ordnance depot (we have the sheet covering the other half of the industrial estate) which Peter Lightfoot can't track down at present. This would identify all the structures in detail, and also shows contours at 5 m intervals.

The site needs to be protected from dumping and unauthorised use, and probably the best way to do this is to develop along the roadside, which would reduce the opportunities for access. This section of road is very scruffy anyway. I would therefore not oppose limited development, and some development of the more open half of the site identified as employment land (J5) in the Wrexham Maelor Local Plan would be more acceptable than the remainder of the site which has become well vegetated, including some mature trees particularly towards the valley.

The Wrexham Industrial Estate Environmental and Landscape Appraisal (March 1998) gives an assessment of the site together with opportunities (copy attached). It identifies one area, numbered 31, as 'important woodland and scrub vegetation on the s. boundary of the the Estate beside R. Clwedog which should be retained in any development proposals. The remainder of the site, numbered 35, has 'a network of mature vegetation wick could be retained as a framework within any new development; ecologically valuable pockets could be protected'. This may not be easy to do in practice, and would only be feasible if development was small scale and environmentally friendly.

As this site is within the Industrial Estate outline planning permission could hardly be refused for part of the site, and it may be possible to combine some development with some reclamation of derelict structures. However, if this site is to be developed, it should be in accordance an agreed development brief outlining constraints and opportunities based on site survey information and any other available information.

RAB 26.11.98

P-2000-0019 Above comments still apply,
although the areas of ecological interest seem
to be more extensive than previously known.
A development brief is needed if outline permission
is given.
RAB 7/2/00

P-2000-0019 CEFN PARK DEVELOPMENT
OAK SITE, REDWITHER ROAD, WREXHAM INDUSTRIAL ESTATE

The ecological assessment carried out confirms my original belief that the site is an exceptional area for wildlife, which fully deserves the Wildlife Site designation. Furthermore the area with high interest is the north-western "levelled" area. Apart from the high numbers of breeding birds, this area is home to the grizzled skipper which is the only known site in WCBC and one of three known sites in N.E. Wales. In biodiversity terms, due to its rarity this species is considered to be of high priority in Wales. The ecological report by Young Associates also recommends that this area should be retained.

Wrexham Industrial Estate was identified for industrial use over 50 years ago, when issues such as wildlife were not taken into account. Since 1997, the County has been resurveyed and sites reassessed in terms of their wildlife/nature conservation value, in line with TAN 5. The Wildlife Sites have been designated for their nature conservation importance using criteria agreed between adjacent Local authorities, North Wales Wildlife Trust and CCW. Policy E4 states that development either within or close to "such sites" which would have an adverse affect on their intrinsic qualities will be resisted. This site could not be developed without having a major affect on the wildlife value of the site and it would be difficult to guarantee the survival of species such as the grizzled skipper. While the ecological report does say it would be possible to recreate favourable conditions on the north eastern part of the site this would involve levelling of ordnance structures and large scale removal of scrub which may not be acceptable in archeological or landscape terms.

I therefore object to any development of the site apart from a strip immediately adjacent to Oak Road, (in line with my previous comments below). Any development (ie even of the small strip) would need to demonstrate what would and wouldn't be affected, and the mitigation to be provided.
AD 08.02.00

Previous Comments

CB 2691 Employment Development Cefn Park Wrexham Industrial Estate.

This is now a Wildlife Site with exceptional interest including botanical, ornithological and lepidopteran. The uncommon plants dyer's greenweed, and grass vetchling, the Red Data Book birds, skylark, lapwing and barn owl and the rare butterfly, grizzled skipper are some of the species known to occur on site. There are also records of other protected species including great crested newt and badgers but potentially due to the habitats present, water voles, bats and slow worms are also likely to be present. The habitats present here did used to occur throughout the industrial estate but other than this site only small pockets now remain.

Due to the interest mentioned I would object to any large scale development of the site. Development along the road edge could be accommodated but it is unlikely that adequate mitigation could be acheived if a large proportion of the site was destroyed.

14.12.98.

Arboricultural Comments

CB 02691: Oak site, Cefn Park, Redwither Road, Wrexham Industrial Estate.

This is a large site predominantly covered by Hawthorn scrub with willow and alder interspersed. They create habitat corridors throughout the site and are an important wildlife link in the Industrial site as a whole. Although difficult to achieve, it would be desirable to retain pockets of scrub within the context of any future development. This will help to screen industrial type buildings and soften the otherwise harsh architecture associated with this type of development as well maintain habitat pockets.

The site is noted for the many large mature Oak trees present. They generally stand as single specimens spaced out throughout the whole site. This makes the site potentially more difficult develop as all Oaks inspected will become subject to a Tree Preservation Order. Site layout will have to take into account the trees location as no development will be permitted within approximately 15m of the tree. This will also include the layout of any roads or car parking. No site levels can be altered and site workings will require to be kept clear of the trees root zone to minimise soil compaction. Therefore, it is recommended that protective fencing is conditioned were any development is proposed near the trees. It is also important to consider any alteration in drainage on the site as this too will have a detrimental effect on the trees. These trees are of great significance to the site and indeed the Industrial Estate itself. They represent possibly the largest collective group of Oaks present on the Industrial Estate. They have an enormous aesthetic and landscape value to the area as well as being important in ecological terms offering a habitat for a large and diverse species range. Historically I would suggest that the trees are between 150 & 200 years old. A full tree survey indicating the location of all oaks and their canopy spreads should be conditioned.

I feel that the only feasible location for development to minimise damage to the trees and wildlife habitats present would be along the Redwither Road boundary. In general I object to this application.

Alistair Henderson

P-2000-0019 - comments from previous application CB02691 still apply.

AdH. 8.12.00

conditions: D36C & D37C - Tree Survey info required.

P-2000-0019 CEFN PARK DEVELOPMENT
OAK SITE, REDWITHER ROAD, WREXHAM INDUSTRIAL ESTATE

The ecological assessment carried out confirms my original belief that the site is an exceptional area for wildlife, which fully deserves the Wildlife Site designation. Furthermore the area with high interest is the north-western "levelled" area. Apart from the high numbers of breeding birds, this area is home to the grizzled skipper which is the only known site in WCBC and one of three known sites in N.E. Wales. In biodiversity terms, due to its rarity this species is considered to be of high priority in Wales. The ecological report by Young Associates also recommends that this area should be retained.

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AD 08.02.00

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Due to the interest mentioned I would object to any large scale development of the site. Development along the road edge could be accommodated but it is unlikely that adequate mitigation could be acheived if a large proportion of the site was destroyed.

From: Steve Greuter
To: James, Kerry
Date: 21/01/2000 12:21:27
Subject: Industrial Development: Oak Site Redwither Road

Many thanks for the details provided concerning the above application. Part of the site includes a number of buildings and structures of the former Marchwiel Royal Ordnance Factory. Although this facility was once extremely extensive, the area potentially affected by this development may in fact represent the last sizeable area of these remains.

In order to be able to determine a reasonable response to this application I would need to be able to determine its heritage value in a local regional and national context. I would, therefore, recommend that an archaeological evaluation should be undertaken by a suitably qualified archaeological contractor. This must be carried out prior to determination, since one possible outcome (of many) might be recommendations for the preservation of some or all of the remains. As usual I would be happy to write the brief in order to allow the applicant obtain quotations from contractors.

Steve

Ein cyf/Our ref: NT\2000\000672\001
Eich cyf/Your ref: P/2000/0019



ASiantaeth Yr
Amgylchedd Cymru
ENVIRONMENT
AGENCY WALES

Dyddiad/Date: 10th February 2000

Mr G. J Evans
Bwrdeistref Sirol Wrexham
Stryd Lambpit,
Po Box 1290
Wrexham
LL11 1WL

3646

Annwyl Syr/Madam / Dear Sir/Madam

**INDUSTRIAL DEVELOPMENT at OAK SITE, REDWITHER ROAD, WREXHAM
INDUSTRIAL ESTATE, WREXHAM**

Thank you for referring the above application which was received on 14 January 2000.

The Agency requests that any approval includes the following formal conditions:-

CONDITION: No development approved by this permission shall be commenced until:- (a) The application site has been subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved by the Local Planning Authority. (b) Detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the "Contamination Proposals") have been submitted to and approved by the Local Planning Authority. (c) For each part of the development contamination proposals relevant to that part (or any part that would be affected by the development) shall be carried out either before or during such development as appropriate. (d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the "Contamination Proposals" then revised "Contamination Proposals" shall be submitted to the Local Planning Authority. (e) If during development work site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out inline with the agreed "Contamination Proposals".
REASON: To prevent pollution of the water environment.

The Planning Manager at Dwr Cymru Welsh Water should be consulted by the Local Planning Authority and be requested to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution.

This site lies within the designated Dee Water Protection Zone. The storage or use of controlled substances at the site may require a formal consent from the Environment Agency Wales, under the Water Resources Act 1991. Further guidance regarding this requirement is contained in Guidance Note Dee WPZ 1, a copy of which has been sent to the developer. It is

Cont/d..

Asiantaeth yr Amgylchedd Cymru
Parc Menai, Ffordd Penlan, Bangor, Gwynedd, LL57 4DE
Ffon: 01248 670770 Ffacs: 01248 670561

Environment Agency Wales
Parc Menai, Penlan Road, Bangor, Gwynedd, LL57 4DE
Tel: 01248 670770 Fax: 01248 670561



the developer's responsibility to ensure that this matter is discussed with The Agency should planning permission be granted.

In the interests of sustainability, surface water drainage from developed sites must be regulated to prevent flood risk associated with the overloading of natural watercourses.

Regulation of the flows may be achieved by: 1. On site storage with only restricted flows being discharged; 2. Soakaways in the case of small developments (This will require the Local Authority building control department's approval). Whichever regulation method is adopted, it is essential that the developer enters a suitable long term legal agreement to ensure satisfactory long term maintenance and future renewal.

The developer should contact The Agency to discuss the various systems of regulating surface water run-off flows from the proposed development.

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of The Agency is required for any proposed works or structures in, under, over or within 7 metres of the top of the bank of the main river (Redwither Brook and River Clywedog).

Any culverting of a watercourse requires the prior written approval of the Local Authority under the terms of the Public Health Act 1936, and the prior written consent of The Agency under the terms of the Land Drainage Act 1991/WaterResources Act 1991. The Agency seeks to avoid culverting, and its consent for such works will not normally be granted except for access crossings.

The developer must not, in any way, create an obstruction or a restriction to the flow of a watercourse under normal or flood flow conditions.

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with section 34 of the Environmental Protection Act 1990.

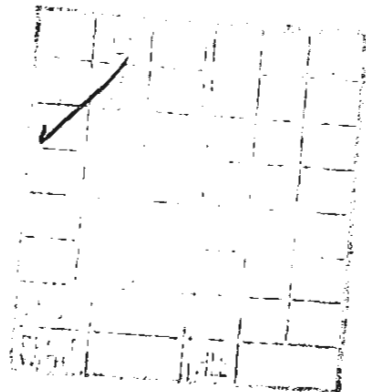
Where a condition has been imposed which has been suggested by the Authority or which meets the Authority's objective the Local Planning Authority should consult with the Authority to secure compliance with the condition prior to its discharge.

A copy of the subsequent decision notice would be appreciated.

Yn gywir/Yours faithfully


Ricky C Carter
Team Leader Planning Liaison

Gofynnwch am/Please ask for: Ricky C Carter



KAT



MEMORANDUM

From: Chief Transportation and
Engineering Officer

To: Chief Planning Officer

Our Ref: TH/DC/KW/P/2000/0019

Your Ref: P/2000/0019

Date: 07 February 2000

TOWN AND COUNTRY PLANNING ACT 1990.

TOWN AND COUNTRY (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995.

Location: O. S Grid Ref 3880 4922 Oak Site, Redwither Road, Wrexham Industrial Estate, Wrexham.

Development: Industrial Development.

I refer to your consultation dated 11th January concerning the above.

The highway access proposals were initially submitted for planning permission in February 1998 (Ref: CB01935). I would reiterate that I do not have any objection in principle to the proposed development on highway grounds but would recommend that the applicant be advised again that dependant upon the traffic patterns associated with any further detail design application and the timing of any application, especially with respect to the proposed Industrial Estate Link Road construction, further site works or commuted sum payments may be applicable. A further assessment will be required, based on the current TIA, at the time of submission of a detailed application.

for Highways and Transportation Services Manager:

3110



DŴR CYMRU
WELSH WATER

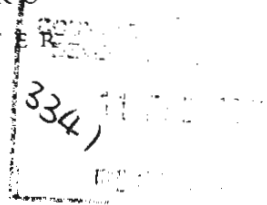
Maes y Ffynnon
Penrhosgarnedd
Bangor
Gwynedd LL57 2DN

Ffôn: +44 (0)1248 351 144
Ffacs: +44 (0)1248 374 368

Maes y Ffynnon
Penrhosgarnedd
Bangor
Gwynedd LL57 2DN

Tel: +44 (0)1248 351 144
Fax: +44 (0)1248 374 368

KAT



Chief Planning Officer
Wrexham County Borough Council
The Guildhall
Wrexham
LL11 1AY

Date :
10 February 2000

Enquiries :
P.C. Evans
(01248) 374263
Our Ref. :
2000300231/SJ 3849

Your Ref. :
P/2000/0019

Dear Sir

**WREXHAM - OAK SITE REDWITHER ROAD, WREXHAM INDUSTRIAL
ESTATE - INDUSTRIAL DEVELOPMENT**

We refer to your recent letter regarding the above application.

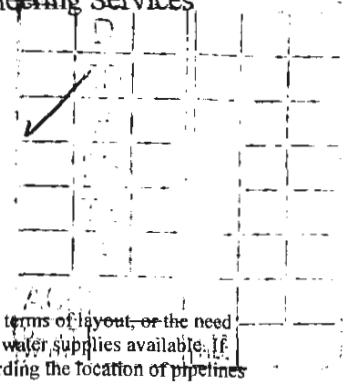
Consultation regarding water supply should, in this instance, be undertaken with the Dee Valley Water, Packsaddle, Pentrebychan, Rhostyllen, Wrexham LL14 4DS

Adequate capacity to accommodate foul drainage only is available at Five Fords Waste Water Treatment Works.

Public sewers appear to be laid within the site and the Council's Engineering Services Manager will need to be consulted on this aspect of the proposal.

Yours faithfully,

P.C. Evans
PLANNING LIAISON OFFICER.



IMPORTANT : There may be pipelines or apparatus within the site that will give rise to a constraint, in terms of layout, or the need for diversion (at the Developers expense). In certain elevated areas there is no obligation on us to make water supplies available. If there is any doubt the Developer should contact the local Operations Area Office of this Company regarding the location of pipelines etc. and/or the availability of water supplies. The Technical Department of the local authority hold the map of public sewers for their area and should be contacted for the location of public sewers. Any difficulties should be referred to the Sewerage Management Section of this company. [This is standard caution and does not imply the presence of any pipelines or apparatus].



SWALEC
SWALEC Gas
Dŵr Cymru Welsh Water

Dŵr Cymru Cyf, a limited company registered in Wales no. 2366777
Registered office: Plas y Ffynnon, Cambrian Way, Brecon, Powys LD3 7HP
Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng Nghymru rhif 2366777
Swyddfa gofrestredig: Plas y Ffynnon, Ffordd Cambria, Aberhonddu, Powys LD3 7HP



KAJ

CYNGOR CEFN GWLAD CYMRU
COUNTRYSIDE COUNCIL FOR WALES

Anfonwch eich ateb at:
Please reply to:

Ardal Gogledd Ddwyrain/North East Area
Victoria House, Grosvenor Street, Mold, Flintshire. CH7 1EJ.
Tel: 01352 706600 Fax: 01352 752346

Mr Graham Evans
Chief Planning Officer
Lambpit Street
PO Box 1290
Wrexham
LL11 1WL

Our Ref:
Your Ref:

ME/PR/SJ34.12.5
P/2000/0019 2338

For the attention of Ms K A James

Dear Sir

**Town and Country Planning Act 1990
Outline Application: Industrial Development.
Oak Site, Redwither Road, Wrexham Industrial Estate, Wrexham.**

The Countryside Council for Wales (CCW) acknowledges receipt of the above planning application consultation dated 25 January 2000.

We wish to express the following comments and observations:

1. The outline proposal to develop the application site for industry will not affect adversely any statutory sites of ecological or geological interest. However, it is now listed in the register of non-statutory Wildlife sites important within the Wrexham County Borough. The site is of importance for the mosaic and large extent of unimproved species-rich grassland, scrub and tall herb communities and now represents the largest remaining example of this type of habitat in the locality. Development has led to the loss of other examples. The site is known to support a good diversity of plant species including Dyer's Greenweed (*Genista tinctoria*), Adder's Tongue Fern (*Ophioglossum vulgatum*), and grass vetchling (*Lathyrus nissolia*). Furthermore the presence of species such as the grizzled skipper (*Pyrgus malvae*), a species of butterfly with restricted distribution in North East Wales, further highlights the overall ecological value of this locally important site. The local significance of this mosaic of interests suggests that this site should be incorporated into the forthcoming Local Biodiversity Action Plan for Wrexham.
2. We understand, that following surveys undertaken by the applicant, the site supports protected species such as the badger, adder and common lizard, and is likely to be used by the great crested newt for foraging, shelter and hibernation. All three "herptile" species are protected under the provisions of the Wildlife and Countryside Act 1981 (as amended). The great crested newt also receives legal protection under the EC Habitats and Species Directive (as implemented in Great Britain by Statutory Instrument 2716: The Conservation (Natural Habitats & c) Regulation. The badger is protected under the provisions of the Badgers Act 1992.
3. Information provided by the applicant has confirmed the site is important for wildlife listed in the UK Biodiversity Action Plan as "Priority" species, and in determining the application, we would urge your Authority to give consideration to this aspect as part of their local biodiversity action plan.

In view of the contribution these interests make towards local biodiversity and quality of the local environment, we suggest that the application is refused. However, if the application is approved we advise any development includes appropriate conservation and avoidance schemes to ensure the retention, management and future viability of the range of ecological features.

In this respect we would expect these schemes to include details of exclusion fencing, terrestrial searches, as well as positive conservation measures such as the creation and appropriate management of secure habitat. Furthermore, the scheme design and future management of the entire site should appropriately consider local and national biodiversity objectives and proposed actions.

We understand that surface water will drain into the existing surface water drain. However, we advise that surface water management systems should be designed to follow Best Management Practice (BMP) techniques. The adoption of this type of system, provided gulleypots are not included within the overall design, will create an amphibian friendly surface water management system, as well as providing further opportunities to create new ecologically sustainable features, eg reedbeds.

Please do not hesitate to contact us should you require further information on the above.

Yours faithfully



Matthew Ellis
ADO
Flint and Wrexham

	D				
	ED				
✓	P				
	PS				
	TE				
	F				
ACK					
CC	WITH				

Fax/Ffacs

To: Mathew Ellis, CCW

From: Ken Verry James

Organisation/Cyfundrefn: _____

Fax/Ffacs: _____

Date/Dyddiad: 28-1-2000

Message/Neges:

Mathew,

The previous application for industrial development (B02691) was refused on 12 April 1999 for the following reason "Insufficient information has been submitted to enable the Local Planning Authority to fully assess the impact of the development upon the ecological amenities of the locality. As such the development will be likely to adversely affect flora and fauna in the area"

Regards Ken Verry James



No of pages (inc this sheet)
Nifer o dudalennau (gan gynnwys hon)

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Mae'r ffacs hwn unrhyw ymlyniadau yn gyfrinachol, ac nid yw'r wybodaeth dim ond ar gyfer y derbynnydd. Gall y wybodaeth yn gaeth i amodau cyfreithiol, proffesiynol neu i ryw fraint arall. Os ydych wedi derbyn trawsyriant ar fai, fe warrheddir yn llyn unrhyw fath o gopio, defnyddio neu ledaenu ohono, a gofynnir i chi gysylltu a'r Cyngor gan ffonio'r rhif ffon wedi'i arddangos isod.

The Coal Authority,
Mining Reports Office,
200 LICHFIELD LANE,
BERRY HILL,
MANSFIELD,
NOTTINGHAMSHIRE,
NG18 4RG
Telephone: 0845 762 6848
DX 716176 MANSFIELD 5

The
**COAL
AUTHORITY**



KAT

WREXHAM COUNTY COUNCIL,
LAMPIT STREET,
P O BOX 1290,
WREXHAM,
LL11 1WL

This matter is being dealt with by Keith Banton

Our Ref: 011381-00

Your Ref: P 2000.0019

Date: 22 January 2000

COUNTY COUNCIL
DEVELOPMENT

01935

WREXHAM COUNTY COUNCIL

27 JAN 2000

PLANNING DEPARTMENT

Dear Sir,

**Planning Consultation - Report on Coal Mining Circumstances
OAK SITE, REDWITHER ROAD, WREXHAM INDUSTRIAL ESTATE,
WREXHAM, CLWYD, LL13**

I refer to the enquiry dated 11th January 2000 in connection with the above.

This report is based on and limited to the records in the possession of The Coal Authority at the time the search is answered.

Past Underground Mining

According to the records in our possession, the property is not within the zone of likely physical influence on the surface from past underground coal workings.

Present Underground Mining

The property is not within the zone of likely physical influence on the surface from any present underground coal workings.

Future Underground Mining

The property is not within a geographical area for which a licence to extract coal by underground methods is awaiting determination by the Coal Authority.

The property is not within a geographical area for which a licence to extract coal by underground methods has been granted.

The property is not within the zone of likely physical influence at the surface from plans of future workings in our possession.

However reserves of coal exist in the locality which could be worked at some time in the future subject to feasibility, licences, and planning consents.

Shafts and Adits

We have no knowledge of any mine entries within, or within 20 metres of the boundary of the property.

Surface Geology

Records in our possession do not disclose any fault or other line of weakness at the surface as having affected the stability of the property.

Past Opencast Mining

The property is not located within the geographical boundary of an opencast site from which coal has been extracted by opencast methods.

Present Opencast Mining

The property does not lie within 200 metres of the geographical boundary of an opencast site within which coal is being extracted by opencast methods.

Future Opencast Mining

The property is not within 800 metres of the geographical boundary of an opencast site for which a licence to extract coal by opencast methods is awaiting determination.

The property is not within 800 metres of the geographical site boundary of an opencast site for which a licence to extract coal by opencast methods has been granted.

Additional Remarks

This report is provided in response to and for the purposes of a statutory consultation made under the Town and Country Planning legislation. In circumstances where instability issues are identified the developer must be made aware of the instability issues, and of the need for the developer to consult the Coal Authority where appropriate.

Responsibility for carrying out any development in a safe manner rests with the developer.

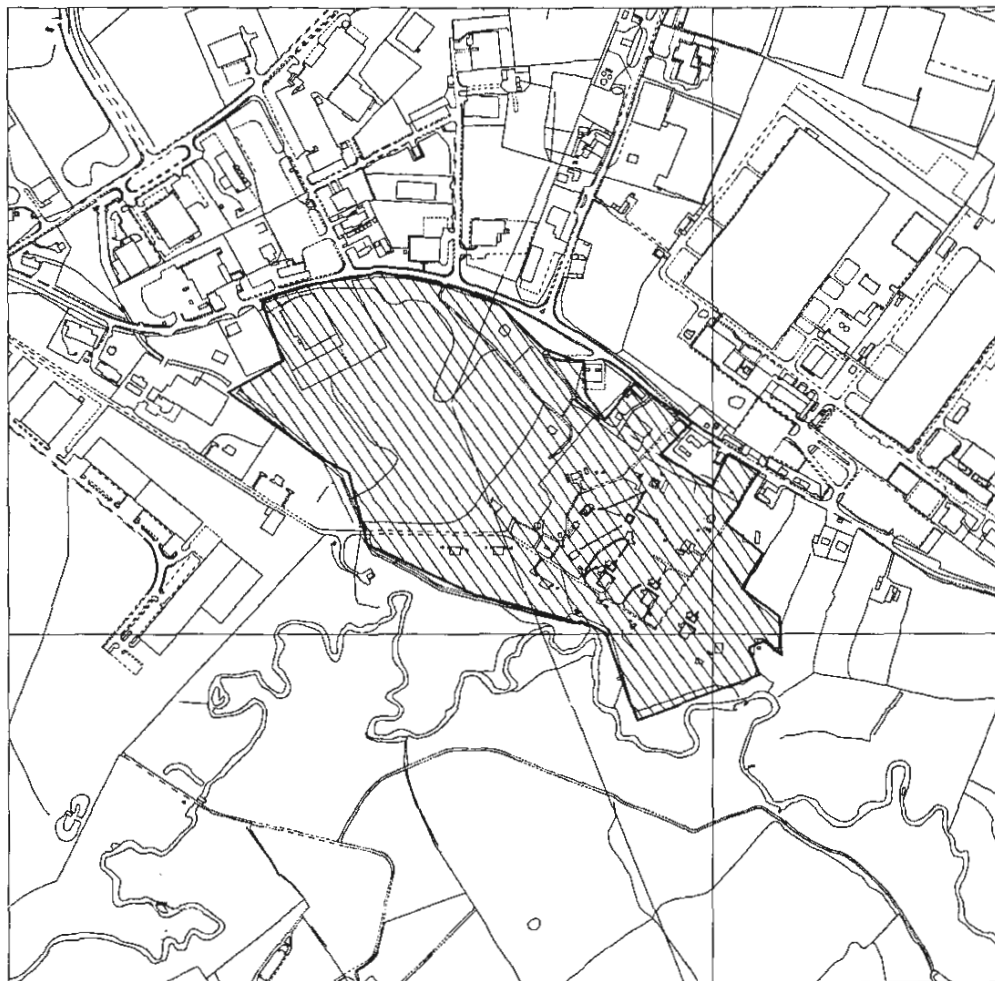
The replies based in this report will be based on, and will be limited to, information in the possession of the Authority at the time of the consultation, and will be given on the distinct understanding that the Coal Authority is not legally responsible (except for negligence) for the information provided. This report must not be used as a substitute for a search by property owners/developers/purchasers under the scheme for coal mining searches agreed between the Law Society and the Coal Authority.

Yours faithfully



Albert Schofield

Director of Operations



Crown Copyright. Quoted scale is approximate.

SCALE: 1:10000

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This is a plan of the boundaries of the property in respect of which this report has been prepared. It is the responsibility of the user to ensure that the boundaries shown correspond with those of the property.

APPROXIMATE POSITION OF ENQUIRY BOUNDARY SHOWN



—
—

MEMORANDUM



From: Chief Public Protection Officer

To: Chief Planning Officer

Our Ref: DCL/JW/118

Your Ref: P/2000/0019

Date: 20 January, 2000

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

GR: E338800 N349220

Industrial Development

Oak Site, Redwither Road, Wrexham Industrial Estate, Wrexham

I am writing with regard to the above and following receipt of your memorandum dated, together with enclosures dated 11 January 2000. This Department has no objections, in principal, to this development however a number of domestic dwellings are in close proximity to the site which may suffer from noise disturbance as a result. In order to prevent this and in order to prevent a "creeping background noise level", the applicant should undertake a survey of the existing noise climate and then design the site layout and usage in order to reduce the possible impact on the adjacent dwellings.

This type of speculative development will be problematical in the noise controls which the Local Authority may place. The site could be treated as a whole but if individual units are to be let on a separate basis then it may be essential to impose noise conditions on each unit. Boundaries between each unit would have to be clearly defined. At this stage the wording of a noise Condition cannot be suggested. However, it is essential that prior to the final approval a set of Conditions is imposed in order to protect the residents from unnecessary noise disturbance.


.....
Chief Public Protection Officer

	D				
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ACK					
DEALT WITH					

CEFN PARK DEVELOPMENTS LTD

This development acknowledges the importance of the area for wildlife (biodiversity) and proposes to set aside an area which is large enough to retain the habitats and species mentioned in the Young Associates report (20.09.99 and May 2000). I therefore accept that the area put forward to be retained for its ecology and archaeology is a reasonable compromise. The retained areas will need to be managed to benefit the wildlife present. Rather than the use of "new landscaping" within the proposed development, I would envisage the retention of existing habitats and the creation of similar ones. A S106 agreement may be required to cover such details as well as the management of the retained area.

Proposed Conditions

D49C EXCLUDED LAND

- The area shown hatched on the approved plan, (drawing number 5128 /03) is specifically excluded from this grant of planning permission and no development shall take place within the area.
- Details to be approved as part of the reserve matters shall include ecological surveys of a) species protected under the 1981 Wildlife and Countryside Act (and amendments). b) other habitats and species mentioned in the Young Associates report May 2000.
- Details to be approved as part of the reserve matters shall show distribution, protection and enhancement measures of the species and habitats (mentioned above). Development shall be carried out in strict conformity with the details as agreed by the local planning authority.
- No development shall commence until a management plan has been produced which sets out the management of the exclusion zone for a period of no less the x years. (Ideally the management should be in perpetuity although a plan for this length of time is not practical, 25 years is a possible compromise.)

AD 13.06.00

Keep away from the
boundary, etc.



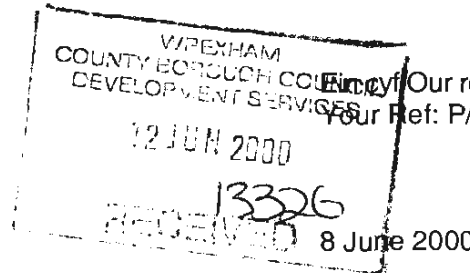
CYNGOR CEFN GWLAD CYMRU
COUNTRYSIDE COUNCIL FOR WALES

CADEIRYDD/CHAIRMAN: JOHN LLOYD JONES OBE • PRIF WEITHREDWR/CHIEF EXECUTIVE: PAUL LOVELUCK CBE. JP

Anfonwch eich ateb at/Please reply to: Ardal Gogledd Ddwyrain/North East Area Office
Llinell Union/Direct Line: 01352 706600 Ffacs/Fax: 01352 752346
E-bost/Email: initial.surname@ccw.gov.uk

Victoria House
Grosvenor Street
Mold
Flintshire
CH7 1EJ

Mr Graham Evans
Chief Planning Officer
Lambpit Street
PO Box 1290
Wrexham
LL11 1WL



Our ref: ME/MMJ/SJ34.12.5
Your Ref: P/2000/0019

For the attention of Ms K James

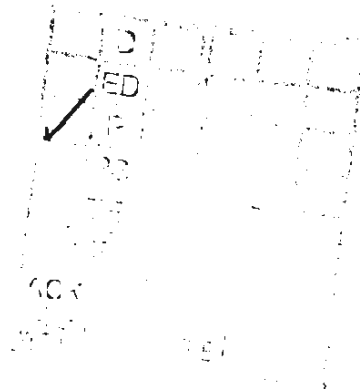
Dear Sir

Town and Country Planning 1990
Outline application for Industrial Development
Oaks Site, Redwither Road, Wrexham Industrial Estate, Wrexham

The Countryside Council for Wales (CCW) acknowledges receipt of the above planning consultation dated 31 May 2000. We will provide detailed comment when we have had an opportunity to critically assess the impacts of the proposal.

Yours faithfully

Matthew Ellis
Assistant District Officer
Flintshire and Wrexham



From: Steve Greuter
To: James, Kerry
Date: 05/06/2000 11:54:49
Subject: The Oaks site, Wrexham Industrial Estate

Kerry

Thanks for the plans, at the end of the day their proposals for conserving at least some of the buildings will probably be acceptable, although I will need to use Giffords report to assess those buildings which will not be retained and come to a view as to whether some of them at least should be also included within the 'conservation area'.

You will appreciate that if some buildings are to go I will require much more detailed recording of them than as happened to date.

I attach a copy of my initial response to Giffords regarding their report. I daresay will get a better attempt at it in the next few days.

Steve

AT/LM/B3041A
Anne Thompson
Gifford & Partners
20 Nicholas Street
Chester
CH1 2NX SG/D0
61

5th June 2000
Steve Greuter
01978 317971

Wrexham County Borough Museum
County Buildings
Regent Street
Wrexham
LL11 1RB

Tel: 01978 317970
Fax: 01978 317982

Dear Anne

The Oaks Site, Wrexham Industrial Estate

Thank you for the copy of the draft report that I read with interest. As you are aware from the brief, the report should focus on:

1. A basic record of the surviving structures;
2. An identification, where possible, of the structures present;
3. The assessment of the heritage value of the remains so recorded and identified from a local, regional and national perspective.

In terms of the first two requirements the report is fine. However I am not at all happy about the third element of the report, which has significant shortfalls.

As I mentioned on the telephone, I do not like the ranking system that is used. I am aware of the PPG16 'Criteria for Scheduling', but have not seen a numbered ranking system with individual buildings given a 'score'. I am happy to see the categories used as a guide to site significance; however, I was surprised to see that 'group value' hasn't been utilised in this assessment. I would agree that as individual buildings they might not be worthy of conservation, however, as I have stressed to both Pete Owen and to Tim, this is a complex of inter-related buildings, actually the last such complex still surviving on the site. Whilst on this subject, additional information as to the actual manufacturing processes employed here would also seem relevant. What I am particularly anxious to be able to demonstrate is that each building or structure formed part of a larger manufacturing process. The understanding of which would need the conservation of all or as many as possible of the buildings that made up the process. Finally, you should note page 5 note 3 of the brief, which states that the 'report should not give an opinion on whether preservation or further investigation is considered appropriate, but should provide

an interpretation of results placing them in a local and regional and national context...'. I would appreciate it, therefore, if you would delete any reference to what should happen to the buildings.

In terms of national significance, some mention of actual or pending statutory protection relating to other sites elsewhere in the Country would also be applicable and should also be included. As I understand it many of the brick structures at Wrexham within the nitration complex are not repeated at the contemporary complex at Waltham Abbey which is a scheduled site, albeit with a longer history. A mention of the 'Defence of Britain project' would also seem worthwhile.

As for regional significance, it should also be made more explicit that this site is only one of four such plants ever constructed, that this is the only such facility in North Wales, only the second in Wales. Although the extant remains 'are by no means complete' (Sections 8.3.1, 8.4.2), the point should be made that this complex represents the last surviving coherent fragment of the greater whole. In addition, what percentage of the original plant this area represents should also be included (Pete Owen agreed to include this).

Apart from the sites potential national significance, I am also anxious for a view as to the sites regional and local importance. I am aware that the site was a very major employer of local labour during the war years. Therefore, some information as to the size of the workforce employed at the plant; the impact on Wrexham itself of the factory's presence; the impact of its closure in 1945, all seems to me to be relevant to the sites local significance.

On a related matter, I have been told that Giffords are acting in an advisory capacity to the developers on this matter. You will appreciate that if this were to be true, I would have serious concerns regarding a potential and/or perceived conflict of interest. I would, of course, have no problem if a developer wished to employ an archaeological consultant to provide them with additional advice, but I do not believe that it is appropriate for the same people to do both jobs. I look forward to seeing a revised draft.

Yours Sincerely,

Stephen Greuter
Heritage Services Manager

cc Chief Planning Officer

TACP

DNJ/CG/5128
25 May 2000

Wrexham County Borough Council
Development Services Directorate
Lambpit Street
P O Box 1290
Wrexham
LL11 1WL

Attention: Ms K James, Planning Department

Dear Sirs

CEFN PARK DEVELOPMENTS LTD THE OAKS SITE, WREXHAM INDUSTRIAL ESTATE

Following our meeting last Monday with Malcolm Brymer of Strutt & Parker, we now enclose as discussed 4 no. copies of the following supplementary information.

Drawings 5128/01 to 04 inclusive which, taken in numerical order, provide a logical sequence to illustrate the considerations in arriving at a development plan.

- 5128-01 Areas of Ecological Interest.
This drawing should be read in conjunction with Young Associates Ecological Survey dated 20 September 1999, and already issued to you.
- 5128-02 Areas of Archaeological Interest
This drawing should be read in conjunction with Gifford & Partners 'Desk Based Assessment of Archaeology' dated May 2000. A copy of this document has been sent directly to Mr Stephen Greuter, and two further copies are enclosed for your information.
- 5128-03 Proposed Development Area
This drawing defines the area that is considered suitable for development based on the reports prepared by Young Associates and Gifford and Partners. It is supplemented by Young Associates "Notes to accompany Proposed Development Area Plan" dated May 2000.
It also indicates constraints within the development area which would be taken into account at detailed planning stage.
- 5128-04 Preliminary Development Proposals
This drawing illustrates a possible development layout taking into account the Ecological and Archaeological features on the site.
As you will appreciate there are numerous ways in which the site could be developed, and again these matters would be refined at detailed planning stage.
This drawing is intended only to illustrate a possible layout, maximizing the development potential of the nett developable area.

✓ 27/29 Grosvenor Road
Wrexham LL11 1DH
T. 01978 291161
F. 01978 351735
E.mail. tacp@
netcomuk.co.uk

10 Park Grove
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T. 01222 228966
F. 01222 394776
E.mail. tacpcard@
netcom uk.co.uk

Architects

Environmental consultants

Landscape architects

Planners

Urban designers

Interior designers

Project consultants

Quantity surveyors

Building surveyors

CDM Planning
Supervisors

Partners

Robert Heaton

Brian Jones

David N Jones

Hilary F Morgan

John Pugh

Gareth D West

Associates

Geoffrey T Broster

Christopher Edwards

Lee A Jones

David Morris

Richard A Staden

Stephen Taylor

Consultant

Dennis Griffith

T A C P

DNJ/CG5128
25 May 2000

Considerable efforts have been made by all members of the Development Team to respond fully and in a thorough manner to your requests for information to enable your Planning Committee to determine this outline application.

We trust you will be able to consider and determine the application at the meeting on 12 June, and if you need any clarifications to achieve this please let us know.

Yours faithfully



for T A C P

Encs.

cc: Cefn Park Developments Ltd, Mr R Graham-Palmer
Strutt & Parker, Mr Malcolm Brymer
Young Associates, Ms Jan Wilkinson
Gifford & Partner, Mr Tim Strickland, Ms Anne Thompson
Veryards Ltd, Mr David Wallbutton

OAKS SITE P2000 0019

Notes from meeting with Jan Wilkinson Young Associates
Lee Jones TACP
Amanda Davies WCBC Ecologist

Plan 3 from Young Associates' Ecological Survey was used as a basis for the discussion.

TACP's brief is to develop as much as possible; emphasised that the land is allocated for industrial use/reclamation.

I commented that it was unfortunate that the site had not been surveyed prior to 1997/8 when the wildlife interest was identified. The only development that I would be happy with would be immediately adjacent to the road.

There was much discussion on the possibilities of developing the allocated "levelled" area with the grizzled skipper butterfly. 30m either side of the powerline would have to be retained which could be managed for these butterflies. More information is needed regarding the size of the population present and the area needed to sustain it, whether other areas could be managed to attract them, or translocation of existing turves as a last resort.

There was also discussion on whether it was worth spending money on conserving a species which was essentially on the edge of its range. Although not protected under the Wildlife and Countryside Act the species is declining and all sites are therefore important.

My original belief that half the site would be managed for nature conservation/wildlife purposes is not accepted by TACP. The general idea is to have a spur road from the roundabout which splits to the east and the west, and to manage the "ecological hotspots". I emphasised that the site as a whole was valuable and once split into the "best bits" would result in the loss of the overall interest. JW agreed that the bigger the block retained (and managed) the better for wildlife. Other considerations that need to be taken into account include the breeding birds, reptiles-slow worm, adder-badgers (although there is general acceptance that the woodland/scrub to be retained is where the main badger activity is) and bats. If too much is developed then there may be a need for additional mitigation areas. JW anticipated that development will need legal agreement as well as planning conditions for the ecology.

I mentioned that they should assume that the mature oak trees would be TPOs. Similarly reclamation needs to take account of the industrial archaeological value of the buildings as well as for bats and barn owls. There is a possibility to enhance certain buildings for use by bats.

TACP in conjunction with Young Associates will produce plan illustrating areas to be developed. I emphasised that background information regarding mitigation would also be needed.

AD 12.04.2000

Malcolm Brymer
Strutt and Parker
19 Grosvenor Street
Chester
CH1 2DD

MAB/SP/7989
KAJ/P/2000/0019
31 March 2000
Ms K James
01978 292476
kerry.james@wrexham.gov.uk

Dear Sir

**INDUSTRIAL DEVELOPMENT, THE OAKS SITE, REDWITHER ROAD, WREXHAM
INDUSTRIAL ESTATE, WREXHAM**

I refer to the above planning application received 11 January 2000 and your letter dated 22 March 2000.

I acknowledge your request to defer the above application and can confirm that the application will now not be considered at the Planning Committee to be held on 10 April 2000. It is envisaged, that providing the outstanding ecological and archaeological issues have been resolved, the application will be considered at the Planning Committee on 8 May 2000.

I look forward to hearing from you in due course.

Yours faithfully

KAJ

for Chief Planning Officer

Chester

19 Grosvenor Street Chester CH1 2DD

Telephone 01244 320747 Facsimile 01244 320069 Estate Agency / Building Surveying

Facsimile 01244 320778 Land & Farm Management

E-Mail: chester@struttandparker.co.uk

www.struttandparker.com

STRUTT & PARKER

RD

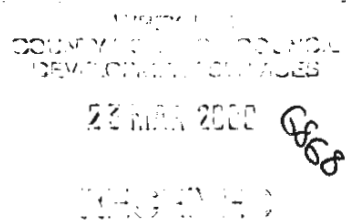
Chartered Surveyors
Rural and Commercial Property
Consultants and Managers
National Estate Agents

Head Office

13 Hill Street Berkeley Square London W1X 8DL Telephone 020 7629 7282

Mr R Dewey
Wrexham County Borough Council
Development Services Directorate
Lambpit Street
PO Box 1290
WREXHAM
LL11 1WL

mab/sp/7989
JM/HMW/CB2691
22 March 2000



Dear Mr Dewey

INDUSTRIAL DEVELOPMENT: THE OAKS SITE CURRENT PLANNING APPLICATION

I write to advise on behalf of my client that we wish to **DEFER** the above present Planning Application until we can resolve matters regarding the archaeological and ecological issues.

The Development Team will be meeting in the course of the next few days and will be discussing the matters with your colleagues thereafter. At that point we will be able to agree which Planning Committee to take the application to.

Yours sincerely

Malcolm Brymer

MALCOLM A BRYMER
for Strutt & Parker



copy to Roger Graham Palmer

JG Donald BSc FRICS		Banchory		Grantham		London		Northallerton	
JAN Laing FRICS		AD Hamilton MA Dip LE ARICS FAV		TP Bagge FRICS		PA Baxendale		AN Argyle MA FRICS	
DRP Cripps BSc FRICS		DW Strang Steel ARICS		NP Simper NDA		MJ Mc Andrew ARICS		JA Fife ARICS FAV	
PL Banks FRICS IRRV ACI Arb						MPR Rimell		RC Taylor BSc	
N Aslin FRICS		Canterbury		Harrogate		London Residential		Norwich	
GC Ballin FRICS		SRT Backhouse		ROH Davies ARICS FAV		HJ Elston		AC Brown BSc ARICS	
JR Dean FSA		SL Deakin FRICS		JL Gloag FRICS		Diana Rowell		ERP Pratt MA FRICS FAV	
WW Quarry BSc FRICS		JI Farrell BSc (Agric) ARICS FAV				JR Shingles		NJ Steele FRICS	
ARG Cane FRICS		Chelmsford				Market Harborough		St Albans	
GR Petherick FRICS		RAD Cowlin FRICS IRRV		Ipswich		RMJ Trustram Eve		LR Hickish FRICS	
RDS Herbert FRICS		TF Fagan ARICS		PJG Aldous BSc ARICS		RL St B Vigne FRICS		JC Moss BA BSc ARICS	
DR Leppard		PJ Fosh MA ARICS FAV		T Dansie FRICS				Moreton-in-Marsh	
CR Lochrane FRICS		WAL Gemmill BSc MRPPA (Agric)		CA Loyd ARICS		JS Feilding FRICS		Salisbury	
AJW Martin BSc ARICS		SD Hawes FRICS FFB		JWM Penn Dip Est Man				SR Butcher BSc	
NJ Greene FRICS		JM Smallman				Morpeth		Teresa Dent BSc	
PR Bailey FRICS		Edinburgh		Lewes				AW Fortescue ARICS	
CK Drme FRICS FAV		AG Smith ARICS		JF Bridgland BSc ARICS		Newbury		IF Hepburn FRICS FAV	
DH Reeves MA FRICS		Exeter		TI Page-Ratcliff		AG Chichester MA FRICS FAV		William Hillary	
MJA Fiddes BA ARICS		RC Carslake ARICS		JS Smith ATII ATT		JHS Preston FRICS		WR Hillary FRICS	
TS Richardson FRICS		CA Huntington-Whiteley FRICS		ND Watson ARICS FAV		MS Woods BSc		CL Greville-Heygate BSc FRICS	
SWS Broke FRICS FAV		RD Thomas FRICS FAV							
AJL Burrows MA FRICS		Associates							
PJ Hutley FRICS FAV		WP Smith FRICS							
RD Pryor FRICS		KM Thomas HND (Agric)							
MW Verity MA ARICS FAV		HR Williams ARICS FAV							
SP Bland BSc ARICS		Consultant							
CJ Geaves BSc ARICS		AL Speechly FRICS							
SA Jones BSc ARICS									



The Oaks Site
Cefn Park Development, Wrexham
Roger Graham Palmer:
Tel: 01978 262889
Fax: 01978 355750

TEAM CONTACTS

Tim Strickland	Gifford & Partners Archaeologist	Tel: 01244 311855 Fax: 01244 314560
David Wallbutton	Veryards Limited	Tel: 01244 571444 Fax: 01244 570272
John Pugh	TACP	Tel: 01978 291161 Fax: 01978 351735
Jan Wilkinson	Young Architects	Tel: 01829 770077 Fax: 01829 770079
Malcolm Brymer	Strutt & Parker	Tel: 01244 320747 Fax: 01244 320778

LOCAL AUTHORITY CONTACTS

Kerry James	Wrexham Planning Department	Tel: 01978 292476 Fax: 01978 292502
Amanda Davies	Ecologist Wrexham Borough Council	Tel: 01978 292517
Stephen Greuter	Wrexham Archaeologist	Tel: 01978 358916 Fax: 01978 353882

7989/140300mb

Received: 10.10.98
Expiry: 21.12.98
Outline

Cefn Developments Limited
Strutt & Parker,
19 Grosvenor Street,
Chester,
CH1 2DD.

OAK SITE, REDWITHER ROAD,
WREXHAM INDUSTRIAL ESTATE,
WREXHAM.

INDUSTRIAL DEVELOPMENT.

THE SITE

A large vacant site, approximately 22 ha at the eastern edge of the industrial estate. The site is bounded by Oak Road to the north, Redwither Road to the west and Clywedog Valley.

PROPOSAL

As above.

HISTORY

CB01935 - Construction of roundabout and emergency access. Approved 13.5.98.

DEVELOPMENT PLAN

The site is located within the settlement limit for Wrexham Industrial Estate. Policies S1, S4, J1, E1, E2, E4 and E10 apply.

CONSULTATIONS

Community Council:	Would be glad if the development closest to the existing residential development along Oak Road was restricted to take this into account, ask for suitable conditions to protect wildlife, flora and fauna.
Local Member:	Notified 26.10.98.
Public Protection:	Recommend boundary noise condition.
Highways:	No objections.
Coal Authority:	No adverse comments.
Welsh Water:	No adverse comments.
North Wales Wildlife:	Object - the proposal threatens to destroy a wildlife site.
CCW:	Comment that the site is of importance for the mosaic and large extent of unimproved species rich grassland. Scrub and tall herb communities and now represents the largest remaining example of this type of habitat in the locality. Recommend refusal given that the proposals are likely to have a significant adverse impact on a locally important wildlife site. Request that if approval is given - applicant should propose a Conservation and Avoidance Scheme.
Environment Agency:	Requests a condition.
Adjacent occupiers:	1 letter of objection on the grounds of access problems, congestion, increase in noise and pollution. Three letters of objection from residents on the grounds of wildlife on the site.
Nature Group:	Records of protected species in the area.
Site Notice:	Expired 19.11.98.
Press Notice:	Expired 27.11.98.
County Archaeology:	Recommend an archaeological survey be carried out.

SPECIAL CONSIDERATIONS/ISSUES

Policy: The site is located within the settlement limit for Wrexham Industrial Estate as defined in the Wrexham Maelor Local Plan. The western half of the site is allocated specifically for employment. The proposed development would comply with Policies S1 and J1 contained within the local plan. The site is allocated for land reclamation in the Draft Unitary Development Plan with industrial after use. There is no policy objection in principle to industrial development on this site.

Ecology: The site is known to be of high wildlife value and is registered as a wildlife site. The site supports a good diversity of flora and fauna such as Dyers Greenwood, sky larks and barn owls. It is also important for species and amphibians, reptiles and mammals, which are protected under various Acts and European Directives. It is therefore important that firm ecological information is provided to fully assess the likely impacts of the development and to allow the Council to make an informed decision as to which areas of the site are suitable for industrial development and what mitigation measures are necessary.

The applicants have been asked to provide this information. Whilst the applicant is willing to submit this data, many of the required surveys cannot be completed until the latter half of 1999 and the applicant has requested that the application be determined using historical research data or on the basis that this data will be submitted at a future date. This approach is not considered to be acceptable for the reasons given above.

I therefore recommend accordingly.

RECOMMENDATION That permission be REFUSED.

REASON(S)

01 Insufficient information has been submitted to enable the Local Planning Authority to fully assess the impact of the development upon the ecological amenities of the locality. As such the development will be likely to adversely affect flora and fauna in the area.

22/5/98
OVR
Received:
18.11.98
Expiry:
13.0.99



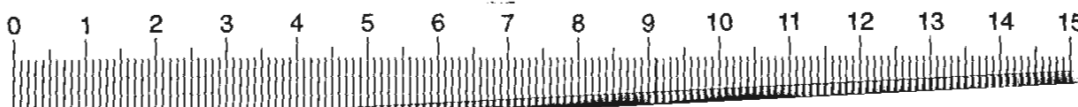
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Borras Quarries

Development Services Directorate
 Chief Planning Officer, Graham Evans
 Lambpit Street, P.O.Box 1290, Wrexham LL11 1WL
 Telephone 01978 292500. Fax 01978 292502

MapXWCBC
 Produced By : RAD
 Date : 13-01-2000
 Scale : 20004

wrexham
 COUNTY BOROUGH
 BWYDEISTREF SIROR
wreccsam



FAX

TACP

To: KERRY JAMESFrom: JOHN PUGHCompany: W.C.BWrexham ☒Cardiff ☐Fax No: 292502Project No: THE OAKS ITE -Date: 15-3-000Project Title: REUNITE RD, U.I.E.Copied to: M. BRYMER
E. Mr Graham PalmerNo of pages (including this one): 7

If you do not receive all the pages listed please telephone Wrexham 01978 291161

☐ Please tick this box if fax is to be followed up by a letter

PLEASE FIND ENCLOSED OUR PROPOSAL
FOR DEALING WITH THE ECOLOGY FOR THE
ABOVE SITE.

WE WILL ATTEND YOUR OFFICE ON
THURSDAY 16 MARCH 2000 AT 2:30pm
TO DISCUSS THIS PROJECT.

REGARDS

John Pugh

27 Grosvenor Road
Wrexham LL11 1DH
T 01978 291161
F 01978 351736

10 Park Grove
Cardiff CF10 3BN
T 029 20 228966
F 029 20 394776

Architects

Environmental
ConsultantsLandscape
Architects

Planners

Urban Designers

Interior Designers

Project
Consultants

Quantity Surveyors

Building Surveyors

CDM Planning
Supervisors

5128

Wrexham Industrial Estate Masterplan Exercise

1. Introduction

- 1.1 In developing a masterplan for the study area, reference will need to be made to the following issues:-

- Planning Context
- Access
- Utilities
- Heritage and Archaeology
- Environmental Constraints - Landscape
 - Ecology
- Contamination

- 1.2 In undertaking this task reference should be made to the Wrexham Industrial Estate Strategy Study (1992) and the Ecological Survey undertaken by Young Associates (1999), together with the existing and emerging development plan framework for the area. In more detail, each of these issues can be considered in turn.

2. Planning context

- 2.1 Reference must be made to the adopted Wrexham Local Plan up to 2001, and the emerging Unitary Development Plan. This will confirm or not designations for land uses identified within the 1992 study, and any additional requirements that reflect amendments to legislation, changes in policy or designations.

3. Access

- 3.1 Access points identified, need to ensure road layout has been confirmed. May need to refer to proximity/accessibility to public transport.

4. Utilities

- 4.1 There are inconsistencies between the Wrexham Industrial Estate Strategic Study (1992) and the Oaks Site, Wrexham Industrial Estate *Ecological Surveys* (1999), the former shows a different route of overhead 132Kv line, and the latter overhead 132Kv powerline is shown as being underground in the 1992 document.
- 4.2 According to the Wrexham Industrial Estate Strategic Study (1992), there are no limitations on utilities that the relatively straight-forward diversion of existing facilities cannot overcome.

5. Heritage and Archaeology

- 5.1 Need to ensure reference is made to any heritage values associated with the site. The site was undeveloped prior to 1914. OS maps from 1949 indicate that buildings were once present that are no longer there. The use of the site by the MOD as an ordnance factory in the past increases the heritage value of the site.

6. Environmental Constraints

Landscape issues

- 6.1 Underground services and overhead power cables provide major constraints on the landscape treatment of the site. However, if they are removed, material will be provided for the development of landscape mounds to screen/shelter areas.
- 6.2 To the south-western end of the site, a small stream defines the boundary.
- 6.3 The River Clywedog provides an attractive landscape feature to the south of the site.
- 6.4 The southern boundary contains many valuable mature trees that would screen and development to the south and thus should be retained. This may be augmented by further planting.
- 6.5 Careful consideration should be directed towards any development along the northern boundary of the site, as they will have extensive outlooks over the landscape to the south and the adjacent Oak Road and Redwithier Road to the north. Planting along the northern boundary may be necessary.

Ecological survey

- 6.6 There are several protected and scarce species found on the site. The ecological interest is directly linked to the past disturbance of the site, which has interrupted the natural process of succession to provide the mosaic of grassland, scrub and tall herb habitats that now exist.
- 6.7 One of three recorded colonies of the grizzled skipper butterfly in north Wales exists on this site.
- 6.8 There are no signs of recent usage (1999 survey) of the site by the statutorily protected Barn Owl, although previous reports suggest there has been a presence in the past.
- 6.9 The south-east corner of the site may be used by statutorily protected badgers for foraging, but no setts were found within the boundaries.

- 6.10 Bats, which are statutorily protected, may use 'pill-boxes' on the site for feeding or summer roosts. Buildings and some of the mature trees may provide hibernacula for bats.
- 6.11 Great Crested Newts, which are statutorily protected, were not found on site, however, there are large areas of suitable foraging/hibernating habitat on the site.
- 6.12 Slow worm and adder were sighted on the site and site conditions are right for the possibility of the existence of the common lizard and grass snake.
- 6.13 Without management the site is likely to lose some of its current nature interest, particularly for invertebrates, birds and botanical diversity, as scrub woodland becomes increasingly dominant.
- 6.14 The site's origins as previously disturbed land indicate that the current ecological value could be re-created by appropriate management of retained parts of the site. A positive ecological management programme would be needed to ensure that the ecological value is retained.
- 6.15 Protected species that have been recorded on site, or where conditions are suitable to sustain them, include: bats, badgers, great crested newt, barn owl, slow worm, adder, grass snake and common lizard. Licencing requirements will need to be taken into account in the masterplan exercise.

7. Contamination

- 7.1 The Wrexham Industrial Estate Strategic Study (1992) recommends that owing to the past ammunition manufacturing process carried out on the site, that investigation be carried out to contain an element of detailed chemical testing to check for ground contaminants.
- 7.2 Although clearance on the western section of site revealed no evidence of contamination, it should be borne in mind in any scheme proposals and costings.

8. Mitigation Measures

- 8.1 Notwithstanding the need to optimise the development potentials of the site, the following mitigation measures should be taken into account (see attached annotated plan). The attached plan indicates areas of high, moderate and low value habitat, these are defined as follows:
 - High value – to be retained wherever possible because of importance of habitat to protected species
 - Moderate value – as much to be retained and incorporated into the site design as possible

- Low value – of no special interest, but retain if habitat can be used in site design.

- 8.2 It is accepted that the majority of the 'low' and 'moderate' habitat will be lost due to development. However, where possible, fragments should be kept for landscaping purposes and managed in order to encourage the short grass/tall herb communities that currently exist. Ideally, fragments should be linked to one another to provide corridors for the movement of species.
- 8.3 It is recommended that the north-western part of the site is maintained for its plant, invertebrate, especially the presence of the grizzled skipper butterfly, and bird interest.
- 8.4 If the north-eastern section cannot be retained, this could be mitigated for by appropriate management of other parts of the site. Selective coppicing and scrub removal from the south-eastern part of the site followed by grassland management would recreate favourable conditions for invertebrates along the woodland scrub edge.
- 8.5 Pond creation in retained parts of the site would enhance the site visually as well as provide habitat for wildlife, including great crested newt.
- 8.6 Woodland in the south-east corner (see plan) should be retained and linked through 'corridors' to other retained areas of habitat. Habitat enhancement work could be undertaken in the woodland and floodplain areas. There are a number of mature trees along the southern boundary that should be retained, including one specimen of black-poplar, a scarce native species.
- 8.7 To encourage Barn Owls to return in future years, it is recommended that nesting boxes/ledges/access to appropriate buildings are provided to replace the opportunities that will be lost with the demolition of the existing buildings. The retention of rough, tussocky grassland will ensure a food source is maintained in the area.
- 8.8 The three badger setts identified in the surveys are outside, but close to the boundary of the site and may not affect the site itself. The need to retain these setts is not likely to present a restraint on site layout, but closure of setts would need to proceed under licence. If setts are retained a 'buffer zone' will need to be provided to protect them from disturbance. Areas of scrub need to be cleared with care to ensure no further setts are present, especially where the scrub is dense and detailed searches could not be carried out. These areas should be cleared by hand tools.
- 8.9 Scrub loss will result in the loss of a feeding resource for badgers, which could be mitigated for by planting fruit-bearing trees and shrubs, keeping grass areas short for foraging and providing corridors for badger movement.

- 8.10 Trees identified as potential bat roosts should be retained where possible, those that need to be felled will need to be done under licence from CCW. Trees should be felled in April-May or September-October, though the latter is better so as not to conflict with bird interests. Consideration needs to be given to the provision of bat boxes to compensate for the loss of any trees. The retention of some pill boxes would provide suitable roosts for bats; they are also recognised as having historical importance. The demolition of other potentially suitable 'bat buildings' should be carried out with supervision, at a sympathetic time of the year. To remediate bat roost loss, consideration may be given to the provision of artificial bat hibernacula.
- 8.11 If underground water systems are discovered, they need to be surveyed for the presence of great crested newts. Such water systems may occur under the manhole covers that exist on the site.

28th February 2000

Mr G J Evans
Chief Planning Officer
Development Services Directorate
Wrexham County Borough Council
Lambpit Street
PO Box 1290
Wrexham
LL11 1WL

Dear Mr Evans

Re: Industrial Development, Oak Site Redwither Road,
Wrexham Industrial Estate **FAO MS K JAMES**

The North Wales Wildlife Trust wish to register an objection to the above development. The area is important for Wildlife particularly species rich grassland. The area has been designated as a Wildlife Site and is therefore protected under Local Plan Policy EC6 which states that development which would have an adverse effect on the intrinsic qualities of Wildlife Sites, will be resisted.

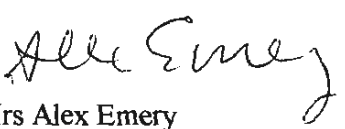
We note that the ecological survey accompanying the application suggests mitigation for the loss of habitat, and we would obviously support measures to reduce the loss of habitat.

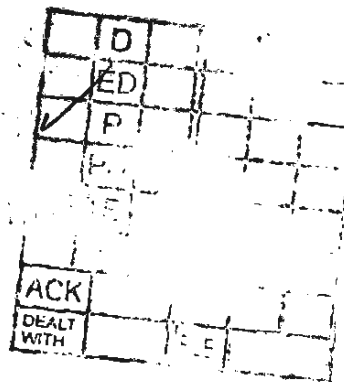
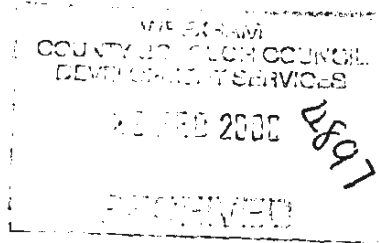
We hope that exclusion of the western part of the site with high invertebrate and grassland species diversity, will be possible. We would also suggest management of the retained area could be carried out to provide long term protection from further development as well as from natural succession. Long term protection of remaining areas should be required to mitigate for loss of total area of habitat.

Other important features which should be retained long term include the Redwhither Brook corridor and the Bat roosts.

Thank you for this opportunity to comment.

Yours sincerely


Mrs Alex Emery
Conservation Officer, NE Wales



**NORTH
WALES
WILDLIFE
TRUST**

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CYMRU**

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ger y Wyddgrug,
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Consultants and Managers
National Estate Agents

Miss K James
Wrexham Services Directorate
Wrexham Borough Council
Lambpit Street
P O Box 1290
Wrexham LL1 1WL

Mab/adj/7989
24 February 2000

Dear Miss James

THE OAKS SITE, WREXHAM INDUSTRIAL ESTATE, WREXHAM

Thank you for your letter of 18 February, which I have copied to my client.

I would be grateful if you would consider and respond on the following points:

- 1) I appreciate that the Ecological Survey needs to be accounted for, and that the entire site may not be developable.

However, this is an outline Planning Application and I therefore feel that such matters can be left in reserve for discussion prior to full planning.

I would be grateful for your response on this.

- 2) I note your comments regarding the Councils' Senior Archaeologist and their thoughts on the former Marchweil Ordnance Factory.

However, may I again suggest that this is an outline Planning Application and such matters could be determined following this outline consent. There will be a number of similar issues raised with this land in the future, and I do not believe that it is fair to continue to withhold the consideration for outline planning.

I would be grateful for your thoughts on this.

JG Donald BSc FRICS

JAN Laing FRICS
DRP Cripps BSc FRICS
PL Banks FRICS IRRV ACI Arb
N Aslin FRICS
GC Balin FRICS
JH Dean FSA
WW Quarry BSc FRICS
ARG Carr FRICS
GR Petherick FRICS
RDS Herbert FRICS
DR Leppard
CR Lochrane FRICS
AJW Martin BSc ARICS
NJ Greene FRICS
PR Bailey FRICS
OK Orme FRICS FAV
DH Reeves MA FRICS
MJA Fiddes BA ARICS
TS Richardson FRICS
SWS Broke FRICS FAV
AJL Butrows MA FRICS
PJ Hutley FRICS FAV
RD Pryor FRICS
MW Verity MA ARICS FAV
SP Bland BSc ARICS
CJ Gearys BSc ARICS
SA Jones BSc ARICS

RT Miller FRICS
CA Monk BSc Dip Fm ARICS FAV
SJC Underhill
JG Waterton ARICS
AD Yeandle BSc ARICS
PA Beddows TD BSc ARICS FAV
R Crathorne MA ARICS FAV
RR Maitland BA FRICS
AJ Rettle FRICS
JPK Major FRICS
RPS Duncan MA FRICS FAV
PW Savie BSc MSc MOB PMB MPM
CEJ Kannreuther ARICS
JH Anderson FRICS
AC Ball FRICS
RE Gardiner FRICS
PG Lee DL FRICS

Associates
WP Smith FRICS
KM Thomas HND (Agric)
HR Williams ARICS FAV

Consultant
AL Speechy FRICS

Banchory

AD Hamilton MA Dip LE ARICS FAV
DW Strang Steel ARICS

Canterbury

SRT Backhouse
SL Deakin FRICS
JL Farrell BSc (Agric) ARICS FAV

Cheamford

RAD Cowlin FRICS IRRV
TF Fagen ARICS
PJ Fosh MA ARICS FAV
WAL Gemmell BSc MRPPA (Agric)
SD Hawes FRICS FFB
JMI Smallman

Edinburgh

AG Smith ARICS

Exeter

RC Carslake ARICS
CA Huntington-Whiteley FRICS
RO Thomas FRICS FAV

Grantham

TP Bagge FRICS
NP Simper NDA

Harrogate

ROH Davies ARICS FAV
JL Gleag FRICS

Ipswich

PJG Aldous BSc ARICS
T Damsie FRICS
CA Loyd ARICS
JWM Penn Dip Est Man

Lewes

JF Bridgland BSc ARICS
TI Page-Ratcliff
JS Smith ATII ATT
ND Watson ARICS FAV

London

PA Baxendale
MJ Mc Andrew ARICS
MPR Rimell

London Residential

HJ Elston
Diana Rowell
JR Shingles

Market Harborough

RMJ Trustram Eve
RL St B Vigne FRICS

Moreton-in-Marsh

JS Feilding FRICS

Morpeth

Newbury
AG Chichester MA FRICS FAV
JHS Preston FRICS
MS Woods BSc

Northallerton

AN Argyle MA FRICS
JA Fife ARICS FAV
RC Taylor BSc

Norwich

AC Brown BSc ARICS
ERP Pratt MA FRICS FAV
NJ Steele FRICS

St Albans

LR Hickish FRICS
JC Moss BA BSc ARICS

Salisbury

SR Butcher BSc
Teresa Dent BSc
AW Fortescue ARICS
IF Hepburn FRICS FAV

William Hillary

WR Hillary FRICS
CL Greville-Heygate BSc FRICS

Page 2
24 February 2000

- 3) I would be grateful if Stephen Greuter could prepare a brief for this faulty devaluation, in order that we can consider it.

Please could you respond to the above points and let me know an approximate date for the hearing of this outline consent, together with any other issues that you believe will be raised prior to outline and post outline consent.

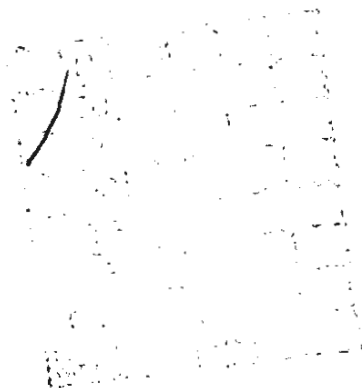
Yours sincerely



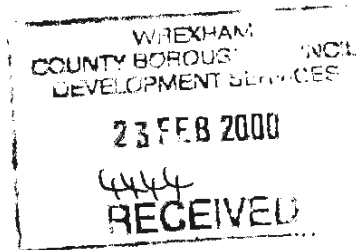
MALCOLM A BRYMER
for Strutt & Parker

c.c. Roger Graham Palmer

Q/7989/240200



M G Morris



Chief Planning Officer
Wrexham County Borough Council
Guildhall
Wrexham

FAO Ms K James

Dear Mr Evans,

Application P2000/0019 - Oak Site - Wrexham Ind. Est.

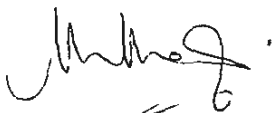
I refer to the above and our recent conversations.

Having examined the ecological survey, it is clear that any form of development on the site will need to be sensitively handled to ensure adequate protection for the numerous species of wildlife which currently exists.

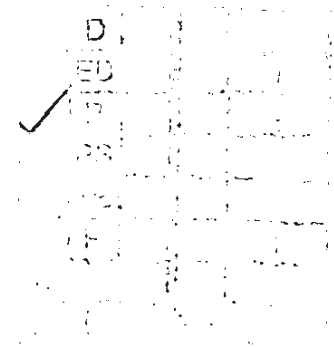
I note that the area which is considered to be most sensitive is to the north west of the site. This does not sit comfortably with the proposed access road which will be in close proximity. Notwithstanding the importance of the ecology statement there is a residential property within the site (The Oaks) which will need to be afforded some protection in terms of future activity.

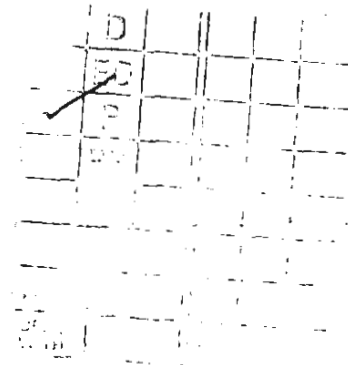
The ecology survey is a comprehensive audit but does not come forward with many suggestions for preserving the habitat etc. in the face of proposed industrial development. Under the circumstances and given the sensitivity ecological factors and the residential property I do not think that it is appropriate to consider a basic outline application. I feel that before a sensible appraisal can be made we should be furnished with much more information. On the basic detail we have received I could not support the application.

Yours sincerely,



Michael Morris





P – 2000 – 0019 – Employment Development – Oak Site, Redwither Road, Wrexham Industrial Estate

1. Most of the western part of the site is allocated for employment development by Policy J1 in the adopted Local Plan. There is therefore no objection in principle to the development of this land.
2. Most of the eastern part of the site is unannotated land within the settlement boundary of Wrexham Industrial Estate, and in principle the development of this land would accord with Policy S1, which directs new development for employment to within defined settlement limits/ employment areas.
3. A small area in the south-eastern part of the site lies outside the defined boundary of the Industrial Estate. Although the settlement boundary does not appear to follow any distinct feature on the ground at this point, the Ecological Assessment recommends that this area of woodland be retained if possible, and this area should therefore be excluded from any development.
4. Although in principle there is no objection to the development of most of the site, account has to be taken of Policy E4, which states that:-
“Scientific and conservation interests will take priority over other interests within Sites of Special Scientific Interest and other sites of nature conservation importance. Development either within, or close to, such sites which would have an adverse effect on their intrinsic qualities will be resisted.”
5. Although the Ecological Assessment has identified extensive areas of ecological interest within the application site, it does state that it will be possible to develop parts of the site without losing all of the ecological interest, provided that a sufficient proportion of the habitat mosaic is retained and appropriately managed. This will not be easy given the way in which areas of ecological interest are scattered about. However provided this is done, there is no objection in policy terms.

W. Rowlands

20.1.00

Malcolm Brymer
Strutt and Parker
19 Grosvenor Street
Chester
CH1 2DD

MAB/SP/7989
KAJ/P/2000/0019
18 February 2000
Ms K James
01978 292476
kerry.james@wrexham.gov.uk

Dear Sir

**INDUSTRIAL DEVELOPMENT, THE OAKS SITE, REDWITHER ROAD, WREXHAM
INDUSTRIAL ESTATE, WREXHAM**

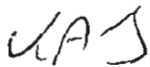
I refer to the above planning application received 11 January 2000.

I have considered the ecological survey information submitted as part of the application and it is evident from the report that it is not desirable for the whole site to be developed. I would therefore be grateful if you could provide a detailed site layout to indicate which areas of the site your clients intend to develop for industrial use and which areas of ecological interest will be retained. Depending upon the areas indicated, it will also be essential to provide some indication of what mitigation measures will be implemented.

I have been advised by the Councils' Senior Archaeologist that an archaeological evaluation, in the form of a desk top assessment, should be undertaken of the buildings and structures which formed part of the former Marchwiel Ordnance Factory, in order to determine the heritage value in a local, regional and national context. This evaluation should be undertaken prior to this application being determined. I would therefore recommend that you contact Stephen Greuter on 01978 358916 who will be happy to prepare a brief for this work.

I also enclose a copy of a letter received from the Environment Agency for you information.

Yours faithfully

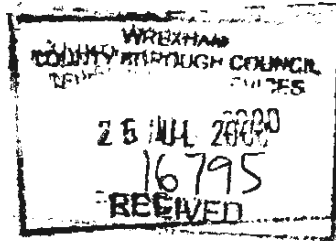


for Chief Planning Officer.

Enc

Mr. G.J. Evans
Chief Planning Officer
Development Services
Wrexham County Borough Council
Lambpit Street
PO Box 1290
Wrexham
LL11 1WL

25th July 2000



Dear Sir,

(P/2000/0019)

Re: Industrial development, Oak Site, Redwither Road, Wrexham Industrial Estate, Wrexham

I apologise for the delay in responding to your letter and hope that my comments can still be taken into consideration.

Having studied the available information the NWWT wishes to maintain its objection to the development. This site is a very important wildlife habitat supporting nationally rare or threatened species such as the grizzled skipper butterfly, which is presently very rare in Wales and declining in the UK as a whole. As stated in the Ecological Constraints Report this colony is one of only three in North Wales and is unique in Wrexham. The NWWT feels, therefore, that even with the suggested mitigation measures this development will pose an unacceptable risk to the grizzled skipper colony and other important species present on the site.

The development will destroy much of the important species-rich grassland in the western part of the site. Grassland areas such as this are becoming increasingly rare in the UK. Apart from its intrinsic importance this area also supports notable invertebrate species including Red Data Book invertebrate species. It is also likely to support high numbers of small mammal species and thus be an ideal hunting ground for the barn owls present on the site. Loss of suitable hunting habitat is one of the main causes of the dramatic decline in barn owl numbers in recent years.

Although the NWWT welcomes the mitigation measures put forward it feels that in this case they cannot adequately minimise the impact that this development would have on the site.

It should also be noted that as a designated WCBC Wildlife Site it is protected under Local Plan Policy EC6, which states that any development that would have an adverse effect on the intrinsic qualities of Wildlife Sites will be resisted.



**NORTH
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TRUST**

**CYMDEITHAS
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However, should this development be approved the NWWT would support the mitigation measures suggested so far. It is also felt that all habitat creation and other mitigation works should be totally completed before any destruction of the original habitat occurs. The Trust would also appreciate the opportunity to comment on any mitigation measures prior to implementation.

Yours faithfully,

Adrian

	D				
	ED				
	P				
	PS				
	TE				
AC:					
DEAL:					
WITH:					

Planning Committee

10/07/2000

WRA P/ 2000/ 0545 Asda Store Holt Road Wrexham

Defer

Appeals: noted. NB – we are going to set up a data base so that we can look at our successes (and losses) so that we can see whether there is a pattern and a lesson to be learnt.

All in all a good committee – well done all.

Extra condits, notes etc.

P/2000/0019

Add 15) Development shall not commence until a photographic survey (comprising photographs in 35 mm print) showing each internal and external elevation of all existing buildings and structures to be demolished has been carried out. The resultant photographs shall be deposited with the Local Planning Authority.

R: to ensure a record is retained of the built development on site which is considered of regional and national significance.

16) No part of the development on site shall be commenced until the road works approved under code CB01935 have been completed to a standard suitable for adoption by the Highway Authority. R: to ensure a safe and convenient means of gaining access to the site in the interest of highway safety.

NTA: 5, You are reminded of the presence of houses near to the site and any development must take account of the amenities of residents.

.....

P/2000/0148 (DW) Cllr Moysen said there is a petition against – pl try and locate it.

.....

P/2000/0362 Am cond 8: to “ .. between 0700 and 1900 ...”

.....

APPENDIX C

LDP Reps (2010)

COPY



The Office, Ty'n Coed,
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Tel/Fax: 01352 740911
Mobile: 07855 963020
Email: info@fitzsimon-pd.co.uk

Planning Policy Section
Planning Department
Wrexham County Borough Council
Lambpit Street
Wrexham
LL11 1AR

16 July 2010

Dear Sirs

**OAK SITE, REDWITHER ROAD, WREXHAM INDUSTRIAL ESTATE,
WREXHAM**

I have taken very recent instruction from my client company, Cefn Park Developments Ltd, to make representation in response to the Deposit Draft Wrexham Local Development Plan 2006-2021.

This representation relates specifically to the exclusion of the above site from the Development Boundary of Wrexham Industrial Estate. Plan 1, which is enclosed, identifies the site for clarification purposes.

As you are aware, the site was previously included within the Development Boundary of Wrexham Industrial Estate as defined by the Wrexham Unitary Development Plan 1996-2011 (UDP). Accordingly, the Council saw fit to grant outline planning permission for industrial development on the subject land on 10 July 2000 (Ref: P/2000/0019). The extent of the developable area of the site is shown on the enclosed Plan 2, which corresponds with the Development Boundary of Wrexham Industrial Estate as defined by the UDP.

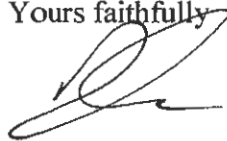
It is accepted that the development of the southern part of the site towards Redwither Brook (as outline blue on Plan 2) is not realistic due to ecological and archaeological constraints. Nevertheless, the northern section, which amounts to previously developed land and was included within the UDP Development Boundary, remains a realistic proposition. Indeed, significant amounts of money have been spent in the recent past to clear the site and to evaluate its constraints, whilst negotiations with St Modwens (a FTSE 200 Company) to bring forward a joint venture were at an advanced stage before the recession took hold.

Cont'd....

In light of the above factors, it is respectfully requested that the Development Boundary of the Draft Local Development Plan should be amended in this particular location to mirror that of the Development Boundary of the UDP. This would enable a significant parcel of previously developed land, which relates well to existing development within the Industrial Estate, to be brought forward in accordance with sustainability principles endorsed by national planning guidance.

It is appreciated that detailed analysis of the strengths and weaknesses of the subject site and indeed, competing sites, will be required in order to justify its reinstatement within the Development Boundary. On this basis, a more comprehensive representation will be submitted in due course, following detailed negotiations with Council Officers.

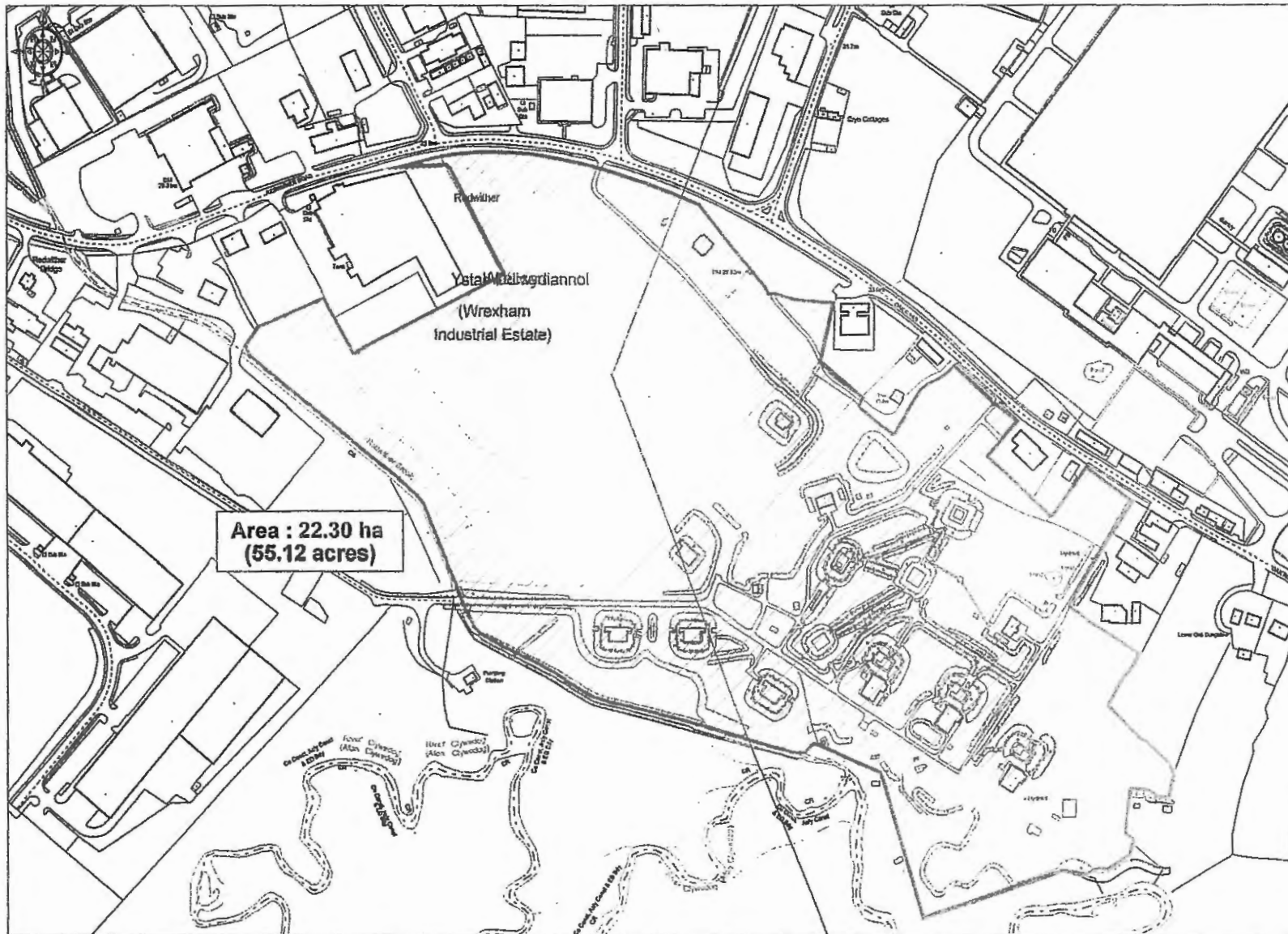
Yours faithfully

A handwritten signature in black ink, appearing to read 'David Fitzsimon', written over the closing 'Yours faithfully'.

David Fitzsimon

OAKS BUSINESS PARK, OAK ROAD, WREXHAM

PLAN 1 - EXTENT OF
SITE.



Ordnance
Survey

© Crown Copyright 2007. All rights reserved. Licence number 100020449. Plotted Scale - 1:5000

Boundaries based on information provided.
To be confirmed from Title.

Planning Department
Lambpit Street
Wrexham LL11 1AR

Helpline: 01978 292016
E-mail: planning@wrexham.gov.uk
Web: www.wrexham.gov.uk/planning



Wrexham Local Development Plan 2006-2021

Comments

Comments are encouraged via the Council's website www.wrexham.gov.uk/planning using the on-line form. Please use this version if you would prefer not to complete the online form. Using the standard form gives the information needed for the speedy and effective handling of your representation. All comments should be completed online or returned by **5.00pm on 16th July 2010** to one of the following:

- **Internet:** www.wrexham.gov.uk/planning
- **Post:** Planning Policy Section, Planning Department,
Wrexham County Borough Council,
Lambpit Street, Wrexham LL11 1AR
- **Fax:** 01978 292502
- **E-mail:** planning_policy@wrexham.gov.uk

Please use a separate form for each issue you would like to raise.

Further copies can be obtained from the Planning Department, downloaded from the Council's website or you can photocopy this form. If you need any help in filling out this form, please contact us on **01978 292013**.

Advice on how to complete this form is contained at the back of this document.

Contact Details

Personal Details

Agents Details (if applicable)

Title:	Mr	Mr
First name:	ROGER	DAMO
Last name:	GRAHAM-PALMER	FITZSIMON
Job Title: (If applicable)	DIRECTOR	DIRECTOR
Organisation: (If applicable)	CEFN PARK DEVELOPMENTS LTD	FITZSIMON PLANNING + DEVELOPMENT
Address:	CEFN PARK ESTATE OFFICE CEFN PARK ABERBURY WREXHAM LL13 9TT	THE OFFICE TYN COED PANTYMWYN ROAD, CILCEN, FURTHIRE
Postcode:	LL13 9TT	CH75NL
Telephone:	01978 262589	01352 740911
E-mail:	rdgen@cefnpark.co.uk	info@fitzsimon-pd.co.uk

1. To which aspect of the plan does your comment relate?

Paragraph No:

Policy No:

Omission of Policy
or Supporting Text

Other:
(please state)

Existing Site Allocation or settlement boundary:

(Please insert name of settlement or site allocation details including number where relevant).

WROXHAM INDUSTRIAL ESTATE : SETTLEMENT BOUNDARY

Please go to Q2

New site Proposal:

REINSTATEMENT.

Please go to Q3 and fill out the site details in Q4.

2. Please write your comment in the space below (Please attach additional sheets if required)

If it relates to a settlement boundary or site allocation, a plan showing your suggestion is required.

SEE ATTACHED LETTER

Please go to Question 3

5. Tests of Soundness

Q5a On the basis of your comment in relation to Q2, do you consider the plan to be sound?
(Please see 'Soundness Tests' section in the guidance on the back of this form).

Yes ☐ Please go to Q7a

Don't know ☐ Please go to Q7a

No ☐ Please go to Q5b

Q5b Please indicate which test of soundness you consider the plan to fail:

Procedural Tests

P1 ☐

P2 ☐

Coherence and Effectiveness Tests

CE1 ☐

CE2 ☐

CE3 ☐

CE4 ☐

Consistency Tests

C1 ☐

C2 ☐

C3 ☐

C4 ☐

Please go to Q6

6. Your Recommendations

Q6 What changes would you like to see to the plan which will ensure that it satisfies the test you have identified in Q5b above? Please attach additional sheets if required

SEE ATTACHED LETTER.

Please go to Q7a

7. Public Examination

An independent Planning Inspector at an Examination in Public will consider your comment(s) to determine whether or not the Local Development Plan is sound. Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to attend the Examination.

Q7a Are you happy for your comment(s) to be considered at the Examination in writing as set out in the form above or would you prefer to attend the Examination in person? **Please note, the Inspector will attach equal weight to all comments.**

In writing

☒

Please sign and date at the bottom of the form

or

Attend Examination ☐

Please go to Q7b

Q7b Please outline in the box below the reasons why attending the Examination is necessary.

Please sign and date below:

Signature:

Date:

16/7/10.

Office use only:

Reference:

Date

Acknowledged:

Available in alternative formats

APPENDIX D

WCBC Email (2016)

From: [Chris Smith](#)
To: [Justin Paul](#)
Subject: RE: WIE02CS
Date: Friday, March 11, 2016 11:27:19 AM
Attachments: [image001.png](#)
[image003.png](#)
[WIE02CS - Ecology Info.pdf](#)
[WIE02CS - TPO WCBC 50.pdf](#)

Justin

When the site was submitted to us the stated proposed use was residential, only this use has been considered. However, regardless of use the identified constraints are significant for any development.

C2 – TAN15 states that only 'less vulnerable' development (which includes general industrial, employment) should be considered but this is still subject to the application of justification test including acceptability of consequences. So yes, C2 is still a constraint for employment uses.

Ecological evidence is contained in the history of applications submitted for the site, see attachment. While the correspondence is old the site has remained undeveloped since these records which is only likely to add to the ecological interest. Furthermore there are records of significant GCN populations adjacent the site with the site providing a habitat network for them.

TPO attached.

Kind Regards

Chris

From: Justin Paul [<mailto:Justin@j10planning.com>]
Sent: 11 March 2016 10:09
To: Chris Smith
Subject: RE: WIE02CS

Thanks Chris

There is no intention to promote it for residential use but for employment use.

I therefore don't believe the C2 flood plain issue is a risk ?

Please could you provide me with any ecology evidence that you might hold on file and also a copy of the TPO would be helpful.

I look forward to your response.

Kind regards

Justin

From: Chris Smith [<mailto:Chris.Smith@wrexham.gov.uk>]
Sent: Friday, March 11, 2016 10:00 AM
To: Justin Paul <Justin@j10planning.com>
Subject: RE: WIE02CS

Justin

Site constraints as requested;

Designated as a local wildlife site important for butterflies and likely to support other species such as the GCN and there are TPO trees located on the site.

Part of the site lies within the C2 flood plain.

Access to the site is capable of being provided to the required standards but there are concerns that residential development in this location does not accord with sustainability objectives contained in para 3.4 of TAN18.

Given the historic use of the site there is the possibility of contamination on the site but this would not preclude allocation.

The site also partially falls within the sand and gravel buffer and justification for the sterilization of the resource located to the south of the site would be required if allocated.

The site is on an established industrial estate, where the principle of residential development is not considered to be suitable. In addition, there are ecological and flooding constraints that would preclude allocation and the site would be better managed for ecological purposes, as part of a comprehensive ecological network for the WIE. The land is in the same ownership as WR19CS and there may be planning gain which could be used to offset the impact of any development on WR19 onto this site. In LDP1 this site was removed from the settlement limit due to its ecological importance and it is recommended that the same be done this time round.

Regards

Chris Smith

From: Justin Paul [<mailto:Justin@j10planning.com>]
Sent: 11 March 2016 09:29
To: Chris Smith
Cc: Linda Sharp
Subject: WIE02CS

Chris

I wonder whether you would be kind enough to provide me with views on this site please and enlighten me as to the reason(s) why Officers have concluded (in the Site Register) that there are site constraints unlikely to be overcome ??

I look forward to hearing from you

Thanks
Justin

APPENDIX E

LDP Reps (2016)



SUBMISSION STATEMENT

Wrexham LDP2 (2013 – 2028)

in respect of

**Preferred Strategy, Site Register, Background and Topic Papers
and associated Evidence Base**

On behalf of Cefn Park Developments Ltd

April 2016

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Sites Register	6
Background Papers	12
Topic Papers	20
Green Wedge Review	31
Soundness Conclusions	33

INTRODUCTION

This representation has been prepared and submitted by J10 Planning Ltd on behalf of Cefn Park Developments Ltd, the owners of land known as “The Oaks” Redwither Road, Wrexham Industrial Estate. It is submitted in response to the recent release for consultation and publication in February 2016 of the following documents:

- LDP2 Preferred Strategy
- Site Register
- Background Papers:
 - o BP1 : Population & Household Projections with dwelling and employment impacts
 - o BP2 : Settlement Hierarchy
 - o BP3 : Key Strategic Sites
 - o BP4 : Candidate Sites Assessment
 - o BP5 : Wrexham IE Site Expansion Selection
- Topic Papers:
 - o TP1 : Housing
 - o TP2 : Economy & Employment
 - o TP3 : Transport
 - o TP4 : Health & Wellbeing
 - o TP6 : Natural Environment
 - o TP9 : Minerals
- Green Wedge Strategic Review : Stage 1

We would like to see the resultant plan to be found “sound” but at present we have some serious concerns over whether it would meet the Consistency, Coherence and Effectiveness tests set out by PPW.

The context for this plan was set by the LDP1 Inspector’s Preliminary Findings and at this stage we are concerned that the proposed levels of housing and employment growth are still not reflecting the pertinent concerns raised by the Inspector and there is still no “Plan B”.

However, we believe that with some changes the plan could overcome and address any deficiencies and facilitate a more appropriate and proportionate level of growth.

PLAN CONTEXT

Wrexham UDP

The UDP was adopted in February 2005 and its plan period ran between 1996 and 2011. It has now expired and its policies now carry very limited weight.

Wrexham LDP1

This plan was developed to replace the UDP and its plan period was proposed to be 2006 to 2021 (15 year period).

Its strategy was based upon a brownfield regeneration focus, directing all new development towards Wrexham and the western villages (the former mining communities) south west of Wrexham; and involved no expansion of settlement boundaries; thus relying upon infill and brownfield sites.

The Authority (belligerently) ignored all representations calling for a different strategy and the LDP reached the Examination stage in January 2012, whereupon having embarked upon holding a series of hearing sessions it became evident that the plan was flawed and beyond salvage.

The LDP1 housing target was for 8,065 dwellings over the 15 year plan period. There was an identified shortfall of 2,205 affordable units. The Plan also identified an employment land requirement of 76 ha but allocations for just 70 ha.

The Inspector's Preliminary Finding's Report issued on 16 February 2012 provides cogent reasoning why LDP1 could proceed no further.

It was determined by the Inspector that not only were there serious problems in the Authority realising its 8,065 housing target but that the actual requirement would be more likely be 11,786 dwellings (creating a shortfall of some 4,000 units) due to the need for latest WG population figures needing to be used; this would be equivalent to 906 units per annum over the remainder of the LDP1 plan period.

The Inspector at the LDP1 Examination found that:

- the plan strategy was too restrictive;
- its evidence base did not support the strategy and had been largely ignored
- there was no Plan “B”.
- there had been a failure to take reasonable steps to secure an appropriate supply of affordable housing
- the plan lacked sufficient ambition
- it failed to recognise the role that Wrexham should play as a spatial hub (as set out in WSP 2008)
- the approach to green wedges did not reflect the national policy approach
- the concern that the high technology sector was not provided for
- the concern that restricting housing growth would impede employment growth and the resultant imbalance between housing and employment would lead to out-commuting
- the Urban Potential Study (2007) had focused solely upon “within settlement” sites and had actually found that a brownfield strategy would not provide a reliable source of supply for viability reasons alone
- that there were no environmentally special reasons why settlement expansion should and could not be considered and that SLA’s were not a special enough reason to place such a constraint on growth

The Inspector advised that it would be a better use of resources to withdraw the plan and start the process over. The Council accepted these comments and the plan was duly withdrawn on 27 February 2012.

Wrexham LDP2

The Council embarked upon recommencing the plan process with a Call for Sites taking place in November 2012. There has already been slippage of about 2 years over the originally published timetable and the latest Delivery Agreement (dated December 2014) is now looking at the following programme:

STAGE		DATE	STATUS
Delivery Agreement	Approved by Welsh Government	Dec 2014	Completed
Call for Candidate Sites	Consultation	Nov 2012 to Feb 2013	Completed
Publication of Issues & Options	Consultation	March to April 2015	Completed
Publication of Preferred Strategy	Consultation	Scheduled for Oct to Nov 2015	Underway Feb 2016
Publication of Deposit LDP	Consultation	Scheduled for Nov to Dec 2016	Awaited
Call for Alternative Sites	Consultation	Scheduled for Jan to March 2017	Awaited
Submission of LDP to Welsh Government for an Examination	Procedural	Scheduled for June 2017	Awaited
LDP Examination	Public Hearing		Awaited
Inspectors Report	Publication		Awaited
LDP Adoption		Scheduled for March 2018	Awaited
Monitoring of plan delivery		Annually	Awaited

As the table shows the timeline for an adopted plan to be in place is not expected until March 2018 and this is without any additional slippage or the challenges that might be introduced by any Local Government Review process that has been mooted by the Welsh Government.

In the meantime, the Council are also under significant pressure with respect housing delivery. They ought to be maintaining a 5 year housing land supply but according to their latest figures just 3.1 years exist.

Moreover, the Welsh Government published a new policy directive (TAN1 – January 2015) that states where a Council has no adopted plan (as is the case here) they must zero their housing land supply until they do.

The new plan period is to involve a plan period of 2013 to 2028 (15 years) and being realistic it is unlikely that there will be an adopted plan in place much before Spring 2018. As a result this leaves just 10 years for the plan to deliver on all its forecast growth needs, which in our opinion will be a real challenge.

SITE REGISTER

The site has been effectively discounted as contributing to any development over the plan period for the following reasons:

- Residential development does not accord with sustainability objectives
- Local Wildlife site designation
- C2 Flood plain : part of site
- TPO trees
- Potential contamination
- Sand & Gravel potential : to the south
- LDP1 suggested site be removed from the settlement limit due to its ecological importance : the same is suggested for LDP2

The Sites Register refers to it extending to 12.26 ha; this approximately reflects the extent of the expired Outline planning permission for the site.

The Preferred Strategy suggests (Para 6.4) that the “whole” 22 ha site is an ecological habitat; this cannot be any further from the truth

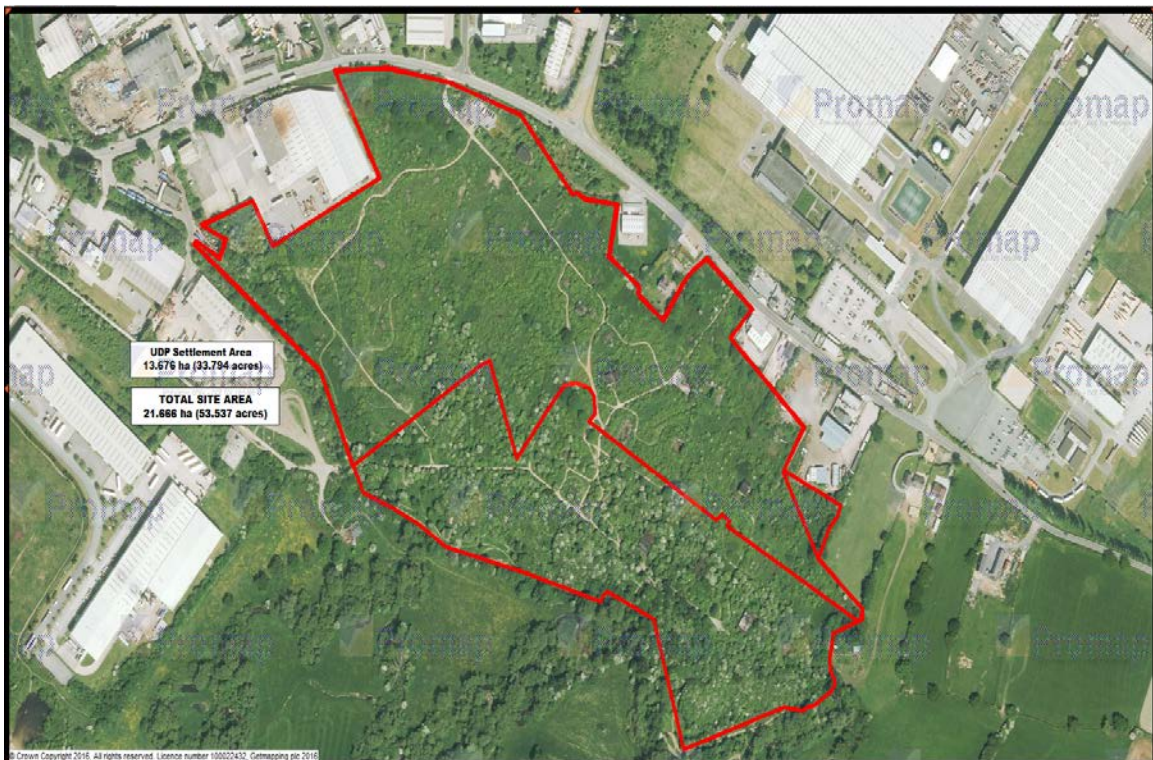
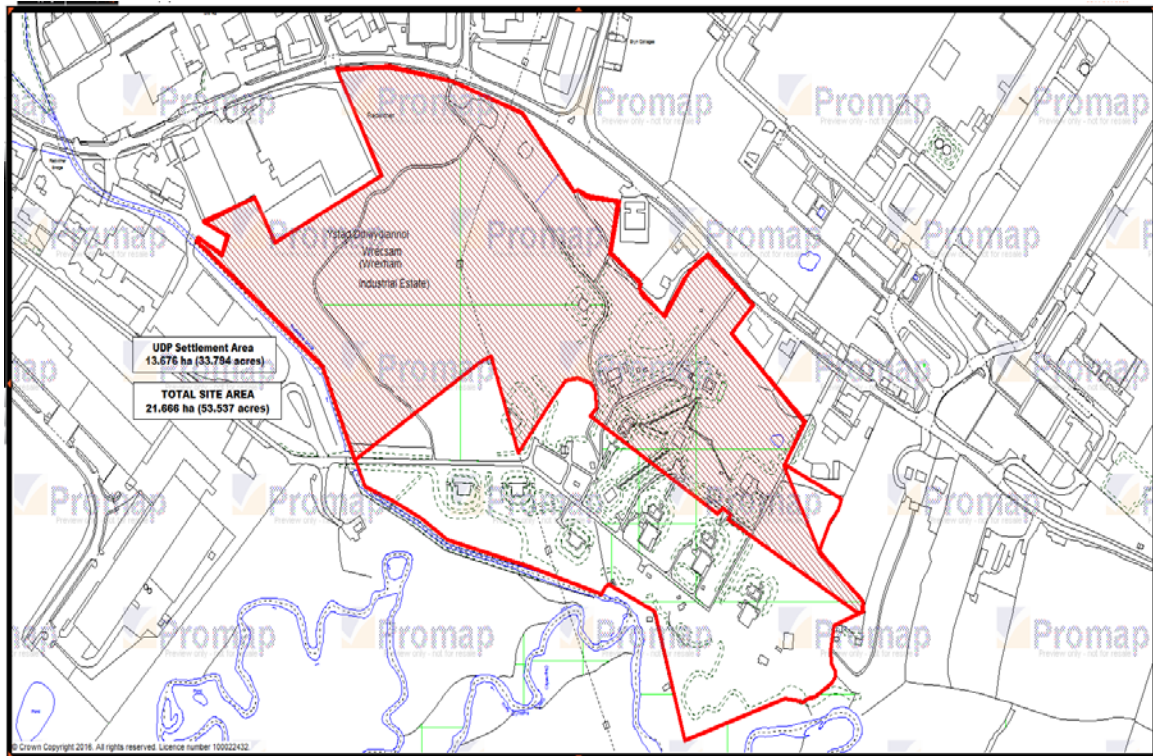
Firstly, the proposed use is NOT for Residential but for Employment; the original Cal For Sites Form stated “reinstatement” and it is likely that the Authority have, in error, entered the “residential” by mistake. Notwithstanding this, we must make it categorically clear that the site is proposed for “Employment”.

Secondly, the fact the LDP1 suggested the site be removed from the settlement boundary is of no relevance; this plan was found to be unsound and withdrawn.

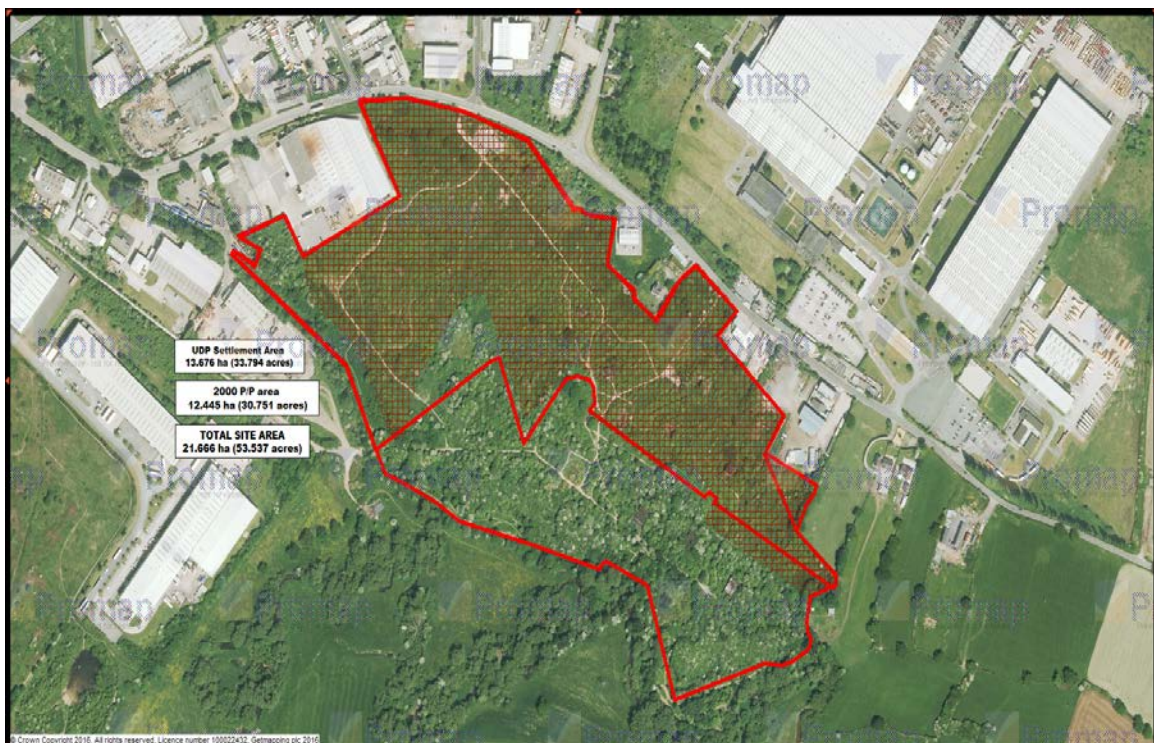
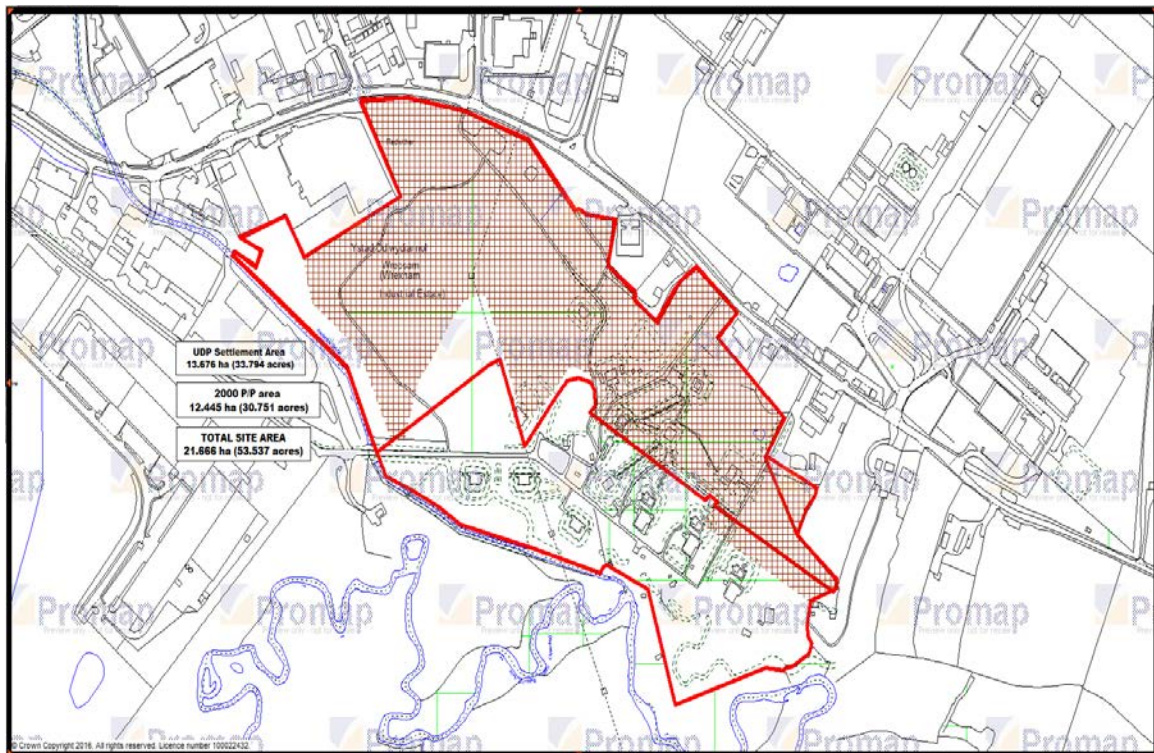
Thirdly, the Council were previously satisfied and accepted that site should be developed for employment. Outline planning permission was granted for industrial development back on 10 July 2000 (ref ISY/P/2000/0019 over an area of land extending to 12.4 ha / 30.7 acres with some 9.2 ha / 22.7 acres identified for ecological and archaeological mitigation interest. So evidently a precedent and line in the sand has been previously drawn to show an area where the Authority has accepted development.

It would appear that the Authority have ignored the planning history, UDP status and fact this site is brownfield, amongst other issues; we will be seeking to address these and other matters moving forward. However, in the meantime, we would wish to make a number of points set out below.

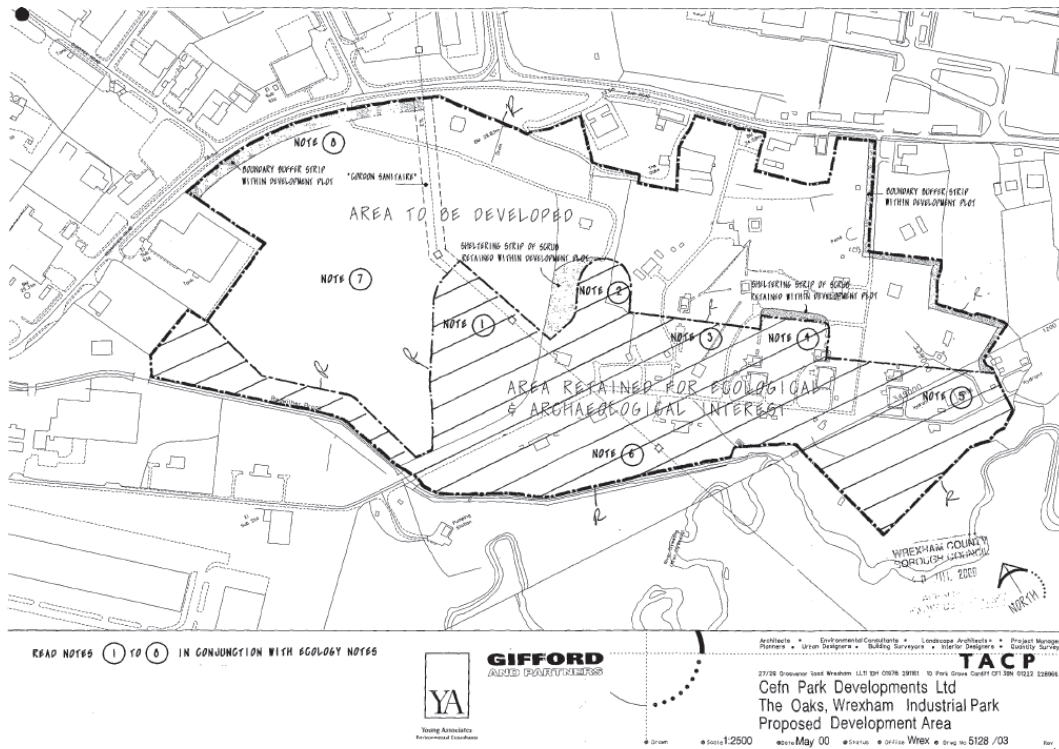
The plan and aerial below show the extent of land ownership (which also indicates and confirms the extent of the sites Brownfield status) of 21.6 ha / 53.5 acres. The “shaded” area shows that area of the site that lies within the UDP Settlement boundary which extends to an area of 13.7 ha / 33.8 acres.



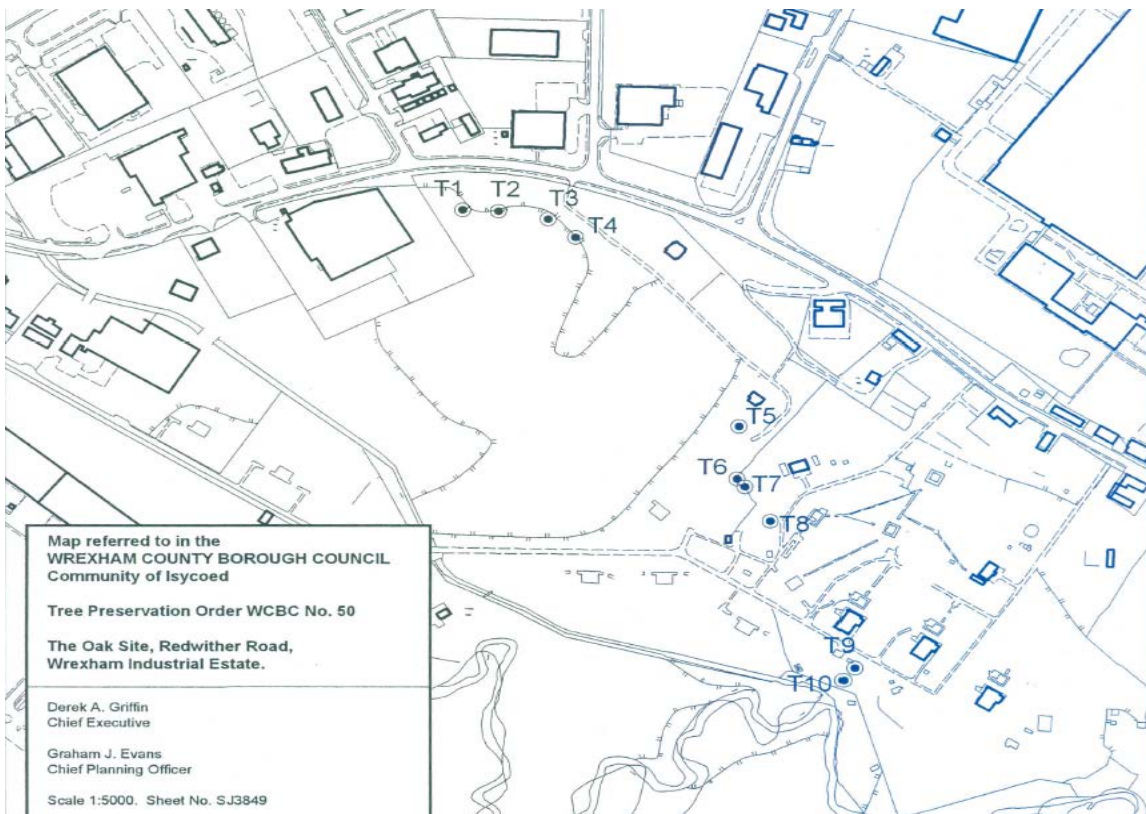
The plan and aerial below again shows the extent of the land ownership and the UDP settlement boundary line running through the site east to west. This time the plan the “cross-hatched” area indicates the extent of the 2000 employment planning permission (12.4 ha / 30.7 acres) and the “unshaded” area to the south represents the land that was intended to remain undeveloped (9.2 ha / 22.7 acres) and used for ecological and archaeological mitigation.



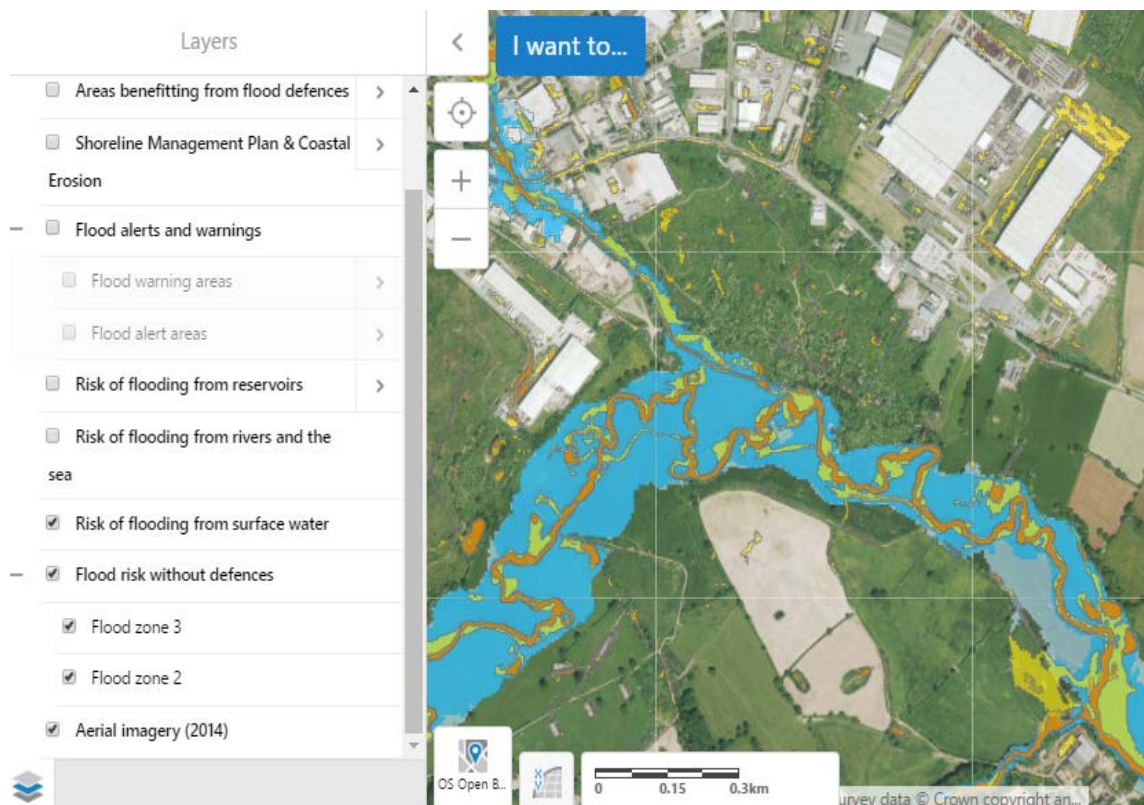
Indeed, the approved plan associated with the 2000 permission is shown below.



A TPO does exist (see plan below) and covers a number of trees, but these are not considered to represent such a significant constraint as to prevent development from taking place.



Only part of the southern area of the site is affected by Flood Zone C2 as illustrated by the NRW mapping below, which also shows the C3 layer and also surface water issues.



There are no known contamination issues as the history of the site is that whilst the site was developed for “munitions” manufacturing and storage use this use was never enacted upon.

The suggestion that there is a minerals buffer zone to the south is a new item and we are not aware that such a zone was ever mapped on the UDP Proposals Plan. However, we are happy to explore and establish this item moving forward.

The owners accept that due to topographical, landscaping and ecological features and some limited floodrisk concerns that not all the site is developable.

The owners will therefore be undertaking fresh surveys and studies to demonstrate “deliverability” of the site for employment purposes and address all necessary environmental and engineering issues.

The table below provides a summary of the site.

	ha	Acres
Land owned	21.6	53.5
Brownfield status	21.6	53.5
UDP status: within settlement boundary	13.7	33.8
UDP status : outside settlement boundary	7.9	19.7
Outline permission : developable	12.4	30.7
Outline permission : mitigation	9.2	22.7

In summary, we believe that at the very least the “UDP Settlement Boundary” need not change and that new studies will serve to identify whether or not the extent of the former permission or the extent of the UDP settlement boundary or indeed some other line is the most appropriate line for development.

As it stands, we consider the site offers the opportunity for the Authority to allocate the whole of this brownfield 21.6 ha site for employment use. We accept that the gross to net will be about 40% thus resulting in a net developable area of 13 ha.

This will reduce the need to identify the release of greenfield land elsewhere which must be more sustainable, particularly where the gross to net of around 50% is applied.

BACKGROUND PAPERS : OUR COMMENTS

BP1 : Population & Household Projections with Dwelling and Employment Impacts

The Authority is proposing to deliver a requirement of 10,650 over the plan period 2013 to 2028 but are making a provision for 11,715 units or 781 per annum.

The 11,715 essentially reflects the LDP1 Inspectors suggestion that there would be a need to make provision for 11,786 units over the 2006 to 2021 period or 786 per annum.

The Authority have decided to propose an overall similar total provision figure.

Assuming this level of provision and its rate of 781 per annum is judged by a future LDP2 Inspector to be correct then still have reservations.

The Housing Table

		Council Preferred Strategy	J10 Assessment & Commentary (this assumes the headline Council Housing Requirement is actually correct)
A	LDP Housing Requirement	10,650	10,650
B	10% flexibility allowance	1,065	1,065
C	LDP Housing Provision	11,715	11,715
D	Housing Completions (2 years 2013 - 2015)	450	450
E	Committed sites with PP (as at April 2015)	2,084	1,042 (discount by 50% - it is naïve to think all these will come forward and no evidence has been produced to suggest they will)
F	Pending sites subject to S106 (as at April 2015)	493	247 (discount by 50% it is naïve to think all these will come forward and no evidence has been produced to suggest they will)
G	Windfall Estimate	1,950 (based on 150/yr x 13 years = 1,950)	923 (there is an over reliance on windfall and allocated sites should identify supply with windfall not being any more than 10% of total requirement ; thus no more than 1,065 divided by 15 years = 71/yr x 13 years = 923)

H	Shortfall / Allocations	6,738	9,053
H1	KSS Lower Berse Farm	1,260 (19% of total allocation)	400 (delivery rates over remainder of available plan period will be constrained by infrastructure delivery)
H2	KSS Bryn Estyn	1,500 (23% of total allocation)	900 (delivery rates over remainder of plan period will be naturally reduced by market delivery)
	Other allocations needed	3,978	7,753
H4	Tier 1 Wrexham	1,010 (represents 14% of total allocation)	
H5	Tier 2	930 (represents 13% of total allocation)	
H6	Tier 3	1,230 (represents 19% of total allocation)	
H7	Tier 4	820 (represents 12% of total allocation)	(is it realistic to expect a total of 820 units (or 18% of all allocations) to be derived essentially from windfall infill, rural exception sites and conversions ?)
H8	Tier 5	0 (represents 0% of total allocation)	(it is unrealistic to expect nil contribution from infill, rural exceptions sites and conversions in such settlements ?)

Essentially even if we accept the Council's Housing Requirement headline figure the fact is that they will need to identify almost twice the number of allocations and this means sourcing more KSS sites (albeit maybe on a smaller to medium sized scale (between 100 and 500 units) to deliver early wins and keep the 5 year housing supply rolling. It will necessitate being a lot more aggressive in recognising that settlement boundaries will have to be revised and Green Barrier released to facilitate growth and overcoming community impasses to development.

BP2 : Settlement Hierarchy & Development Potential

We welcome and are fairly comfortable with the proposed settlement hierarchy but would question why Bangor-is-y-coed, Overton and Glyn Ceiriog are truly Tier 3 settlements and can be categorised with others such as Holt which is perhaps more Tier 2 if anything.

It is important that settlements outwith of Wrexham are allowed to grow with new housing, employment and retail offers thus maximising their sustainability.

We continue to advocate a balanced and proportionate level of growth based upon a defined settlement hierarchy because by allowing key service settlements to grow this will ensure all communities benefit from development, remain and have enhanced levels of sustainability.

Indeed providing a degree of growth in this manner (for housing, retail and employment) will reduce the need to travel and evidence exists to demonstrate that many communities are really well connected and served by public transport, with few real concerns.

We do however, have some grave concern that the Preferred Strategy document is suggesting that housing densities vary between 30 and 50 dph. In our experience (negotiating permissions) in outlying settlements around Wrexham the typical density achieved at planning is between 25 and 30 dph max.

This density assumption will have an impact upon the number of sites that Officers believe need to be allocated and we consider that more sites will actually be required because when a proposal reaches planing the gross to net and density ratio “dives”.

Moreover, the suggestion (based upon what is presently assumed to be correct in terms of an overall housing target) is that a fair amount of new housing is proposed to be distributed beyond simply the KSS and Wrexham sites and into Tier 2, 3 and 4 settlements. This may prove difficult and not entirely aligned to a sound sustainable strategy.

We will discuss this in more detail under the Housing Paper.

BP3 : Key Strategic Sites

Sustainably the two key residential Key Strategic Sites (KSS's) are in about the right locations. We have previously suggested that it is important to create "critical mass" as this provides a more realistic opportunity to create sustainable communities, unlikely smaller incremental development proposals.

Larger schemes can often finance the required infrastructure needed to support communities and can properly manage into schemes, community facilities and other land uses.

However the plan period is due to expire in 2028 and by the time the plan is realistically adopted there will be only 10 years left remaining.

We must also recognise that the Council have no stream of allocated sites to develop and are essentially reliant upon "windfall" and will be through to plan adoption. All the while without an adopted plan or a 5 year housing land supply they are vulnerable (sic. TAN1)

Thus the Council is taking a significant risk in placing its "eggs in one basket" with just two KSS's and there does not appear to be any "Plan B".

A KSS, by its very nature is susceptible to greater failure and lower outputs and there are concerns over "Deliverability Rates" with just 10 years left on the plan period.

The Lower Berse Farm residential KSS (1,260 dwellings) is massively reliant upon key A483 (junction 4) infrastructure improvements and there is a concern that ecology, heritage and erosion of the green Barrier with Bersham may reduce the gross to net of this 75 ha site. Moreover, the timeline of a KSS needs to factor in things like obtaining planning permission which could take up to 2 years and the rates of delivery are not going to exceed more than around 50-60 units per annum in a location such as Wrexham.

The suggestion that 1,260 units will be delivered by 2028 is pure fantasy as it assumes 126 units per annum and that is without factoring in the need to obtain planning permission, waiting on key infrastructure and the market fact that a place like Wrexham and even a large site such as this will only realistically be able to deliver a maximum of 50-60 units per annum. We would therefore suggest the figure be discounted to 400 units within the plan period.

The Bryn Estyn residential KSS (1,500 dwellings) faces less challenges but Officers accept a 10 to 15 year phasing period (which effectively exceeds the 10 years that will be left once the plan is adopted in 2018) and again even with two nationals building out on a site of this scale the realistic number likely to be achieved in the plan period will be in the order of maybe 900 units.

Allocating such large numbers to be delivered by 2028 simply undermines the plan being delivered and the credibility of its strategy.

The Bryn Lane employment KSS (20 to 30 ha net of employment land) with an assumed phasing of between 5 and 10 years is a lot more realistic in terms of delivery. However, no site boundaries have been identified and from experience with sites at the WIE the gross to net is around 50% which suggest a gross site area of between 40 and 60 ha will be required. Notwithstanding this, we have grave concerns that the Authority is recommending a greenfield site be released in favour of available Brownfield sites (such as The Oaks site on Redwither Road) which we consider could readily provide an almost immediate supply of 13 ha net.

Moreover, there is still the available former Owens Corning Fibreglass site (UDP E3 single user) on Bryn Lane of some 30 ha, although we are aware of permission for a power station on about half the site and a known active interest on the other half.

BP4 : Candidate Sites Assessment

The methodology used in assessing “deliverability” is welcomed however, it has been undertaken in a rather crude and simplistic manner and has been more “skin-deep” than forensic.

The approach has been reliant upon a “basic” tick-box assessment and many issues associated with sites have disregarded past site history and the analysis has “assumed” too much on face value without any sound interrogation.

Neither has any scoring matrix has been used to assess sites against sustainability criteria.

The next step is therefore for promoters to “debunk” and “correct” the errors and assumptions and to therefore demonstrate site deliverability and proving that assumed site constraints can actually be overcome and satisfactorily addressed to give an accurate picture of development capacity and phasing within this plan period.

BP5 : Wrexham IE Site Expansion Selection

As we have expressed earlier in this representation we consider that The Oaks site on Redwither Road at WIE is actually available, suitable, viable and therefore deliverable.

The Paper and the Preferred Strategy has incorrectly assumed that the “whole” site of 22 ha is an ecological area, yet this is simply not the case.

We must remind the Authority of the following facts:

	ha	Acres
Land owned	21.6	53.5
Brownfield status	21.6	53.5
UDP status: within settlement boundary	13.7	33.8
UDP status : outside settlement boundary	7.9	19.7
Outline permission : developable	12.4	30.7
Outline permission : mitigation	9.2	22.7

We therefore consider that the site can contribute about 13 ha net of brownfield employment land.

The Authority has failed to look the Oaks site and then only considered two options both of which have flaws and have yet to demonstrate deliverability.

The Preferred Strategy seeks an ambition of delivering 7,500 jobs over the plan period yet the plan is seeking to rely upon existing allocations and only allocate one employment site of just 30 ha.

The assumption used by the Authority (as set out in their BP1 Paper) is that the job ratio will be 143 jobs / ha (based upon 1 job per 21 sqm and an average density of 3,000 sqm per hectare) and this means that 30 ha x 143 jobs = 4,290 jobs (and therefore 90,000 sqm of buildings).

This is wildly optimistic as we consider that a site of this strategic scale, location and nature will only generate no more than around 1,285 jobs; less than a third of what the Council expect it to generate; this is using the more widely industry recognised employment calculator developed by the HCA in England (“Employment Densities Guide 2nd Edition 2010”) which suggests 1 job per 70 sqm of general B8 space which would equate to 42 jobs per hectare.

Thus the Authority need to actually allocate three times the amount of strategic employment land to achieve its 4,500 jobs at WIE and more besides elsewhere if it is seeking to deliver 7,500 jobs.

The reliance upon a single KSS is simply too low and risky and our recommendation is that the brownfield Oaks site be allocated and retained within the settlement boundary and that the previous allocation on the former Owen Corning site on Bryn Lane is also identified too.

An interesting additional point is that the latest 2013 NOMIS statistics for job density in Wrexham suggest that there are 0.73 jobs per working age person so with an assumed population increase of between 15,900 and 22,350 over the plan period the potential need job growth could be as large as 11,607 and 16,315 jobs over the plan period this would equate to far more land being required.

TOPIC PAPERS : OUR COMMENTS**Topic Paper 1 : Housing : February 2016**

The Council suggest that the latest JHLAS identifies a need for 157 affordable dwellings per annum (2,198 over a 125 year plan period 2013 to 2028).

Delivery has, however, been very poor and this requirement will never be achieved unless there is a step change in the definition of affordable housing since the availability of social grant is almost non-existent and there needs to be shift towards low cost discount for sale.

Moreover, if we assume that overall housing provision is 11,715 over the plan period and of this 2,198 needs to be affordable this equates to an affordable housing levy of almost 19% across the board.

But since the Council will be so reliant upon small sites and windfalls this will inevitably mean that the weight of delivery will fall upon the larger allocated sites which will be unable to cope with such burdens and therefore the viability of being able to deliver this level will never be realised.

A real step-change in delivery rates, housing provision and tenure expectations is needed because the backlog of affordable housing need is growing and is being exacerbated by low housing delivery rates.

Additionally, the Table 2 provided in the Paper also illustrates that affordable need does not discriminate and is required across the board in all areas of the Borough.

The Paper states that just 450 units were completed between 2013 and 2015 (225/yr) and that the average over a 10 year period was just 426 units per annum.

The expectation is that the Plan will deliver at a rate of 781 per annum ... this is a significant jump, but we fear that until the plan is adopted and proven sound there will be continued slippage and the annual requirement will go up. Moreover, the need to demonstrate a rolling 5 year housing land supply will not disappear and the Council are vulnerable if they cannot convince an Inspector their strategy d allocations are sound.

We have made more detailed observations about Housing Provision under our earlier comments on BP1.

As we have mentioned before, the likelihood is that LDP2 will not be in place until 2018 (fingers crossed !) and yet its plan period is presently indicated for the 15 years between 2013 and 2028. As such by 2018 it will already be 5 years into its period and have just 10 years remaining ... by all accounts it will be in need of a review shortly after.

In the light of this it would seem sensible for the period to be extended through to maybe 2033 or even beyond to 2036 when WG population predictions based upon the 2011 census exist.

Topic Paper 2 : Economy & Employment : February 2016

The Authority is seeking to follow and reflect the advice contained within Employment Land Review (ELR) of March 2015 (BE Group).

The Preferred Strategy (SP1) seeks the delivery of approximately 7,500 jobs over the plan period and an employment land requirement of some 53 ha of land (assumed to be net) which equates to a paltry 3.5 ha per annum.

The Council suggest that the latest Employment Supply figure (as at 1st April 2015) was that 76.2 ha of employment land (assumed to be net) existed, compared to the ELR assessment of 80.05 ha.

The Preferred Strategy (through SP1) is proposing an allocation of a single employment site of between 20 and 30 ha (net) at the WIE on Bryn Lane, which would increase the overall supply and provision of between 96 to 106 ha.

It is also (through SP8) proposing that existing employment sites elsewhere across the Borough are retained and protected (where appropriate).

Compare this to the LDP1 position where the GVA Employment Land Study of 2007 indicated that demand was between 68 and 103.5 ha over the 15 year plan period of 2006 and 2021 (between 4.5 and 6.9 ha per annum. The Plan proposed 120 ha of land (8.0 ha per annum) with 70 ha of allocations.

Historically, the WIE has been the core delivery location for employment land and this has not changed. The completion of the Welsh Government funded £35M link road has been key to maintaining the WIE competitive advantage and yet achieving a return on this investment by attracting new companies will be difficult without new allocations at WIE.

The BE Group 2015 ELR recommended:

- Identifying a growth requirement of 35 ha (between 2013 and 2030) (which would equate to an area of 30.9 ha over the plan period)
- Protecting existing employment sites across the Borough to maintain employment land supply

However the ELR recognised:

- That 80% of historical take-up has been at the WIE
- That an alternative growth requirement consistent with past take-up rates would give a requirement for 60 to 70 ha over the same 2013 to 2030 period (or 52.5 to 61.5 over the plan period)

The Authority has agreed with the lower of the ELR forecast requirements and proposed between 20 and 30 ha of new employment supply to top up existing supply. They have therefore sought not to follow with a recommended higher allocation of between 52.5 and 62.5 ha.

The latest estimated existing Employment Land Supply position across the Borough has been judged to be as shown in the table below.

	ELR as at 31 March 2014		Council Annual Monitor as at 1 April 2015	
	Gross	Net	Gross	Net
WIE	141.07	56.04	141.72	56.69
Elsewhere	63.84	24.61	63.84	19.51
Total	204.91	80.05	205.56	76.20

The Gross figures include sites reserved for existing business expansion and the total site areas are without being discounted to take account of site constraints. The resultant net figures are poor and, in the main, can be attributed to the fact that nearly every site on the WIE (and beyond) have (allegedly) high ecological value.

However, in summary with an assumed existing supply of 80 ha and an assumed additional allocation of between 20 and 30 ha this results in a total proposed supply of between 100 and 110 ha which over the plan period would allow for an average annual take up of 6.6 and 7.3 ha per annum.

As the GVA 2007 report set out the rate of employment take up has varied over the years:

- The 1980's and 1990's saw rates of 20 ha per annum
- 1997 to 2007 average take up was 6.87 ha per annum

As one would expect, the rate dipped over the later period due to the allocated sites of the UDP having been used up and naturally constraining supply. What the LDP2 is doing is to maintain the low average annual take up of the more recent period. This will not provide the Authority with the ability to attract new investment and we would advocate that a much higher level of allocations are made and as a minimum that these ought to reflect the higher alternative option considered by the ELR.

We have already questioned the “jobs costs calculator” that the BE Group came up with in determining the amount of space required to deliver jobs (i.e. 143 jobs per hectare) and recommended this be more realistically set using the HCA rate of 42 jobs per hectare, because even based upon the BE Group rate 7,500 jobs would need 52 ha of land whilst basing it upon the HCA calculator 7,500 jobs would need 178 ha.

We consider the BE Group applied calculations actually undermine the credibility of the Council (and the ELR) proposing a site of between 20 to 30 ha net in delivering 4,500 jobs, let alone the need to have a supply of between just 96 and 106 ha.

We will now consider the findings of the ELR in a little more detail as we do not consider that the recommendations of the ELR can be relied upon or indeed taken as read and moreover that the Authority is being selective in judging what its existing supply and future need for provision ought to be, particularly when placed in the context of what is actually happening on the ground.

The key to the ELR is to interrogate Appendix 15 and their review of the existing supply of sites where they have assumed that a net supply of 80.05 ha exists.

We have serious doubts as to their findings and for example we would wish to note the following:

SITE	ELR Proposed Supply (net ha)	J10 Comment
E1.2 Abenbury Way	1.70	1.0 Reduce because of GCN
E1.10 Clywedog Road South (i)	1.21	0.6 Reduce because of GCN
E1.12 Clywedog Road South (iii)	6.85	0.0 Not being released : being held back by FI Real Estate; unlikely to be delivered
E1.20 Redwither (v)	2.85	0.0 Unavailable : have made enquiries
E3 UDP Single User Site	32.2	(reduce by 22.7) to 9.5 Area B has permission for non-employment use (power station) Area A extends to 19 ha but GCN mitigation halves the site to a net of 9.5
Cefn Par, Redwither Road	11.5 (but proposed to be 0.0)	13.0 Site is deliverable with 8.6 ha of ecology mitigation
Site C Coed Aben Road	1.7	0.0 Not being released : being held back by FI Real Estate; unlikely to be delivered

E1.22 Wynnstay IE, Acrefair	1.4	0.0 Owner has alternative use aspirations
Site L Former Brymbo Steelworks	8.0	0.0 Very doubtful over whether this location will attract and deliver investment
Site M Ruabon Park	3.42	0.0 Doubtful this will deliver due to focus on residential and mixed use

The Council is following the ELR recommendations that 80.05 ha (now 76.20) of supply is deliverable but our assessment (above) shows that 48.2 ha of this is vulnerable.

Moreover, there are 12 sites which are all under 2.0 ha in size which equate to 10.23 ha of land supply, however, it is difficult to believe that these will meaningfully deliver job numbers of any scale.

The fact is that the Authority need large strategic allocations to attract and generate new investment.

With over 50 ha of the Authorities existing supply being judged as highly vulnerable the overall supply immediately falls to between 50 and 60 ha and this is insufficient to deliver jobs and match take up.

We have other concerns too:

- The Preferred Strategy ambition is suggesting that some 7,500 new jobs will be delivered within the plan period; this does not equate to the numbers of new homes being proposed. A step-change is required to ensure jobs keep pace with homes; jobs will not be delivered without land for employment and investment in new jobs will not come if the labour force is not available or if there are insufficient homes for the workforce.
- Other existing employment sites (not identified in the supply calculations) are not being protected so jobs are being permanently lost from them. For instance, the 2.6 ha Westminster IE at Gwersyllt has been recently approved for 65 housing units and where the Council did nothing to resist its loss as an employment generating site.

- Moreover, the gross to net of most sites across the WIE is very poor largely as a result of ecological mitigation measures, so much so that a site like the former Owens Corning site on Bryn Lane (opposite the Kellogg's Factory) where permission has been granted for a power station and for a large single user footprint is subject to a hefty 50% net site area resulting in a site of 47 acres being only able to manage some 23 acres of developable area.
- Additionally, non-Class B uses are being permitted (sic. Power Station and North Wales Prison at WIE and Police Station at Llay IE) which serves to also reduce the available land for traditional B1, B2 and B8 use class development.
- The majority of the sites that are identified as being "supply sites" have remained undeveloped for many years and the ELR has failed to provide any adequate commentary on their deliverability.
- There are so few really "available" sites that those controlling the supply (e.g. First Investments Real Estate) are essentially "naming" their price and forcing interested parties to agree to punitive Design & Build options. Admittedly, they are not a publicly funded Development Agency but they are only sitting on very limited land banks now as the supply has all but dried up. There is a real need to identify new land that is deliverable and free of constraint.

The suggestion, therefore, that there is actually an employment over supply is without foundation. The fact is that most extant allocations have little prospect of being developed because of their location and ability to deliver; these ought to be de-allocated. The assertion that only 8 ha/yr is required is not adequately justified, even by the GVA report.

The Council's own Economic Development team expressed a concern at the LDP1 Examination that the plan did not make any reference to "create a strategic offer" or for the potential of new sites along the A483 as per the recommendations in the 2007 GVA study. It would appear that insufficient strategic offer is being made and we would urge the Authority to allocate and include The Oaks at Redwither Road and the former Owens Corning site on Bryn Lane as key strategic employment sites; they are both ready to deliver.

Topic Paper 3 : Transport : February 2016

In the absence of the ARUP strategic network study (that is apparently going to be available in late April 2016) there is little we can meaningfully say.

Our only comment is that we would support the need for Welsh Government funding to facilitate strategic network improvements to the A483, where there are capacity constraints at Junctions 3 (Wrexham Road / A5152 / Rhostyllen) , 4 (Ruthin Road A525 / Lower Berse Farm), 5 (Mold Road / A541 / Stansty) and 6 (A5156 / Rossett).

There are evidently needs to undertake both improvement and upgrading works to carriageway and junction locations yet these are likely to be beyond any “purse” of either the Authority or land promoter.

Indeed, certain key strategic sites will be highly dependent upon significant highway infrastructure works taking place in advance of development commencing (or at least being occupied) and so it will be difficult for the Authority to identify and allocate certain sites unless there is a fund to secure such works.

WG must therefore provide clarity of gap funding to enable sites to come forward; the A483 is the key strategic highway route through the Authority and must be supported.

This is made even tougher by Building Regulations in Wales which are currently creating real challenges for housebuilders; for instance a sprinkler system costs c £4k per dwelling and so a KSS of 1,000 units this results in a development cost of £4M that cannot be readily absorbed as the land values are not high enough to deliver these requirements and S106 levies for affordable, open space, education, etc.

A CIL charging schedule cannot be introduced until an adopted development plan is in place so until then the Authority must continue to rely upon S106 contributions, but these must be proportionate to the viability of the development.

Topic Paper 5 : Health & Wellbeing : February 2016

It still remains unclear whether the Council's Play Sufficiency Assessment of 2013 actually identifies a breakdown in the type, standard (condition/state) and suitability of existing formal and informal provision.

Additionally, it is also unclear as to whether the assessment has been able to identify whether there are areas of deficiency or over provision on an area by area basis.

An Open Space Audit & Assessment is apparently ongoing, but until this has been completed we are none the wiser.

The suggestion that areas of landscape and green spaces be protected in a blanket manner is irrational and illogical as it does not appear to be founded in any robust evidence base and fails to recognise issues such as current condition and use.

The approach should be to identify any deficiencies and understand how these might be addressed through the land planning process where development might be the panacea to new and/or enhanced levels of provision and access.

Also, whilst we are aware that the Education team has undertaken some work (the 21st Century Schools Strategy Outline Programme of 2010) this is not an accessible report. It would be helpful if this and any more relevant evidence was produced which provided available data resources regarding capacity and need over the plan period determined by development projection scenarios and on a location specific basis through the use of heat mapping.

Topic Paper 6 : Natural Environment : February 2016

We would wish to recommend that the Authority, in undertaking its review of designations, is careful not to place undue weight and significance upon designations that might be preventing key settlements from expanding in a sustainable and logical manner.

For example, when assessing sites a scoring mechanism is likely to be used and this must be balanced, fair and above all transparent and must not over-score sites just because of their landscape character.

Indeed, the Special Landscape Area (SLA) designation is a somewhat arbitrary and superficial designation that should not be afforded any significant strategic policy weight, particularly where such land might not offer or form part of any publicly accessible green network.

We are concerned with references to “transitional areas between urban and rural fringes” and “key gateways (e.g. along the A483)” and whilst we agree that development in such areas needs to be carefully designed and should be carefully integrated; these are the very locations that can accommodate growth in the most sustainable and sequentially preferable manner and they should not be subject to any additional landscape policy protection or controls.

Furthermore, references to Green Barrier designations must be attributed little weight when it is essential that a “full” Green Barrier Review is undertaken. The Stage 1 Report is welcomed but it has not yet gone far enough and is not informed by any Landscape assessment.

An SLA Review is to be commissioned and this is to be welcomed, but we would wish it to be careful in its aims and objectives ... in other words the landscape has to be “special” to be provided such a classification and the Authority must be careful not to introduce a policy that might end up simply preventing development in logical and sustainable locations where the landscape value is actually very “ordinary”.

An Agricultural land update is also mentioned and this too is welcomed.

Perhaps our greatest concern however is the increasingly predatory strength of the Ecology lobby. A far more commercial and rational view must be taken to habitat conservation and mitigation. For instance, Wrexham appears to be under the “grip” of Great Crested Newts where sites are being developed at a less than efficient gross to net ratio of up to 50%.

Topic Paper 9 : Minerals : February 2016

Development can be constrained both by the effect of former mineral workings (mines) sterilising areas of land and by safeguarding potential resources/deposits.

We recognise the potential conflict that might occur between protecting land with such potential and letting it be developed for non-minerals uses. But there is also conflict between safeguarding minerals land and other plan policies (sic. natural and built environment policies), plus the general environmental impact of extraction and the viability of extraction.

These issues are not going away and whilst the former UDP identified Mineral Protection Zones there is no qualitative (let alone quantitative) evidence that we are aware of which clearly identifies the merits or otherwise of potential deposits and this, we would suggest is something that needs to be undertaken so that a strategic policy approach can be adopted.

Moreover, MTAN1 Para 70-71 discusses buffer zones which are set at 100m (sand and gravel) and 200m (hard rock) from the outer edge to the curtilage of residential dwellings; so it seems illogical to identify zones within such ranges.

The Paper recognises that there is a need to identify buffer zones and this is welcomed, but without hen internal Council resource this work is needed to be undertaken with some urgency as it will determine and inform allocations.

We recognise that if extraction did take place then the “assumed” agricultural land quality of an area is immediately diminished and undermined. Yet without an up-to-date land quality survey the restriction on protecting such land is counter intuitive if this land also happens to be protected by a mineral Safeguarding Zone.

However, we can see that early prior extraction of a potential development site could be undertaken before any “built” development takes pace thus ensuring sites offering Mineral potential are exploited. A site survey of soil / land quality and mineral potential can readily determine whether extraction would be viable or not.

GREEN WEDGE STRATEGIC REVIEW : STAGE 1

Turning to Green Barrier policy this is enshrined in **PPW (Edition 7 July 2014) Section 4.8** and reflected locally by the **UDP (Policy EC1)** that are provided (see **APPENDIX C**). Essentially in Wrexham the Green Barrier designation was introduced not like its equivalent Green Belt cousin that was designed to have more permanence but as a lesser local designation with similar features which in PPW are known as Green Wedges.

PPW states (Para 4.8.11) that like Green Belts they should only be established through the development plan process and should only be maintained where the Authority can demonstrate normal planning policies could not provide the necessary protection and that the plan should provide why the areas subject of the designation requires extra protection. The Wrexham UDP failed to pass this test in providing any reasoning for the Green barrier designation over large swathes of land that in our opinion could have been easily protected through some other form of open countryside / landscape policy designation means.

In defining such areas PPW states (Para 4.8.12) that factors such as “openness, topography and the nature of urban edges” should be taken into account. We would argue that none of these must have been taken into account when the designation was made to include this site and indeed it is indicative of two Local Plan review Inspectors that both recommended the site be removed for the Green Barrier. It will be interesting to see what the Council’s emergent Green Barrier Review comes up with in terms of its methodology and findings when they get around to publishing it in support of the emerging new LDP.

Moreover, PPW goes on to state (Para 4.8.13) that Authorities, in making such designations, should ensure a sufficient range of land is available and is suitably located in relation to existing urban edge. Again we would argue that Wrexham’s UDP failed to identify any such land and drew the settlement boundaries very tight with Green Barrier in between, thus effectively choking out any potential for sustainable natural growth.

In terms of current policy this proposal does not accord with and is contrary to the existence of a Green Barrier and would have to be classified as “inappropriate development” as it does not meet one of the exceptions and is a departure from the development plan. The test therefore has to be that the proposal meets exceptional circumstances where other considerations clearly outweigh the harm.

It is recognised (PPW and UDP Policy) that there are essentially 4 purposes for including land in the Green Barrier and these are :

- o To prevent coalescence of urban areas and villages with other settlements
- o To assist in safeguarding the countryside from encroachment
- o To protect the setting of urban areas and villages
- o To assist in urban regenerations by encouraging the recycling of derelict and other urban land

The fact is that the Authority will need to release Green Barrier and whilst the Stage 1 Review is welcomed it must go further and accept that there are land parcels that can be developed and maintain buffers and appropriate landscape setting. It will be for promoters to demonstrate that this can be achieved through master-planning and LVIA material.

SOUNDNESS CONCLUSIONS

Ultimately the plan will be examined on whether or not it meets the tests of “**Soundness**”, namely, whether it meets procedural, consistency, coherency and effectiveness tests.

We are less concerned with whether the plan passes or fails its Procedural tests, and so would like to concentrate upon the more important consistency, coherence and effectiveness soundness tests.

CONSISTENCY

C1 It is a land use plan which has regard to other relevant plans, policies and strategies relating to the area or to adjoining areas. Is the plan consistent with plans prepared by other departments and bodies?

The Plan has yet to demonstrate whether it has followed all of its existing evidence base.

C2 It has regard to national policy. Is the plan focussed and concise and does not repeat national policy?

The Plan does not yet reflect PPW and WSP and TAN guidance.

C3 It has regard to the Wales Spatial Plan. The plan should not repeat or contradict policies contained in the Wales Spatial Plan.

The Plan has made good progress here, but does not yet fully reflect WSP, which sees Wrexham as a key hub and engine for growth, with more growth needing to be identified around Wrexham and perhaps consideration to less growth elsewhere.

C4 It has regard to the relevant community strategy/strategies. The plan should not repeat or contradict the Community Strategy.

The Community Strategy seeks to ensure all communities are fairly represented in its efforts and does not seek to prejudice certain areas and settlements in favour of others.

COHERENCE & EFFECTIVENESS

CE1 The plan sets out a coherent strategy from which its policies and allocations logically flow and, where cross boundary issues are relevant, it is compatible with the development plans prepared by neighbouring authorities. The plan should set out a strategy and make sure its policies follow that strategy. It should also demonstrate that it is not in conflict with the plans for neighbouring authorities.

The Plan is, at this stage, finding its feet in developing a strategy, but it should not seek to repeat the failed LDP1 route and not meet its own housing or employment requirements.

CE2 The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust and credible evidence base. The plan should show how sustainability objectives will be achieved. Alternative options should have been looked at before arriving at the LDP.

We are unconvinced that the “options” proposed for the level and location of growth are yet fully justified by a sound evidence base.

We offered alternative options that should be considered and would also recommend that the Authority identify a “Plan B”.

CE3 There are clear mechanisms for implementation and monitoring. The plan should clearly indicate how the policies and proposals will be monitored and who will be responsible for when this will happen. Any targets to measure policies and proposals should be clearly linked to the monitoring report.

We have suggested how a sound monitoring mechanism could be put in place and hope that this can be followed. Detailed phasing / housing trajectory and certainty about the deliverability of key housing and employment sites will be required.

CE4 It is reasonably flexible to enable it to deal with changing circumstances. The LDP is flexible enough to allow for minor changes following the outcome of the annual monitoring process, or to more significant problems such as lack of finance for infrastructure problems. It should also be clear that major changes may require a formal review.

A definite “Plan B” will be required to protect the Council from changing circumstances.

We conclude therefore that there are key issues of “soundness” that will need to be addressed before (and as) the Plan moves forwards.

APPENDIX F
Pre-Application
correspondence
(2017 to 2018)



27 October 2017

Dave Sharp
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

BY EMAIL ONLY

Dear Dave

PRE-APPLICATION MEETING REQUEST : development team approach

land off Oak Road, Wrexham Industrial Estate, Wrexham, LL13 9RG

My client (Cefn Park Developments Ltd) would like to explore and establish the planing and development potential of their site prior to advancing any formal planning application.

This site comprises the land identified in the Development Masterplan Prospectus. Due to the size of this document (some 70mb) we have provided a link in the covering email which is :

[https://www.dropbox.com/s/qrdx534qadt00sq/The%20Oaks%20Business%20Park%2C%20Dev
elopment%20Masterplan%20Prospectus%2C%20October%202017.pdf?dl=0](https://www.dropbox.com/s/qrdx534qadt00sq/The%20Oaks%20Business%20Park%2C%20Development%20Masterplan%20Prospectus%2C%20October%202017.pdf?dl=0)

The site extends to 22 ha (55 acres) and having undertaken a design capacity exercise we consider it offers the opportunity for around 40,000 sqm of business space (B1, B2, B8) over around 25 acres of land with significant opportunities for wildlife habitat management and enhancement areas that extend to around 30 acres; this has increased by some 10 acres since the last iteration (dated March 2017) was presented.

We have, through Nicola Corbishley, already had some very positive and productive discussion; most latterly in June 2017 and since then the Prospectus document has been refreshed to take account of NRW/Ecology feedback whereupon an Ecology Management Zone has been progressed and refined and we would like to discuss this as part of any meeting.

J10 Planning Ltd 1-3 Upper Eastgate Row Eastgate Row North Chester CH1 1LQ
Tel +44(0)1244 349 400 Fax +44(0)1244 349 402
post@j10planning.com www.j10planning.com

A significant body of technical environmental and engineering work has already been undertaken and has informed the masterplanning process; leaving only a small number of gaps now needing to be filled.

Please note that the owners have entered into discussions with a small handful of prospective development partners who have expressed an interest in promoting the site through planning and into an implementation phase. We are unable to disclose in writing who these at this stage because to do so could prejudice what are commercially sensitive negotiations. However, we can confirm that they are all have reputable pedigree in business space development nationally and more specifically across the North West/North Wales area. We anticipate being in a better position to confirm a preferred partner sometime during November 2017.

The idea is that the partner would be responsible for submitting any subsequent application in partnership with CPDL.

We would value the input of Officers from across the Authority; most notably:

- Highways
- Planning Policy,
- Planning Development Control
- Ecology & Trees
- Drainage
- Economic Development

Additionally, we would also request that you kindly invite **Matthew Ellis** of **NRW** (who was involved in our last meeting with Officers on 12 June 2017) to the meeting.

In the light of the Council's pre-application charging schedule my client has made payment for the pre-application fee of £2,400 (ref. CPDL : The Oaks).

We would like to engage with Officers to constructively discuss the development ambitions and opportunities for this site and the timescale for an application submission which is likely to involve an Outline masterplanning application with potentially a hybrid level of detail subject to operator and developer requirements.

On our part, we would be looking to bring Design, Highway, Ecology and Planning members of our team to the meeting, together with our client.

Please contact me at any time on either the office number, my mobile (07971 446630) or via email (justin@j10planning.com) in order to arrange the meeting.

I look forward to hearing from you.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Justin Paul', with a stylized flourish at the end.

Justin Paul BA BTP MRTPI

Encs **Masterplanning Prospectus link**
 Pre-app form

Cc **A Graham-Palmer, CPDL**

PROJECT : The Oaks, Redwither Road, Wrexham Industrial Estate, Wrexham, LL13 9RG							
APPLICANT (CLIENT) : Cefn Park Developments Ltd							
PROPOSAL DESCRIPTION : Redevelopment of brownfield site for employment generating purposes							
SUBMISSION SCHEDULE of DRAWINGS & DOCUMENTATION : dated 31 March 2017							
DESCRIPTION	AUTHOR	CONTACT	FORMAT	DOCUMENT / DRAWING REF.	SCALE	DATE	STATUS
LDP Submission : Preferred Strategy, Site Register, Background and Topic Papers	J10 Planning	Justin Paul	A4	Document : LDP rep	NTS	April 2016	submitted to WCBC
Development Masterplan Prospectus	Land Studio	Simon Richards	A3	Document : LS/DMP/version001	NTS	March 2017	submitted to WCBC
Archaeological Desk Based Assessment	Gifford	Tim Strickland	A4	Document : B3041A.02	NTS	30 June 2000	submitted to WCBC
Historical Scoping Report	Townscape	Jason Kennedy	A4	Document : version 2	NTS	March 2017	submitted to WCBC
Phase 1 Contamination Desktop Report	Opus	Simon Howard	A4	Document : V-R6399.00	NTS	March 2017	submitted to WCBC
Preliminary Flood Risk & Drainage Assessment	Opus	Garry Taylor	A4	Document : no ref	NTS	21 October 2016	submitted to WCBC
Highways Site Assessment	Opus	Garry Taylor	A4	Document : no ref	NTS	14 October 2016	submitted to WCBC
Tree Conditions Survey & Arboricultural Impact Assessment	Tree Solutions	Alistair Henderson	A0	Document : 16/AIA/WXM/187	1 : 1000	29 March 2017	submitted to WCBC
Ecological Assessment	Kingdom Ecology	Richard Roe	A4	Document : no ref	NTS	24 November 2016	submitted to WCBC
Utility Services Infrastructure Assessment	TMC	Tony Malkin	A4	Document : no ref	NTS	March 2017	submitted to WCBC
DISTRIBUTION (by CD)							
Wrexham County Borough Council							
Cefn Park Developments Ltd							
J10 Planning Ltd							
A : 1 - 3 Upper Eastgate Row, Eastgate Row North, Chester, CH1 1LQ							
T : 01244 349400							
F : 01244 349402							
E : justin@j10planning.com							
W : www.j10planning.com							

Statutory Enquiry Form for Pre-application Advice

Please complete this form with as much information as possible.
Send the completed form to planning@wrexham.gov.uk

Payments can be made by debit/credit card online using e store:
<http://www.wrexham.gov.uk/planningfees>

Payment over the telephone on **01978 298994**.
Please note cash and cheque payments are **not** accepted.



Applicant Name, Address and Contact

Name:

Address:

Postcode:

Telephone number:

Mobile number:

E mail address:

Agent Name, Address and Contact

Name:

Address:

Postcode:

Telephone number:

Mobile number:

E mail address:

Description of the Proposal

Employment development

Total number of new units:
(if applicable)

Increase in floorspace (m²):

Site Address (if different to applicant address)

Address:

land off Oak Road

Wrexham Industrial Estate

Wrexham

Postcode:

LL12 9RG

Location Plan

Please tick the box below to confirm you have submitted a plan which identifies the land to which this application relates, drawn to an identified scale and showing the direction of North.

I have attached a location plan that meets the requirements outlined above:

**Additional Information**

To help ensure that we can provide the best possible response to your pre application enquiry, you are encouraged to submit as much additional information as possible to accompany this form. Please list any additional information you are submitting below (*continue on a separate sheet if necessary*):

Refer to Development Masterplan Prospectus document dated October 2017

Development Team Approach:

Do you wish to use the Development Team Approach
(Please see website for further information)



YES



NO

Fee:

I confirm that the correct fee will be paid online via our website or over the telephone (please tick as appropriate).



E STORE



PHONE

If you are unsure of the correct fee, please see the FEE SHEET which can be found on our website
www.wrexham.gov.uk/planning

Signed (applicant):

or

Signed (agent):**Date** (DD/MM/YYYY): 27 October 2017

JUSTIN PAUL
J10 PLANNING

Your Ref/Eich Cyf
Our Ref/Ein Cyf
Date/Dyddiad
Ask for/Gofynner am
Direct Dial/Rhif Union
E-mail/E-bost

ENQ/2017 /0223
30/11/2017
Dave Sharp
01978 298876
Principal Building Control Surveyor

Dear Sir/Madam,

Town and Country Planning Act 1990

DTA FOR EMPLOYMENT DEVELOPMENT

LAND AT OAK ROAD, WREXHAM INDUSTRIAL ESTATE, WREXHAM.

I refer to your enquiry for the above proposal and the subsequent meeting held on 23rd November.

Validation Requirements

A formal planning application would need to be accompanied by the following to be validated:

- Full/Outline planning application forms;
- 1:1250/1:2500 Site location plan with the land subject to the application edged red and any other land in your ownership edged in blue;
- 1:200/1:500 Block plan with the proposed site layout edged in black/red;
- 1:100 Existing and proposed floor plans and elevations;
- BS5837:2012 Arboricultural Survey including Impact Assessment;
- Ecological Assessment;
- Foul and Surface Water Drainage Scheme;
- Planning Statement;
- Design and Access Statement;
- Planning application fee.

Relevant Planning Policy & Guidance

The following planning policies and supplementary planning guidance is applicable to your proposal:-

*Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.*

*We welcome correspondence in Welsh.
We will respond to any correspondence in Welsh and this will not lead to any delay.*

Extant Local Planning Policy

- Wrexham UDP Policy PS1
- Wrexham UDP Policy PS2
- Wrexham UDP Policy GDP1
- Wrexham UDP Policy GDP2
- Wrexham UDP Policy EC4
- Wrexham UDP Policy EC6
- Wrexham UDP Policy E4
- Wrexham UDP Policy E5
- Wrexham UDP Policy T8
- Local Planning Guidance 16 – Parking Standards
- Local Planning Guidance 17 – Trees and Development
- Local Planning Guidance 26 – Landscape and Industrial Developments
- Local Planning Guidance 29 – Employment Development and Nature Conservation
- Local Planning Guidance 32 – Biodiversity and Development

Relevant Emerging Local Planning Policy/Guidance

- Joint Employment Land Review – October 2015
- Wrexham Industrial Estate Green Network Policy

Proposal

Principle

Local Plan

The majority of the site is located within Wrexham Industrial Estate Settlement Limit, whilst part of the site is located outside the Limit, as shown on Policy Map 2 INSET 3 of the Wrexham UDP.

Policy E4 allows employment development on unannotated land within settlement limits, subject to compliance with Policy GDP1.

Given only a portion of the site lies outside the settlement limit, it is considered that the overall principle of development, having regard to extant planning policy is acceptable.

Design and Layout

Limited regard can be had to the overall design and layout of the scheme given the plans within the submitted Prospectus Document are indicative only.

At this stage, overall scale and layout is advised should be commensurate to the surrounding area and built form within.

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Landscaping would be integral to ensure the proposal integrates with the surrounding area.

Ecology

The site is a designated county wildlife site, to which Policy EC6 applies.

The policy states that development within sites of biodiversity interest will only be permitted where it can be clearly demonstrated that the need for the development outweighs the need to safeguard the intrinsic nature conservation value of the site.

The population of great crested newt is declining across the industrial estate as demonstrated by records on the Cofnod database. The Ecology Officer advises that the protection of this site is essential to maintain and improve connectivity. The site is considered forms an important refuge as part of the emerging Wrexham Industrial Estate Green Network Policy.

NRW advise that the north south connectivity corridor is widened to enable function for dispersal and genetic exchange purposes.

Habitats within the site can be described as open Mosaic habitats which under the Environment (Wales) Act 2016 are considered of primary importance to Wales. Along with several species recorded on the site, the Local Authority should seek to protect and enhance these habitats and species when carrying out their duties.

NRW considers the LPA to represent the lead body for commenting on the invertebrate interest. From a supporting role, they advise that evidence is provided that demonstrates the adequacy of the grassland area for sustaining particularly the grizzled skipper in the long term. If it cannot be demonstrated, then consideration must therefore be given to increasing the extent of grassland areas.

Based on the above and the submitted Prospectus Development, Wrexham Ecology objects to the proposed development, advising that the proposal would be contrary to UDP Policy EC6.

Trees

Based on the submitted Prospectus Document, more detail is required as to how plot 1 will be integrated with the existing linear feature of category 'B' trees.

Excessive alteration in levels, encroachment into any agreed root protection area, or increase in hard surfacing adjacent to the trees may have an unacceptable detrimental impact upon the trees and their niche environment. As a number of these trees are subject to the TPO it should also be stated that the minimal RPA calculated as within BS5837:2012 may not be acceptable in this case and that such trees and their associated environment should be afforded maximum allocation of undisturbed, protected space.

The revised proposal still seeks to remove 3 category 'A' trees (all subject to TPO WCBC 50) and 3 category 'B' (two of which are subject to the TPO). The proposed removal of

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these trees is considered would be contrary to PPW, UDP Policy EC4, LPG Note 17 'Trees & Development' and WCBC 'Tree & Woodland Strategy'. The current design, particularly the plots affecting the protected category 'A' trees, appears simplistic and runs counter to the thrust of the TPO system which seeks to preserve trees of value.

It would be preferable to see the ecology zone extended across the site to include and therefore link all retained trees, green spaces and verge areas.

Highway verges should be of sufficient width to accommodate planting of trees of large stature is considered essential in not only softening the proposed architecture, but to also increase biodiversity, connect green features, and to reduce the potential 'urban heat island effect' so often created and present within such industrial sites. The mature canopy spread of such trees should be considered at the design stage to ensure the avoidance of any future conflict between the maturing trees and adjacent structures.

Highway Safety

Land ownership of the triangular shaped portion of land adjacent to the proposed access into the site was raised as unknown during the meeting. This needs establishing given this would determine the exact siting of the proposed access.

Any full planning application should include submission of a Transport Assessment.

Drainage

Any proposals for the site will need to give full consideration to how surface waters managed by new impermeable surfaces on site will be managed.

Please note that Welsh Government are proposing to implement Schedule 3 of the Flood and Water Management Act during 2018, as such any new development would have to demonstrate compliance with National Standards for Sustainable Drainage systems.

Contaminated Land

Any formal planning application should include a contamination assessment which would establish whether any remedial measures are required, to ensure the site is suitable for the proposed development.

Prior to any intrusive investigation works taking place on the land, further consultation with the Contaminated Land Team is advised, to establish the scope of works proposed.

Conclusion

Whilst the principle of development presumes in favour of the proposal, concerns are raised by Wrexham Council Ecology and Tree Officers.

As discussed in the meeting held on 23rd November, any economic benefits which would arise as a result of granting planning permission for the proposal, should clearly outweigh the harm identified to the environmental aspects associated with the scheme.

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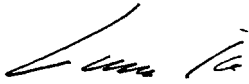
We welcome correspondence in Welsh.

We will respond to any correspondence in Welsh and this will not lead to any delay.

Any formal planning application should include robust justification to demonstrate this.

The above comments are the informal views of an Officer of the Council and do not commit the Council in the determination of any formal planning application that may be submitted.

Yours faithfully,



Pennaeth yr Amgylchedd a Chynllunio/Head of Environment and Planning

*Rydym yn croesawu gohebiaeth yn Gymraeg.
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Chester CH1 1LQ

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E-mail justin@j10planning.com
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Meeting Notes

Date : 16 March 2018

Site : The Oaks, WIE (Cefn Park Development Ltd) + First Investment sites, WIE

Venue: NRW Offices, Buckley

Attendees :

Emma Broad	Wrexham Council (ecology)
Matt Ellis	NRW
Richard Roe	Kingdom Ecology
Justin Paul	J10 Planning

Purpose of Meeting

Meeting to discuss the Council's emerging Ecology network for WIE; presentation of a draft alternative network around the south east of WIE; and to discuss development and mitigation proposals for the Oaks site with regard for great crested newt and what would be required for any future license application.

The meeting can be summarised as follows:

WCBC Emerging Ecology Network

Emma discussed the rationale behind site selection of the emerging Ecology Network. Sites have been selected based upon whether they support existing areas of valuable habitat, support important species, are located within proximity to other designated sites of conservation importance and where the areas are of strategic importance through their function as wildlife corridors through the estate.

However, the identification of sites does not appear to have been based upon any up to date evidence base and instead has been informed by known areas of interest and land that has remained undeveloped.

Emma suggested that the rationale behind the Green Network has been the concern (held by Officers) regarding a continued deterioration in the ecological value of WIE through habitat loss and concerns with existing ecological mitigation projects which have largely failed or are being poorly managed. This has largely arisen through mitigation plans being controlled and undertaken by third parties at the WIE who have had little interest in conservation matters.

The previous policy that sought a 50-50 “like for like” split between development and ecological mitigation has failed to deliver the outcome desired and a new approach is now required.

WCBC’s approach in the future is likely to comprise of WIE stakeholders and developers paying into a central pot held by the Council by way of a commuted sum. The money from this pot would be used to fund future management of retained ecological assets at the estate. The money would be paid to specialist conservation organisations (e.g. North Wales Wildlife Trust) so that they can undertake the works. This mechanism will be similar in practice to the habitat banking undertaken by the Environment Bank.

Habitat management within the Ecology network would be carried out on WCBC land and on land owned by co-operative landowners at the WIE.

An Ecology Network is also being developed for the KSS2 strategic housing site to the west of WIE. The network is in the initial stages and is being developed by North East Wales Wildlife and Sustrans with the ambition of developing a green infrastructure concept that connects the new / existing residential neighbourhood with the WIE.

Justin advised Emma that he was involved in this scheme as well and would welcome any early sharing of ideas so that the masterplan under development could take account of such ideas.

Emma enquired whether there might be an opportunity to offset the greenspace network needs from the KSS2 by transplanting them to the Oaks site and not seeing this site coming forward. Justin stated that this was impossible as the two sites were in different ownerships (i.e. Cefn Park Developments Ltd and Cefn Park Estate).

Alternative Ecology Network

Justin identified that he is representing two large land owners at the industrial estate (First Investment (FI-REM) and Cefn Park Developments Ltd (CPDL)).

FI-REM and CPDL would be supportive of the network and could be willing to offer land to be managed as part of an Ecology Network; at present they are willing owners but in return they are naturally seeking a return on their landholdings through development schemes that have already been shared with Officers at WCBC and which are being promoted.

A draft Alternative Ecology Network was presented. This is based upon WCBC’s emerging network but included some minor adjustments to allow the development of some sites but allowing the retention of the ecology network’s overall function.

The alternative network included some additional significant areas of FI-REM owned land not identified within the network but which could offer valuable habitat including land at the Southern Gateway and around the Pentre Maelor housing estate.

Emma stated that the WCBC network is in its early stages and is open to adjustments and negotiation.

As large sections of the proposed network are under ownership of FI-REM and CPDL it was identified that there are significant and very positive opportunities to allow future management of these parts of the network for biodiversity advantage.

As parts of the network owned by FI-REM and CPDL could be retained for their nature conservation value and would be unlikely to be developable in the future, both land owners could be willing to pass this land over to the Council or a third-party conservation body to allow their future management. This would remove complications of land access and would ensure that management plans are enacted and would remove the land owners from further administrative burden for what would be effectively redundant land commercially.

A further potential area which could be added to the ecology network is located along the southern perimeter of The Oaks site along the River Clywedog Corridor and believed to be under the ownership of a Mr Gerard Owen.

The land currently comprises improved pasture but also includes some features of potential wildlife benefit including the River Clywedog itself plus scattered mature oak and riparian woodland. The corridor of land is located strategically between the southern edge of the Oaks LWS and the HMP Berwyn Ecology site.

It was identified that this land could be taken out of intensive agricultural use and be managed to provide areas of rough grassland, scrub and woodland. This could ultimately provide a large continuous block of wildlife habitat to the south of the estate comprising of HMP Berwyn Ecology Site, the southern half of the Oaks LWS and new habitats along the Clywedog.

CPDL are currently exploring the possibility of using this land as part of the Ecology Network and to function as further compensation habitat as part of the proposed Oaks development.

Emma and Matthew agreed that the overall alternative Ecology Network strategy is generally acceptable as it is not significantly different to WCBC's initial ideas and in relation to the latest proposals for FI-REM's sites these appear to be acceptable:

- Site 1 : no issue
- Site 2 : no issue but show slim buffer corridor along western side of site
- Site 3 : no issue
- Site 4 : retain woodland with an offset buffer
- Site 5 : again keen to see retained buffer around Pentre Maelor
- Site 6 : comfortable with allowing unit to expand
- Southern Gateway : would welcome this being offered

The Oaks

The initial ecology mitigation plan for the Oaks site was presented. The proposed development would seek to develop about 40% of the Oaks site whilst retaining about 60% to be managed for its ecology benefit (roughly 8.4ha of development and 13.2ha retained for ecology).

It was agreed that the principle value and opportunities at the Oaks site are held within the small areas of relic species-rich grassland habitats. Key opportunities would include the restoration of these grasslands to occupy a greater proportion of the site. The grasslands are of value in their own right but are also of importance to Environment Act Section 7 invertebrate species. The site also supports a single breeding pond for great crested newt, supports suitable amphibian terrestrial habitat and so could form an important part of the wider WIE great crested newt metapopulation.

The mitigation plan would seek to restore large areas of species-rich grassland at the site, create additional GCN breeding ponds and retain habitat linkages through the site to allow the continued function of the GCN metapopulation.

Land to the south of the estate as described above (land adjacent to the River Clywedog under ownership of Gerard Owen) could be used to provide additional terrestrial habitat to compensate for the loss of GCN habitat at the Oaks and to provide a stronger link to breeding populations at HMP Berwyn.

Matthew identified that NRW would need to consider whether the development would allow the favourable conservation status of GCN at the Oaks Site and within the wider WIE to be maintained.

One key concern Matthew has is the sites green linkages running north to south through the development allowing movement of newts between the Oaks and breeding ponds located to the north off Bryn Lane. Although it was accepted that it is unlikely that a significant number of newts move along Bryn Lane between the two sites (the intervening habitats are already highly fragmented with significant barriers attributable to existing development), NRW would be keen to avoid further significant fragmentation and deterioration of this potentially important corridor.

Justin stated that it was not possible to retain a broad corridor of habitat through the centre of the Oaks site north to south towards the intersection with Bryn Lane but the mitigation plan does seek to retain significant corridors of habitats along the southern boundary of the site and along the eastern and western edges running north to south.

Proposals will also look to present a Landscape Framework plan of green infrastructure which can be approved as part of any outline masterplan and seek to use SUDS (including vegetated swales and wetlands) alongside access roads and around proposed commercial units to limit the barrier effects of the main development and to create suitable habitats which would allow newts to move north to south through the entire developable area and to therefore retain a linkage to the Bryn Lane ponds.

Matthew would need to see further details regarding the SUDS proposals before he could give an opinion on whether the development would be satisfactory to NRW in terms of the 'maintenance of favourable conservation status' test under the Habitat Regulations.

Justin reminded the meeting that the benefits of having willing landowners must not be lost; there is a positive momentum at present to offer significant ecological benefits in return for development schemes coming forward. PPW and TAN5 are very clear in their direction regarding no-statutory designations and balancing ecology conservation and enhancement with economic benefits; indeed, without development coming forward there is simply no incentive for landowners to offer up their land.

The Oaks development has the potential to provide and secure some 30 acres of land. The alternative would be that this and other land assets would not be presented or offered for conservation betterment thus preventing sites from realising their full ecological potential, potentially resulting in the loss of some valuable habitats through natural processes and any belief of commuted sums being used to deliver the desired benefits would be lost

Conclusion

It was agreed that a plan would be sent across to Emma showing the alternative network in relation to WCBC's network for further comment and discussion.

Both CPDL and FI-REM proposals would follow the standard WG formal pre-application process prior to submission of any planning applications.

From: Justin Paul
To: "Ellis, Matthew"; emma.broad@wrexham.gov.uk
Cc: [Richard Roe](#)
Subject: WIE meeting notes
Date: Wednesday, April 4, 2018 10:57:00 AM
Attachments: [J10 meeting notes 160318.pdf](#)
[updated network ldp plans - april 2018.pdf](#)
[image002.png](#)
[image006.png](#)

Hi Matt and Emma

Thanks for your time a couple of weeks ago a very productive session and one from which we hope positive dialogue and actions can now be harnessed.

We've produced some notes that provide a record of our discussions that we trust you agree with.

It's taken a little while, but we have managed to produce a plan showing the comparative versions of the proposed network and LDP mapping for your attention.

Any queries in the meantime please let me know.

Kind regards

Justin

Justin Paul BA BTP MRTPI

MANAGING PARTNER

J10 Planning Ltd

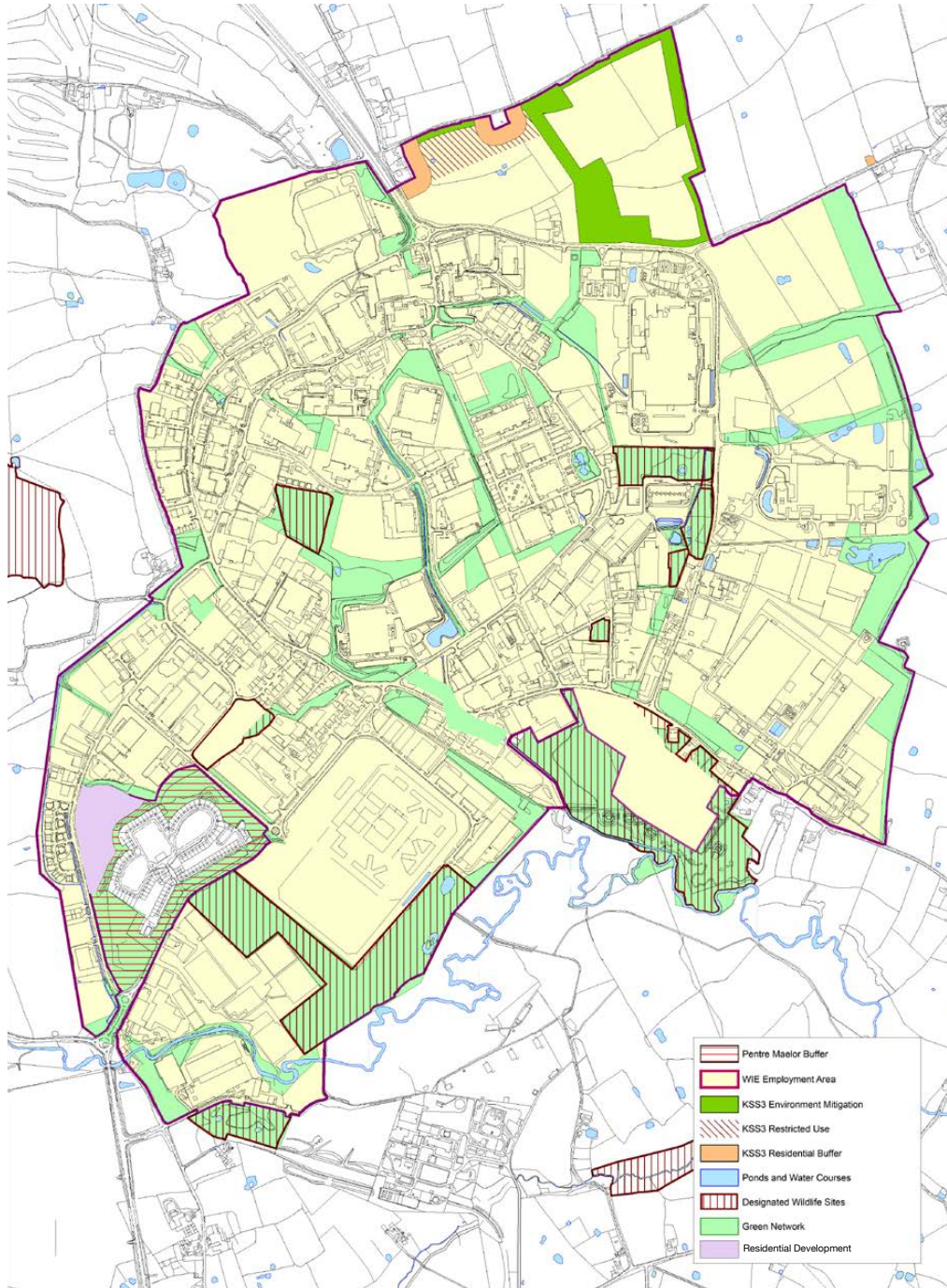
1-3 Upper Eastgate Row, Eastgate Row North, Chester, CH1 1LQ

01244 349400 // 07971 446630 // justin@j10planning.com

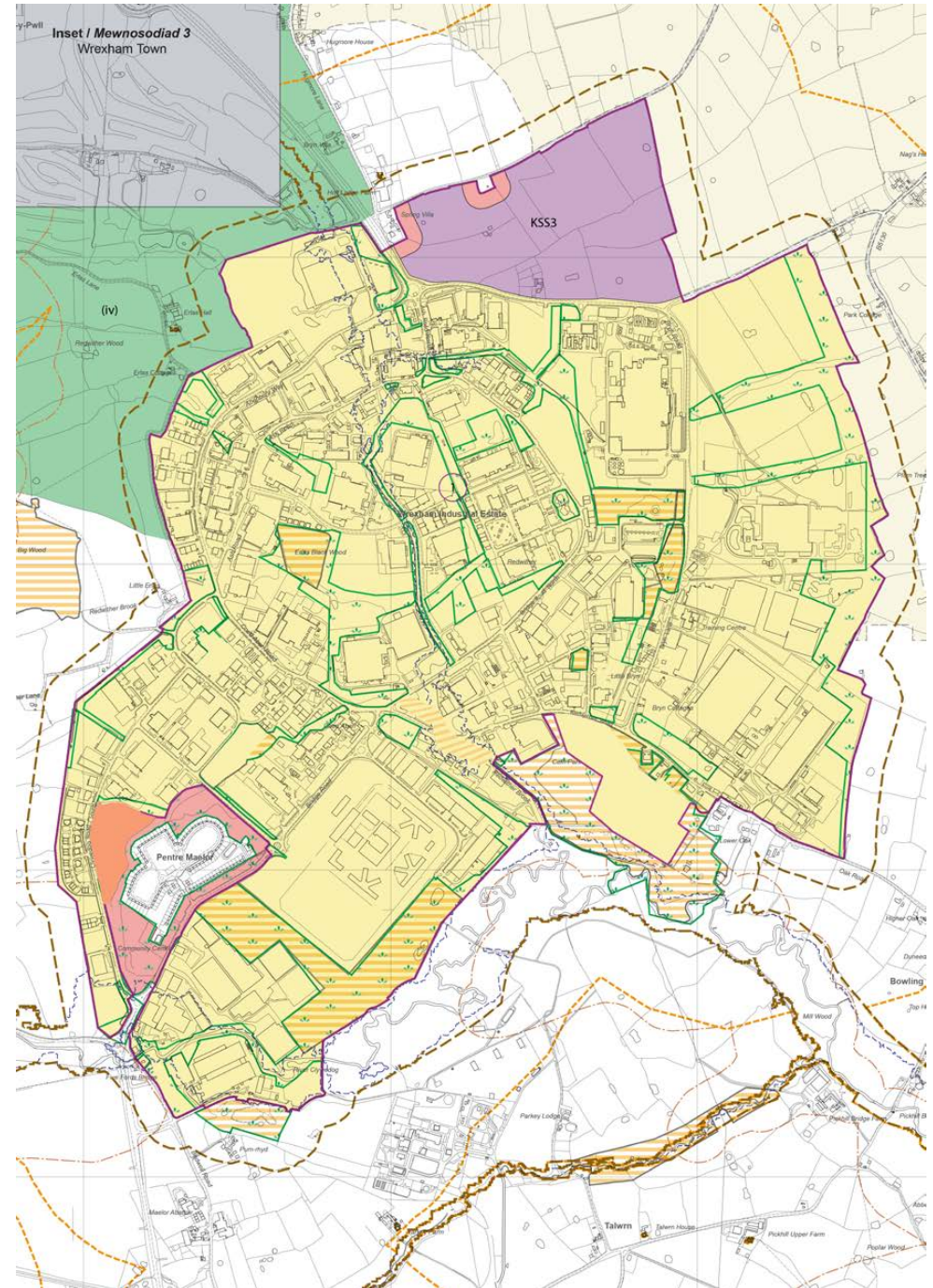
Company Reg. No. 6000409 VAT Reg. No. 815630835



Updated Wrexham Council Ecological Network Plan and Emerging LDP



Updated Wrexham Council Ecological Network Plan



Updated Wrexham Council emerging LDP

APPENDIX G

LDP Reps (2018)



SUBMISSION STATEMENT

Wrexham LDP2 (2013 – 2028)

in respect of

Deposit LDP and associated Evidence Base

On behalf of Cefn Park Developments Ltd

Land at The Oaks, Oak Road and Redwither Road, Wrexham Industrial Estate (WIE02CS)

May 2018

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INTRODUCTION

This representation has been prepared and submitted by J10 Planning Ltd on behalf of Cefn Park Developments Ltd, the owners of land known as “The Oaks”, Oak Road and Redwither Road, Wrexham Industrial Estate (site ref. WIE02CS). It is submitted in response to the recent release for consultation and publication in April 2018 of the LDP Deposit Plan and a host of associated evidence base.

PLAN CONTEXT

Wrexham UDP

The UDP was adopted in February 2005 and its plan period ran between 1996 and 2011. It has now expired and its policies carry very limited weight.

Wrexham LDP1

This plan was developed to replace the UDP and its plan period was proposed to be 2006 to 2021. Its strategy was based upon a brownfield first regeneration focus, directing all new development towards Wrexham and the western villages (the former mining communities) south west of Wrexham; and involved no expansion of settlement boundaries; thus, relying upon infill and brownfield sites.

The LDP reached the Examination stage in January 2012, whereupon having embarked upon holding a series of hearing sessions it became evident that the plan would not be found sound and was therefore withdrawn.

The Inspector's Preliminary Finding's Report issued on 16 February 2012 (**APPENDIX A**) provides clear reasoning why LDP1 was flawed and could proceed no further; finding that :

- the plan strategy was too restrictive, yet also relied upon SPG to deliver detail;
- its evidence base did not support the strategy and had been largely ignored;
- there was a lack of flexibility and no Plan “B”;
- there had been a failure to take reasonable steps to secure an appropriate supply of affordable housing and how to prioritise this with infrastructure, open space, etc;
- that scheme viability was underestimated and the aspiration for 30% affordable was unrealistic;
- it failed to recognise the role that Wrexham should play as a spatial hub (as set out in WSP 2008);
- the approach to green wedges did not reflect the national policy approach;
- the concern that the high technology sector was not provided for;

- the concern that restricting housing growth would impede employment growth and the resultant imbalance between housing and employment would lead to out-commuting;
- the Urban Potential Study (2007) had focused solely upon “within settlement” sites and had found that a brownfield strategy would not provide a reliable source of supply for viability reasons alone; and,
- that there were no environmentally special reasons why settlement expansion should and could not be considered and that SLA’s were not a special enough reason to place such a constraint on growth.

The Inspector advised that it would be a better use of resources to withdraw the plan and start the process over. The Council accepted these comments and the plan was duly withdrawn on 27 February 2012.

Wrexham LDP2

The Council recommenced the plan process with a Call for Sites exercise taking place in November 2012. The new plan period has been determined as being between 2013 and 2028. There has already been a delay of 3 years from the originally published timetable and the revised Delivery Agreement anticipates adoption during Spring 2019.

KSD01a : Revised Delivery Agreement : Approved by WG 11 October 2017

- The LDP plan period is for the 15 years between 2013 to 2028.
- An amended Delivery Agreement was approved by Welsh Government (WG) on 11 October 2017, which sets out a timetable that suggest the plan will be adopted during Spring 2019.

STAGE	NOTES	DATE	STATUS
Approval of a refreshed delivery agreement	Publication and approval	11 October 2017	Approved
Publication of Preferred Strategy for consultation	Consultation	April to May 2018	Completed
Review of responses, reporting to Planning Policy Panel, Executive Board and Full Council for approval to submit to WG		TBD	Awaited
Production of Focused Changes and inviting alternative sites		TBD	Awaited
Submission of plan to WG for Examination		November 2018	Anticipated
Independent Examination to test soundness of plan	Dependent upon WG availability	TBD	Awaited
Inspectors Report	Publication		Awaited
LDP Adoption	Must be within 8 weeks of receipt of a binding Inspectors Report	Spring 2019	Anticipated

- The Delivery Agreement identifies areas of risk; with the introduction of late information / objections being considered as areas of “high risk” which has the potential to cause delay in the Council's decision making process. We understand that managing these risks is fraught with difficulty and may result in significant delays; particularly given the historic concerns regarding Gypsy/Traveller Sites, which show no sign of being abated and which could lead to the plan being challenged.
- The lack of a 5-year housing land supply is an associated concern so the pressure is on to perform and meet targets. The impact of TAN1 (January 2015) is that where a Council has no adopted plan (as is the case here) they must zero their housing land supply until they have an adopted plan. This introduces an additional pressure to deliver sites.
- The Council should be aware that even if the plan is adopted during Spring 2019 the plan will have just 9 years in which to deliver upon its forecast housing and employment growth ambitions, which in turn will place the Authority under immense pressure to deliver its allocations. Therefore, pressure will already be applied to the delivery of the key allocations within a very small timeframe and the Council will need to prepare their plan accordingly.
- The determination period for planning applications can often exceed the standard 8 to 13 week periods and this is without delays caused by other influencing factors. Major applications can take even longer. We will seek the support of the Authority in accepting an early application (prior to LDP adoption) to ensure housing land supply can be delivered in the early part of the remaining plan period.

- Para 2.15 of PPW9 states that, when adopted, there should be at least 10 years of the plan left to run. We have already advocated a longer plan period up to 2033 to fall in line with PPW9.
- We are concerned that the timeline for adoption is ambitious and fear that delay is likely, based upon previous attempts; as can be seen in the programme slippage of 12 months since the last consultation stage back in April 2016.

RECOMMENDED ACTIONS

- Make a commitment to an early LDP review;
- Fast-track and prioritise key allocations;
- Consider isolating controversial issues (such a gypsy/traveller sites) separately from the LDP; and,
- Extend the plan period to 2033.

BP13 : Monitoring Framework (January 2018)

- We welcome the proposed Monitoring Framework, which includes the production of Annual Monitoring Reports (AMR's); the first of which would be commenced in the April following adoption (anticipated as being April 2020) and then published a full year and half later (anticipated by November 2021)
- The target is for 568 dwellings being completed per annum; based upon past delivery rates (the 10-year average being just 426); a step-change will be required in housing delivery and the longer it takes to adopt the LDP the greater the pressure and challenge will become
- It proposes that a Plan Review will be triggered by having anything less than a 5-year housing land supply and/or by not having delivered 70% of its H1 housing allocations and/or not having delivered 75% of its employment land requirement (or indeed if annual employment take up rates drop below 2 ha per annum)
- The report suggests that neither of the two large KSS sites will start delivering units until 2026/2027; this is concerning since a large proportion of the housing target is reliant upon them therefore, the Council need to ensure that they have a back-up supply of large allocations that can be delivered at the start of the plan period to support the larger housing allocations. This is one such site that can help to achieve that aim and will be able to deliver all of the allocated units early within the plan period
- Interestingly, this report states (table on page 43) that the anticipated timescale for LDP adoption is Autumn 2019; this is inconsistent with the aforementioned KSD01a Revised Delivery Agreement. Both documents need to consistent with one another
- The Monitoring Framework does not identify a "Plan B" (i.e. if some allocations did not deliver at the envisaged rate the Council need to be confident that they have back-up alternative options to ensure the plan is found sound at Examination and avoid any potential room for delay
- This demonstrates that the Authority need to support the early delivery of this site

RECOMMENDED ACTIONS

- Consider increasing the number of allocated sites and place less reliance upon existing supply and allocated sites; and,
- Identify a definite timetable for a Plan Review and/or consider extending the existing plan period to 2033.

KPD14a : Site Register Comments and Officer Responses (January 2018)

- A register of comments has been compiled in this document, which provide a summary of the submissions made by a wide variety of parties (notably those objecting to particular sites) together with a response comment from Officers.
- The comments relevant to this site are re-produced in the table below.

Wrexham Industrial Estate (Oaks site) : WIE02CS	
Concern Raised at Preferred Strategy LDP Stage	Officer Response
This location contains a number of sites related to the former Royal Ordnance Factory. These historic assets may require some form of pre-planning evaluation before considering a planning response.	Fails stage 1 of the Candidate Site Assessment process - constraints unlikely to be overcome (ecology, wildlife site). The settlement boundary in this location is to be amended to account for the wildlife site and ecological constraints within it.
Agent acting for site owner; the proposal is not for residential it is for industrial development; the reasons for discounting the site are invalid; not all of the site has ecological value and can be developed without compromising ecological integrity; outline permission has been granted (P/2000/0019); the site is brownfield; a TPO exists but this constraint would not prevent some development; only part of the site is in the flood zone; no known contamination issues; a net developable area of 13ha possible.	The candidate site submission form indicates that the proposal is for residential. Fails stage 1 of the Candidate Site Assessment process - constraints unlikely to be overcome (ecology, wildlife site). The settlement boundary in this location is to be amended to account for the wildlife site and ecological constraints within it.

WREXHAM LOCAL DEVELOPMENT PLAN 2013 – 2028**SITE REGISTER**

Site Ref: WIE02CS

Site Address: Oak Site, Oak Road, Wrexham Industrial Estate

Settlement: Wrexham Industrial Estate

Community: Isycoed

Ward: Holt

Size ha: 12.26

Greenfield: No

Brownfield: Yes

Settlement Hierarchy Tier: 1

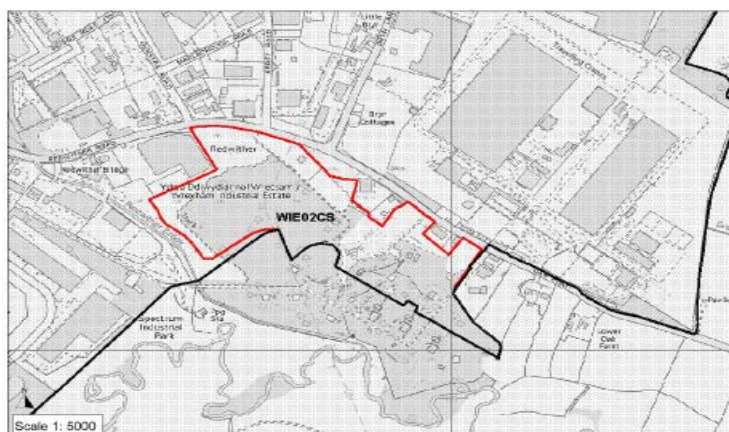
Current Use: Former Ordnance Factory

Proposed Use: Residential

Small Sites: No

Large Sites: Yes

Comment: Fails stage 1 of the Candidate Site Assessment process - constraints unlikely to be overcome (ecology, wildlife site). The settlement boundary in this location is to be amended to account for the wildlife site and ecological constraints within it.



- The citations in the table refer to the plans provided in the associated KPD07 Site Register; a copy extract of which is also provided above.
- In response to the comments submitted and the Officer response we would like to submit the following observations :
 - The site is fully available, viable and suitable.
 - There are no site constraints impeding its deliverability.
 - No objections were received during the Deposit Plan stage.
 - The Council were previously satisfied and accepted that site should be developed for employment. The former Wrexham & Maelor Local Plan allocated the site for employment and subsequently outline planning permission was granted for industrial development and the Wrexham UDP settlement boundary was drawn around the site.
 - It would appear that the Authority have ignored the planning history, UDP status and fact this site is brownfield, amongst other issues; we will be seeking to address these and other matters moving forward. There is no justification for removing the site from the settlement boundary and no evidence to support its its designation as a wildlife site.
 - We have proven (through a host of our own evidence base that there are no known technical environmental or engineering constraints in bringing this site forward for development.
 - All known issues (e.g. contamination, drainage/floodrisk, ecological, highway/access, minerals, agricultural land quality, tree and archaeological) have either been addressed or are in hand.
 - The site development capacity has been tested to demonstrate that development can be accommodated.
 - Indeed, we have shown that a host of public benefits exist including public access, wildlife network / biodiversity enhancement (long term management) and economic growth (jobs and investment) betterment can be delivered through the allocation and development of this site for employment purposes.
 - The owners are n advanced discussions with a development partner, have established site viability, are preparing a planning application for the site and have a list of potential occupiers that confirms demand.

RECOMMENDED ACTIONS

- Allocate the site at The Oaks, WIE (**WIE02CS**) for employment use (capacity 10 ha net) as per the Development Masterplan Prospectus document dated April 2018 (see **APPENDIX B**).

BP01b : Population & Household Projections with Dwellings and Employment Impacts (January 2018)

- Linking population growth to employment need raises concern over the logic and practicalities of such an approach being used to calculate the number of jobs and subsequently determine the amount of new employment land allocations.
- The Authority appear to be saying that a total of 8,500 new dwellings over the plan period correlates to 4,700 new jobs and a need to find 32.8 ha of employment land allocations. They assume that the ratio will be based upon 143 jobs per hectare or 1 job / 21 sqm of floorspace and assume an average density of 3,000 sqm of floorspace per hectare, which would suggest that 98,400 sqm of floorspace could be generated.

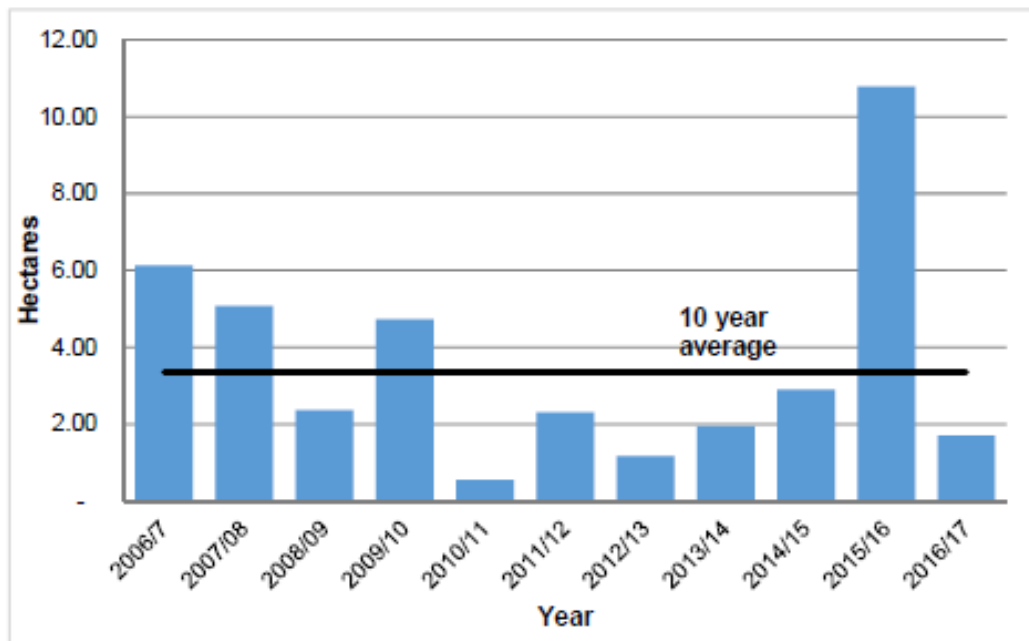
	Proposed growth option 2014-based 10 year migration trend (WG)	2014-based 5 year migration trend (WG)	Preferred strategy - Feb 2016
Household growth	7,500	5,800	10,250
Dwelling impacts – change 2013-2028			
Households to dwellings	7,750	6,000	10,650
Plus contingency	750	600	1,050
Total	8,500	6,600	11,700
Annual figure	570	440	780
Employment impacts – change 2013-2028²			
Job growth	4,700	2,700	7,550
Land (ha)	32.8	19.0	52.9

- We do not accept that this is a sound method and the BE Groups method (taken from their 2015 ELR : where their cost-calculators are derived) is not credible and undermines the Council's employment land requirement. Given that the vast majority of Wrexham's employment growth is concentrated on industrial land (at the WIE) it follows that such uses are a lot more land hungry than B1 offices are, and that for Wrexham (unlike Manchester) this will equate to more land being required and lower densities.
- The fact is that employment densities can vary wildly and if one applied the more accurate HCA Job Density rate of 42 jobs per hectare (or 1 job / 70 sqm of floorspace), then whilst accepting an average density of 3,000 sqm / ha the resultant employment land allocation need would be closer to between 111 ha (based upon 42 jobs / ha) and 67 ha (based upon 98,400 sqm of floorspace and 1 job/70sqm).

- We would endorse the HCA method and experience suggests that we are proven right having handled many industrial occupier demands over the years.
- The employment completion rate has been an average of 3 to 4 ha per annum over the past 10 years, although it was once a lot higher as the chart below illustrates.

Chart 3.3: take up of employment land in Wrexham County Borough

Source: employment land monitoring report, Wrexham County Borough Council



- There is a spike in 2015/16 which is attributed to the new Prison.
- If past completions were used then the need would suggest 3 ha per annum x 15 years = 45 ha.
- However, neither the HCA calculator method nor past completions are being relied upon and we would question the accuracy of this.
- Indeed, we are concerned by inconsistent figures being used. The Deposit LDP proposes 28 ha of new allocations and refers to 4,200 jobs, whilst this paper suggests 4,700 new jobs and refers to 32.8 ha of land ... which set of figures are the Council relying upon ? Either way, they are short on employment allocations by some 40 ha.
- Thus, the Authority need to allocate an additional 40 ha (minimum) to serve the employment need.
- Additionally, the latest 2013 NOMIS statistics for job density in Wrexham suggest that there are 0.73 jobs per working age person so with an assumed population increase of between 12,800 over the plan period the potential need job growth could be as large as 9,344 jobs over the plan period, which would equate to far more land being required.

EBH02a : Wrexham CBC Viability Study (January 2018) : Andrew Golland Associates

- Sample tests ignore any form of infrastructure cost, abnormals and finance.
- Section 7 on “Commercial” assumes (Para. 7.7) that commercial cleared employment sites have a latent value of £260k/hectare (equivalent to £637k/acre); this is wildly inaccurate and wholly unrealistic and we are aware that prime land on the Wrexham Industrial Estate can only generally command around £150k/acre (equivalent to £61k/ha). This would suggest that the consultants have not gathered any market intelligence and, like their residential valuations, the study is flawed.

BP09 : Settlement Boundary Review (January 2018)

- We have reviewed this document and we do not agree that the Oaks site on Redwither Road, WIE be excluded from the settlement boundary limit and object to the proposed extension to accommodate the KSS3 Bryn Lane site at WIE; there is no justification for this and it should not change; we therefore recommend designating it for employment purposes to reflect the aspirations set out in the Development Masterplan Prospectus document dated April 2018 (see **APPENDIX B**).

BP07 : Employment Land

The Authority is seeking to follow and reflect the advice contained within Employment Land Review (ELR) of October 2015 (BE Group).

Existing Supply / Allocations

25 existing employment site locations are retained and protected (under Policy SP9) and identified at Policy EM1.

Only one employment allocation is being made (SP11 : KSS Bryn Lane for 40 ha gross). The Council claim that the KSS3 site will deliver 28 ha (net), but we have calculated that this is more like 25.7 ha due to buffer constraints.

The suggestion and claim by the Council is that 45 ha of employment land is needed for the plan period (3 ha per annum) and that there is an existing supply of 66.7 ha, so with an additional 28 ha allocated this would lead to a total supply of 94.7 ha and therefore an over-supply of 49.7 ha.

Requirement / Demand

The Council rely upon the ELR and are seeking to deliver between 4,200 and 4,700 jobs and have translated this into a need for 33 ha of new employment land allocations. We do not agree with the methodology used to calculate the requirement and believe it to be flawed.

The ELR based quantum is also at odds with the past evidence base. Indeed, LDP1 referred to the GVA Employment Land Study of 2007, which indicated that demand was between 68 and 103.5 ha over the 15-year plan period of 2006 and 2021 (which would result in between 4.5 and 6.9 ha per annum). The Plan proposed 120 ha of land (8.0 ha per annum) with 70 ha of allocations.

The BE Group 2015 ELR have recommended:

- Identifying a minimum growth requirement allocation of 35 ha (between 2013 and 2030), which would translate to 30.9 ha over the plan period
- Protecting existing employment sites across the Borough to maintain employment land supply

However, the ELR has recognised:

- That an alternative growth requirement consistent with past take-up rates would give a required allocation need for 60 to 70 ha over the same 2013 to 2030 period which would translate to between 52.9 and 61.8 ha over the plan period

Take-up

The GVA 2007 report referred to the rate of employment take up having varied over the years as being around 20 ha per annum during the 1980's and 1990's. From 1997 to 2007 the average take-up was 6.87 ha per annum.

More recently, the average take-up has been 3.35 ha per annum; but that is largely down to lack of supply and the poor competitive accessibility of the WIE.

Historically, the WIE has indeed been the core delivery location for employment land and this has not changed; we support the Authority in seeking to focus employment in this location. The completion of the Welsh Government funded £35M link road has been key to maintaining the WIE competitive advantage and yet achieving a return on this investment by attracting new companies will be difficult without new allocations and development being supported at WIE.

However, since the road improvements there has been very little activity of delivering new jobs and sites at WIE and we believe this is largely down to the lack of supply and the restrictive planning policy constraints (ecology) that have been imposed.

Whilst the Council might claim that take up averages have been good (at around 3.35 ha per annum over the past 10 years this is artificially "spiked" by the new Prison so the average is more like 2 ha per annum.

This is still way below historic rates of around 6.87 ha per annum identified in the GVA report.

Assessment of Demand

We believe, that whilst there might appear to be an over-supply the fact is that :

- If there is to be a population increase of 12,800 over the plan period this could translate (using the NOMIS statistical calculator of 0.73 jobs per working age person) to a need to deliver 9,344 jobs over the plan period
- If you use the more robust HCA jobs/floorspace/land calculator then 4,700 new jobs could be between needing to provide for between 67 and 111 ha of new allocations
- If you used the GVA past take up rates of 4.5 and 6.9 ha per annum this would lead to between 67.5 and 103.5 ha of new allocations

Assessment of Supply

The ELR was last updated in 2015. It is considered to be out of date. It suggested that 80.5 ha of employment land existed and recommended identifying another 35 ha (between 2013 and 2030 (which would equate to an area of 30.9 ha over the plan period).

We must now consider whether the existing supply of 66.7 ha is accurate and can be relied upon and to do this we must interrogate the Policy EM1 Existing Employment Land table.

SITE	Proposed Supply	Available Site (net ha)	J10 Comments
Bryn Lane, WIE	32.2	8.0	Kingmoor Park own site; however, half of site has option for power station on it, so not available and the other half has extant permission (granted on appeal) but only with 50% coverage reducing its gross from 19 ha to 8 ha
Bryn Lane, WIE (KSS)	40.0	28.0	Buffers actually result in net area of 25.7 ha No developer/landowner commitment to release
E1.21 Ridey wood Road, WIE	3.3	3.3	WG land – being held back for Cytec expansion
E1.17 Redwither (ii), WIE	0.9	0.9	Isringhausen apparently looking to dispose of site
E1.20 Redwither (v), WIE	0.77	0.00	Not available
Site C Coed Aben Road (ii), WIE	2.35	1.8	FI owned site : PP being prepared for neighbour expansion
E1.10 Clywedog Road South (i), WIE	1.21	1.21	Apparently available
E1.11 Clywedog Road South (ii), WIE	1.96	1.96	PP for five units : apparently available
E1.12 Clywedog Road South (iii), WIE	6.5	3.29	FI owned site, however, UDP seeks to reduce allocation down by 50%, but emerging LDP seeks to reduce site further by buffers and green network
WIRE Sub-total		48.46	Council assume 46.6 ha : so we assume these are the sites making up the supply
Llay IE	82.7	0.00	No capacity
Former steelworks site, Brymbo	8.0	8.0	Doubtful it will attract investment and more likely to come forward for residential
Chirk IE and Canal Wood IE, Chirk	66.87	0.00	No capacity
Vauxhall IE, Johnsown and Gardden IE, Ruabon	30.1	0.00	No capacity

Croesfoel IE and Bersham Enterprise Centre, Rhostyllen	17.0	0.6	Site too small to provide meaningful level of new employment
Gresford IE, Wrexham	18.1	1.1	Site very small to provide employment of any significant scale
Wynnstay Technology Park, Cefn / Acrefair	8.42	1.4	Owners has alternative use aspirations; although PP granted for mixed use with light industrial units
Western Gateway, Ruthin Road, Wrexham	14.7	4.3	Option to Moneypenny
Wrexham Technology Park, Wrexham	23.3	0.00	No capacity
Five Crosses IE, Minera / Coedpoeth	7.9 ha	0.28	Site too small to provide meaningful level of new employment; PP granted for office workshop units
Rhosddu IE, Wrexham	12.9	0.00	No capacity
Advance Park IE, Rhosymedre / Cefn / Acrefair	6.1	0.00	No capacity
Whitegate IE, Queensway, Wrexham	10.1	0.00	No capacity
Puleston IE, Wrexham	2.98	0.00	No capacity
Two Mile IE, Brynteg	0.94	0.00	No capacity
Penley IE, Penley	4.4	0.00	No capacity
Pandy IE, Gresford	4.45	0.7	Site too small to provide meaningful level of new employment: PP exists for two units totalling 855 sqm
Southsea IE, Southsea	1.82	0.3	Site too small to provide meaningful level of new employment; site is not serviced
Westminster IE, Gwersyllt	3.8	0.00	No capacity; indeed PP for residential was granted on this site despite the protective UDP policy and no marketing was requested of the applicants
Coppi IE, Rhos	3.94	0.00	No capacity
Lightwood Green IE, Overton	5.22	0.00	No capacity
Llay Hall IE and Riverside Business Park, Cefn-y-Bedd, Sydalit	7.88	0.00	No capacity
Ruabon Business Park, Ruabon	3.42	3.42	Doubtful this will deliver due to focus on residential and mixed use
Rossett Business Village, Rossett	0.91	0.00	No capacity
Sub-Total : WIE	513.45 ha	46.6 ha	
Sub-Total : Elsewhere	345.95 ha	22.1 ha	
TOTAL	859.40 ha	66.7 ha	

This table shows that out of 859.4 ha of designated employment land a total of 66.7 ha makes up available supply. However, what is erroneous is the fact that this actually includes the new 28 ha allocation; with the remaining 38.7 ha being existing supply that has failed to be taken-up over past plan periods.

Many of the sites located out-with of the WIE are vulnerable (e.g. Brymbo, Ruabon, Westminster) to alternative use and we would suggest these cannot be relied upon to deliver towards employment land supply. We would apply a discount of 50% to the sites located out-with of the WIE reducing the supply from 22.1 ha to 11 ha.

The fact is that most extant supply (UDP allocations) have little prospect of being developed because of their location and ability to deliver.

With respect the WIE sites it is clear that the only truly available sites are the Bryn Lane (Kingmoor Park) site, Bryn Lane (KSS3) site and FI-REM owned sites. Thus, the actual supply of 46.6 ha must be discounted by 10 ha down to 36 ha.

This results in a supply of 47 ha of which 28 ha is the new allocation. Therefore, the Council's claim that they are over-providing in terms of supply is erroneous and the suggestion, there is an employment over supply is without foundation. Indeed, there is barely enough to cover their (less than credible) 45 ha requirement.

In the light of this, we would urge the Council to make available much more employment land and we are of the opinion that a site like the 10 ha (net) Oaks site needs to be allocated. Moreover, they are seeking to develop out a greenfield site before more plausible brownfield options and they have no "Plan B" reserve sites and ought to or risk the plan being found unsound.

The Council's own Economic Development team expressed a concern at the LDP1 Examination that the plan did not make any reference to "create a strategic offer" and even now they acknowledge that there is a serious lack of supply at WIE. It would appear that insufficient strategic offer is being made and we would urge the Authority to allocate and include The Oaks at Redwither Road as a key strategic employment site; it is ready to deliver, viable, available and suitable and the landowner is willing to release. The same cannot be said about the KSS3 site and this places the LDP at enormous risk.

KSD04 : Deposit Plan : Policies

- The table below provides a summary of concerns we have with key policies.

POLICY	POLICY NAME	COMMENTARY
SP6	Planning Obligations	This policy sets out a shopping list of items that could be sought from developments; our caution and concern is that it needs to recognise and include a viability mechanism to ensure that schemes are not “over-loaded” with challenging obligations and moreover that some prioritisation is given so developers can be clear on what items are most important. The policy wording needs to be amended to include flexibility within the policy to allow for Viability assessment to be undertaken and submitted to demonstrate viability. To establish pre-existing obligations on all developments without a mechanism for review. Will render many scheme unviable and undeliverable. The Council need to allow for a mechanism to test contributions for any given development, and to allow the applicant the opportunity to demonstrate with robust reasoning why some obligation cannot be meet. There is also a significant risk of the policy being directly linked to the Infrastructure Plan (2018) and the obligations commitments within it. This cannot be the case. It is requested the wording of Policy SP6 is amended to allow for a review mechanism. The Policy without this wording is not sound and the lack of any “prioritisation” is a weakness.
SP9	Economic Growth, Employment and Enterprise	We do not support the identification of a 28 ha greenfield site at WIE when there are already adequate brownfield alternatives available; for example, the 10 ha net area of site at The Oaks on Redwither Road, along with a variety of FI-REM controlled sites. We question the correlation between 4,200 jobs and the amount of land identified for allocation. We also question the need to protect all existing 25 employment sites, when the Authority have been prepared to grant permission for alternative uses (without any marketing evidence) in the past. The suggestion is that 45 ha is needed for the plan period and that an existing supply of 65 ha is available, so with an additional 28 ha allocated this will lead to a new supply of 93 ha. However, we question these levels and suggest the 65 ha is far lower and very vulnerable. We would propose that the greenfield employment site allocation is not developed in advance of brownfield alternatives being exhausted. We would propose the allocation and identification of The Oaks site as an employment allocation.

SP10	Wrexham Industrial Estate	We agree that WIE should be identified as the primary focus for new employment growth. It recognises that it can accommodate “ancillary related development” and we would urge the Authority to recognise that there is a need to enable other uses to be developed (many will deliver jobs) such as retail/leisure and even some residential too. We strongly object to the proposed ecological network that is proposed; there is no logic to it and areas of undeveloped land have simply been highlighted, many do not provide physical interconnectivity and are isolated. Moreover, the policy fails to identify any plan to deliver ecological betterment and in identifying various landholdings for this network the Council appear to have forgotten that they cannot compel landowners to deliver ecological betterment. We also question the evidence base for the network because there is no up-to-date survey and assessment data provided to demonstrate these areas (let alone proposed wildlife sites) have any value. The policy is contrary to PPW and TAN5 which are very clear in their direction regarding non-statutory designations and balancing ecology conservation and enhancement with economic benefits. Indeed, without (viable) development coming forward there is simply no incentive for landowners to offer up their land for such use. The policy (along with SP15 and NE1 and NE2) fail to identify a mechanism in delivering the green network ambition.
SP11	KSS3 Bryn Lane, WIE	We do not support this site being identified whilst there are alternative, available, viable and more suitable sites located on the WIE that are brownfield in nature. Indeed, we have calculated that the KSS3 comprises a total of 40 ha (gross) of land being identified for designation yet only 25.7 ha (net) is developable due to buffer constraints. Indeed, the proposed buffers will not allow for a commercially attractive or viable site being developed and the buffers may further reduce the net area. Moreover, no evidence has been produced to demonstrate that the site is available, viable and suitable. To restrict areas of the site to B1 offices when there is no market for offices on the WIE is highly questionable. We would propose that this greenfield employment site allocation is not developed in advance of brownfield alternatives being exhausted.

SP15	Natural Environment	This policy infers that “at all costs” such designations and features will be protected, conserved and enhanced. It places the same protection on RAMSARS as it does for locally designated wildlife sites, this is contrary to PPW and TAN5 and the protection should be proportionate. We feel the policy ought to include reference to a balancing exercise being undertaken to assess whether the benefits of development may outweigh any minor harm identified.
SP16	Historic and Cultural Environment	This policy infers that “at all costs” such designations and features will be protected, conserved and enhanced. Yet, we feel the policy ought to include reference to a balancing exercise being undertaken to assess whether the benefits of development may outweigh any minor harm identified. AS such it needs to recognise the role of heritage impact assessments in assessing the significance of such assets and whether indeed harm might result from development and the advice contained in PPW and TAN24.
NE2	Locally Designated Sites of Nature Conservation and Geological Importance	This policy runs contrary to PPW and TAN5. Reference is made to a 2015 Local Wildlife Survey, but this is not provided as an evidence base document. We support the objections made under SP110 and SP15 as they are consistent with our concerns.
NE6	Waste Water Treatment and River Water Quality	The Council should be encouraging the statutory providers to share their capacity and investment plans rather than placing the burden and obligation upon the development sector, which cannot be expected to shoulder the whole costs of potential infrastructure improvements; indeed, the cost of many schemes can make development unviable as it becomes yet another layer of abnormal costing. In identifying new development and growth the statutory providers should be looking at what this might mean for them as they have duties and responsibilities to deliver capacity.
H4	Gypsy Traveller Sites	We are concerned that the 3 sites identified at Brymbo, Llay and Hanmer could undermine the LDP and would ask the Council to ensure the policy is sound to ensure the LDP can be adopted.
EM1	Protection of Existing Employment Sites	The table here suggests that just 66.7 ha supply exists which includes the 28 ha at KSS3; therefore, the suggestion that there is an over-supply is erroneous. We consider far more land is required to fulfil employment need; we have direct experience and intelligence that would suggest that there are companies (outside of the Borough) who would be keen to located at WIE but are unable to secure premises because of the current planning regime.

EM2	Provision of supporting facilities for employees in Business, Industrial and Warehousing Developments	This policy is welcomed and recognises the lack of diversity and supporting ancillary services and facilities in what is the UK's 2nd largest industrial estate after Trafford Park, Manchester. The Council's decision to approve the development of a Prison (HMP Berwyn) upon the WIE has accelerated the need for a small local centre that serves not just employees, but visitors alike. However, we would like to see the policy wording changed because on sustainability ground alone it does not make sense to start dispersing such services across a wide area but to concentrate them to ensure linked trips are made. Additionally, we would recommend that the definition of leisure does not become too exclusive and ought to include serviced accommodation (hotels).
RE1	Development and Renewable Energy	Building regulations seek to maximise energy efficiency. District heating networks will add a new additional cost on sites of 100+ dwellings (and commercial schemes exceeding 1,000 sqm) that may reduce viability. The threshold proposed is too low and the Council need to provide justification within the evidence base to demonstrate that all development above 100+ can provide a District Heating Network.

RECOMMENDED ACTIONS

- Amend the policies above in line with the concerns raised.

KPD16 : Tests of Soundness Self-Assessment (Deposit Plan) (March 2018)

- The plan will be examined on whether or not it meets the tests of “**Soundness**”, namely, whether it meets procedural, consistency, coherency and effectiveness tests. We are not concerned with the Procedural tests but have concerns in relation to the more important consistency, coherence and effectiveness soundness tests, which are summarised in the table below.

SOUNDNESS TEST	COMMENT
<i>Does it have regards to national policy and WSP ?</i>	NO : it does not fully reflect PPW, WSP or TAN guidance
<i>Is it supported by robust, proportionate and credible evidence base ?</i>	NO : some of this evidence base is flawed and not credible
<i>Are the vision and the strategy positive and sufficiently aspirational ?</i>	NO : housing and employment targets are not expressed as “minimum or at least”
<i>Have the ‘real’ alternatives been properly considered ?</i>	NO : no alternative “plan B” exists should “Plan A” fail and we remain unconvinced about it having explored any alternatives were this to happen. The Council have not addressed this concern from the previous Examining Inspectors comments.
<i>Is it logical, reasonable and Balanced ?</i>	NO : with a high dependency upon such narrow housing tenures, a requirement to meet all affordable housing needs and ignore viability issues the housing policies are unbalanced and unrealistic.
<i>Is it coherent and consistent ?</i>	NO : not entirely consistent with PPW and TANS
<i>Will it be effective ?</i>	Only if changes are made
<i>Can it be implemented ?</i>	Only if changes are made
<i>Is there support from the relevant infrastructure providers both financially and in terms of meeting relevant timescales ?</i>	NO : There is no commitment made by providers other than to accept and agree that developers will end up funding such improvements and contributions.
<i>Will development be viable ?</i>	NO : we have significant concerns over the imposition of a 30% to 40% affordable levy along with other infrastructure loadings which will not make it easy or attractive to develop key housing allocations and windfalls out
<i>Is the plan sufficiently flexible? Are there appropriate contingency Provisions ?</i>	NO : there is no “Plan B” and no contingency measures; a 10% flexibility allowance is insufficient
<i>Is it monitored effectively ?</i>	NO : we do have monitoring concerns which relate to a significant amount of the plans housing trajectory loaded to later in the plan period by which time it will be too late to implement and introduce a “Plan B”

- We presently fear there are risks to the plan being found unsound due to issues with its consistency, coherence and effectiveness. However, we are keen to assist the Council, wherever possible, to help achieve a sound plan and early delivery of the site.

APPENDIX A
LDP1 Inspectors Findings Report
16 February 2012

INSPECTORS' PRELIMINARY FINDINGS

1. INTRODUCTION

- 1.1 During the opening week of hearings several potentially significant concerns emerged in relation to aspects of the Plan, particularly in relation to housing. This preliminary report has been produced to inform the Council of the seriousness of our concerns in order that the Council may consider their implications and reach an informed decision on how it would wish matters to be progressed. These preliminary findings have been informed by all the duly made representations that are before the Examination and the evidence submitted in relation to Hearing Sessions 1 to 6 held between 25 and 27 January 2012.
- 1.2 When considered individually some of the concerns identified are potentially so serious that they may undermine the soundness of the Plan, others, when considered in isolation, may be capable of being addressed through changes to the Plan. However, the number and extent of changes already identified and the likelihood that several others would arise in relation to the postponed sessions, indicate that the necessary changes may go beyond that which can be reasonably introduced at this stage in the Plan preparation process. The extent of these changes also raises concerns regarding the time implications that would be required to enable the Council to prepare and draft the necessary alterations during the course of the examination (see Section 9 of Examining Local Development Plans, Procedure Guidance – The Planning Inspectorate Wales, 2009).
- 1.3 An additional concern is the failure of the Council to empower its representatives at hearing sessions to suggest any changes to the Plan in response to identified shortcomings. The absence of any delegated powers vested in officers representing the Council frustrates the ability of the sessions to seek to resolve even fairly minor matters. The Council were advised of the need to secure delegated authority at the Pre-Hearing Meeting.
- 1.4 Sections 3, 4 and 5 of this report detail the fundamental concerns that have arisen, whilst section 6 outlines the other significant concerns that have been highlighted in the first week's hearing sessions. Potentially significant matters relating to sessions that have not yet been heard are set out in section 7, followed by concluding comments in section 8.
- 1.5 The Inspectors' approach from the outset has been to work with all parties towards achieving a sound Plan which could be recommended to the Council for its adoption. However, in light of the evidence which is now available it is the Inspectors' initial finding that the extent of the concerns identified in this report indicates that this may not be

achievable. The Exploratory Meeting has been arranged to enable the available options to be discussed with the Council.

2. Summary of the Main Findings

- 2.1 The main findings in this preliminary report concentrate on the topics covered during the opening week's hearing sessions. Other potential concerns are also mentioned but the comments in this respect are qualified by the fact that they have not yet been subject to oral examination at a hearing session. For this reason these matters are referred to as 'Other Potentially Significant Concerns'.

Fundamental Concerns

- A significant shortfall in the supply of housing which, if it were to be addressed, would undermine the strategy of the Plan of confining general housing to within settlement boundaries.
- A failure to take reasonable steps to secure an appropriate supply of affordable housing.
- A lack of suitable provision to meet the needs of the gypsy and traveller community.
- A failure in the Plan to respond to its own evidence base.
- An incoherent use of evidence e.g. short and long term trends used inconsistently to justify low housing figures.
- That cumulatively the changes that would be likely to be required would go beyond those which should be necessary to secure a sound Plan within a timely fashion, taking account of the potential need for an Appropriate Assessment and a Strategic Environmental Assessment/Sustainability Appraisal.

Other Significant Concerns

- The overall level of growth proposed by the Plan may lack sufficient ambition in terms of strengthening Wrexham's role as a key hub as envisaged in The Wales Spatial Plan 2008 Update.
- General lack of phasing throughout Plan.
- General lack of clarity and certainty within policies in relation to, amongst other matters, the definition of terms used, development densities and commuted sums.
- A lack of prioritisation in relation to planning obligations i.e. affordable housing versus infrastructure, open space etc.
- Some policies lack effect, are unduly onerous, pull in the opposite direction to their intended objectives, and contain drafting errors.
- A lack of flexibility in the Plan, in particular overly rigid policies.
- The Plan does not make adequate provision in response to the introduction of the Community Infrastructure Levy in 2014.
- The flow and understanding of the Plan is hampered by a lack of cross references to national policy.

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- There is over-dependence on supplementary planning guidance (SPG) to deliver policy, with no clarity of proposed content or timescales for their preparation leading to a likely absence of essential guidance between adoption of the Plan and the Council's adoption of its various SPGs.
- Some monitoring indicators are unclear and are therefore likely to be ineffective.

Other Potentially Significant Concerns

- The approach to the protection of the natural environment fails to reflect the relative significance of international, national and local designations.
- The approach to green wedges does not have adequate regard to national policy.
- The Plan's approach to growth in the employment and retailing sectors does not reflect the Wales Spatial Plan's desire to see the strengthening of Wrexham as a key hub.
- Concern that the allocation of employment land has not sought to meet the likely future demand from the high technology sector which has been identified as having the greatest potential to grow.
- Concern that the envisaged scale of growth in the employment sector may be hampered by the limited pool of suitably skilled workforce that would be likely to result from the Plan's more restrictive approach to housing growth.
- Concern that the proposed imbalance between the scale of employment and housing growth may lead to employees commuting into the County to work, thus limiting the economic benefits to the area and increasing car borne journeys.

3. HOUSING NEED AND SUPPLY

- 3.1 These matters were the subject of Hearing Sessions 3 and 4 held on 26 January 2012.

National Planning Policy

- 3.2 Planning Policy Wales Edition 4 February 2011 (PPW) confirms in paragraph 9.2.2 that the latest Welsh Government (WG) local authority level Household Projections for Wales should form the starting point for assessing housing requirements. It also states that: '*Local planning authorities should consider the appropriateness of the projections for their area, based on all sources of local evidence, including the need for affordable housing identified by their Local Housing Market Assessment*' and: '*Where local planning authorities seek to deviate from the Assembly Government projections, they must justify their own preferred policy based projections by explaining the rationale behind them*'.

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- 3.3 Paragraph 9.2.1 of PPW sets out the matters which local authorities should take into account and which may justify deviating from the Government Projections. These matters include, amongst other things, the capacity of an area in terms of social, environmental and cultural factors. Paragraph 9.2.3 sets out the requirement on local planning authorities to ensure that sufficient land is genuinely available or will become available to provide a 5 year supply of land for housing.

Housing Figures in the Plan

- 3.4 The Council's Background Paper 5, Population, Household Growth and Housing Numbers, Updated September 2011 (BP5), explains that the proposed level of housing to be provided by the Plan will provide sufficient homes to accommodate the projected demographic increase (births/deaths and household formation trends) set out in the latest (2008 based) WG projections, and to meet 60% of the projected increase arising from migration trends (both international and from within the UK).
- 3.5 During the hearing sessions the Council accepted that the 8065 figure set out in Policy SP3 represents the target number of houses which are required to meet the identified need. Although it was acknowledged that this figure when originally calculated represented the supply figure and included an element of slippage, the Council had subsequently accepted that 8065 should be the target figure. Accordingly it was agreed that to meet this figure the Plan should provide an additional 10% supply figure in line with the accepted contingency for slippage. Thus, notwithstanding that the Council's officer could not agree to revised figures without prior consultation with the Planning Policy Panel, it is the Council's position that the figure in Policy SP3 should read 8870 (rounded-off figure). On this basis the Plan has a shortfall in its provision of new housing of 805 units. The Council confirmed that it has not identified a list of reserve sites upon which it could rely in the event that the Examination revealed a requirement for additional sites.

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Population Trends and Calculations

- 3.6 The calculation of housing need in the Plan originated from the WG's 2003 household projections for North Wales which was apportioned between authorities by the North Wales Population and Housing Research Group which produced population and household projections in 2005. This identified a requirement for 6300 homes in Wrexham County Borough. Following publication of the first WG household projections specific to the County which were based in 2006 and published in 2009, it was decided that the Plan should provide for an increase in the number of houses from the figure of 6300 set out in the preferred

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strategy, to a revised policy figure of 8065¹. The Plan was prepared prior to the publication of the WG's 2008 based household projections, but this data was used to inform the update to BP5. The Council describes the change between the 2006 and 2008 data as modest, accounting for an increase of 360 in the number of houses needed.

- 3.7 The 2008 projection figures extend over the period 2008-2023. During a hearing session there was agreement that using the mid year estimates for the first 2 years of the Plan (2006-08) combined with an adjustment based on the annual rate of growth derived from the Projection multiplied by the remaining number of years (2008 to 2021 = 13 years) would result in the requirement for 11,786 homes over the Plan period when an allowance for a vacancy rate of 4% and a 10% increase on that total to provide for slippage is included. This total equates to an annual rate of 786 units, compared with the corresponding figure provided by the Plan of 538.
- 3.8 The Council has referred to past build rates in the County over the last 14 years of some 400 dwellings per annum², which was well above the rate provided by the UDP. The lifespan of the UDP ended in 2011 and its housing provision has been built out.
- 3.9 Despite arguing that the 2008 projections are not a reliable indication of the future requirement for new housing the Council has not undertaken its own statistical-based analysis of household projections. It could have chosen to run the WG statistical model itself as a means of testing the effect of inputting different assumptions but has not done so, explaining that it had experienced difficulties in obtaining the model. Thus, whilst the Council has sought to undermine the reliability of the WG Projections it was unable to provide any alternative figures.
- 3.10 The Council confirmed that it did not dispute the figures regarding natural change in population or the household formation rates. Its main reasons for not accepting the projection figures are that the assumed rates of domestic and overseas migration into the County are based on past rates that are considerably higher than it predicts will occur in the future. Both of these contentions are summarised and considered below:
- i) *Rates of immigration over the past 5 years provides an unreliable indicator of future rates* – Overseas migration accounts for a relatively modest proportion of the annual increase. The Council contends that a projection of immigration rates based on the past 5 years is unreliable given that the early part of the period saw unprecedented rates of immigration into Wrexham from Eastern Europe, particularly from Poland. The Council predicts that such rates will not occur in the future. However, it was accepted at the hearing

¹ BP5 6.3.3

² BP5 6.5.18

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that the annual rate of immigration assumed by WG projections is similar to that identified in ONS figures cited by the Council (Figure 15, BP5). The Council also accepted that whilst there was anecdotal evidence that some of the Polish community had moved back to their homeland in recent years there was little reliable information available to suggest that immigration patterns over the Plan period would be significantly different to that predicted in the WG Projections.

- ii) *Past rates of in-migration have been unduly influenced by the movement of people from Cheshire West and Chester Council (CWAC) which is a trend that will not continue.* A cornerstone of the Council's case in seeking to reject the WG projections is its assumption that past trends of in-migration from within the UK would drop markedly. This contention was based on an anticipated change in planning policy which would see the presently restrictive approach to housing in the neighbouring CWAC being replaced with a strategy that would see, in broad terms, that county meeting its own housing needs. Again no analysis has been made of the proportion of in-migration generated from CWAC as distinct from other neighbouring authorities and further afield. It was accepted that, given Wrexham's size and range of attractions and facilities, it is reasonable to expect that it would draw in-migrants from other parts of the region. The relatively cheap housing it provides when compared to CWAC could also mean that it may attract in-migrants even if house building rates increase in that County. In any event there are no figures available to suggest the likely effect on in-migration from the envisaged policy change. Moreover, the Council confirmed that the policy change would only have a direct effect on housing supply after the CWAC site allocation Development Plan Document (DPD) has been adopted. This would be no earlier than 2015, and even then the Council confirmed that some slippage was anticipated. In these circumstances, it appears that Wrexham would be unlikely to see any effect on in-migration from this anticipated change in planning policy until the later part of the Plan period.

- 3.11 In support of both the above contentions it is argued that the 5 year period on which the projections are based is an inappropriate timeframe on which to make reliable projections. However, the Council does not rely on an alternative time period, but suggests on the one hand that a 10 year period would enable peaks and troughs to be smoothed out whilst, elsewhere, the Council seeks to rely on trends over the past 2-3 years to suggest that the 5 year trend is an unreliable indicator of future patterns. During the hearing, WG explained that whilst there are drawbacks with using a 5 year period on which to base its projections, this was found to be the most suitable period following detailed consideration informed by extensive consultation. There is no reason to conclude that it is not the most suitable approach in this case.

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- 3.12 The Council has failed to justify departing from the latest WG Projections in the Plan's identified housing requirement. The available evidence indicates that the housing requirement for the County over the Plan period is 11786. This means that, given the Plan's failure to provide the 10% contingency in its housing supply which the Council accepts is required, the shortfall in the identified supply is 3721.

Environmental and Other Considerations

- 3.13 The Council considers that it should not provide this higher level of housing growth on the basis that it would cause an unacceptable impact on the environment and on the cultural character and social cohesion of communities. The Council's main arguments in support of this stance are summarised and addressed below:

- i) Environmental impact – Whilst an Urban Potential Study³ was commissioned by the Council, this focused on sites within settlements defined in the adopted Unitary Development Plan (UDP). Outside settlements, there has been no formal assessment of environmental impact. Nonetheless, as most alternative sites before the Examination fall outside settlements they are contrary to the Plan's strategy, and have been rejected as unsuitable by the Council for that reason. The Council considers that there is a strong landscape conservation reason for continuing to place controls over settlement expansion by retaining the settlement limits set out in the UDP. It says that this is demonstrated by its desire to safeguard Special Landscape Areas (SLAs), though at the hearing it did not dispute that such designations are commonly found throughout the country. Although part of County has recently been designated as an Area of Outstanding Natural Beauty, it was accepted at the hearing that there was no reason to believe that the character of the County was such that it could not accommodate any expansion of settlements.
- ii) Social/linguistic – The Council considers that excessive housing growth would lead to a large increase in the level of in-migration, which could damage community cohesion and demographic structure of the population. However, there is no evidence to indicate the nature of any impact that would arise from greater build rates. Moreover, there seems to be no acknowledgement that in this respect the restrictive approach may have a harmful effect on the ability of local residents to find homes that would enable them to continue to reside in their community.

- 3.14 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. It appears

³ Wrexham Urban Potential Study (ENTEC 2007)

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that the restrictive strategy has been a locally popular approach in response to concerns regarding high levels of migration into the County. However, the Council accepts that the Plan cannot directly influence migration patterns and that higher house prices and the availability of well paid jobs within easy commuting distance may mean that migration patterns continue, thus restricting the ability of local residents to access housing in their communities. This could have a seriously harmful impact on the local population and does not appear to have formed part of the Council's appraisal of the most appropriate housing supply figure.

- 3.15 The Plan identifies the provision of 'enough quality housing, including affordable housing' among its objectives. Whilst the Plan was prepared on the basis that it would meet its identified need for affordable housing, for reasons set out elsewhere in this report it is evident that this will not be the case. Restricting housing growth will limit the scope to secure affordable housing as a proportion of general market housing. This again suggests that the advantages of the Council's approach have not been weighed against the potentially detrimental impacts of such a restrictive approach to housing growth. The impact on delivery of affordable housing reinforces the need to provide housing at the level in line with the WG Projections.

Housing Supply

- 3.16 The identified supply of housing is comprised of various elements: existing commitments i.e. houses built, under construction or with planning permission (4885); sites allocated in the Plan (1925); 100% affordable housing sites on publicly owned land (345); and windfall sites (910). The 2010-11 Joint Housing Land Availability Study (JHLAS) (SDE03) is yet to be agreed but this provides updated information that indicates an increase in commitments but slippage in the number of units that would be delivered on the allocated sites and the 100% affordable housing sites, which was confirmed at the hearing sessions. The Plan's proposed housing supply is not supported by a trajectory of provision and there is little evidence to suggest a timely delivery of housing. Moreover, evidence from the house building industry raises concerns that many of the allocated sites will not come forward in the short term because of the particular challenges in developing brownfield sites in a difficult economic climate when lenders are risk averse in the face of potential unidentified abnormal costs. The evidence provided in the Entec Urban Potential Study (page 53) also indicates that for viability reasons a brownfield strategy would not provide a reliable source of supply.
- 3.17 It is also accepted that one of the largest site allocations, the Cefn Mawr former Flexsys site, will not come forward until at least 2016. Whilst the land owner is supportive and working positively with the Council, it appears that there may be significant obstacles (site remediation and an existing tenant) to the site's delivery within the lifetime of the Plan. A

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further hearing session had been scheduled to consider this and several other sites in greater detail in the light of concerns regarding their potential to provide the timely delivery of envisaged housing.

- 3.18 In terms of windfalls, whilst according to the Council the 910 figure identified in the Plan is a conservative estimate, there is some question over whether past trends are a reliable indicator given that the more viable brownfield sites may have already been developed. Indeed, the Urban Potential Study (pg 54) indicates that in Wrexham Town, it is possible that its brownfield development potential could be greatly eroded over the next 10 years. At the hearing the Council asserted that 'new' brownfield sites were likely to continue to become available over the Plan period, for instance as a consequence of public bodies releasing land for development as they seek to realise assets in response to straitened financial circumstances. However there is no evidence to indicate that this scale of windfall development would occur.
- 3.19 The Plan's proposed housing supply of 8065 would result in a shortfall of some 3721 when compared to the established need based on WG projections. This disparity converts to an annual figure of 248 houses over the Plan period. Given that several allocated sites are not likely to be delivered over the next 4 or 5 years, this suggests that the annual shortfall over this period would be markedly greater than 248 units. This concern on timely delivery is reinforced by the findings of the latest JHLAS which reveal that a notable proportion of sites identified in the Plan as commitments, and which contribute to the Plan's housing supply, are not expected to be developed in the next 5 years.
- 3.20 The Council has confirmed that, even though the Plan sought to provide a housing target which was significantly below the WG projections, it decided not to identify any potential additional allocations that could contribute to meeting any shortfall that may be identified during this Examination. Thus the identification of even a modest amount of additional sites would be a significant exercise for the Council which may require several months to undertake. Moreover, the Council confirmed that because of issues relating to the rate of water abstraction within an aquifer, a housing supply figure exceeding 9,000 homes would require an Appropriate Assessment to be undertaken as required by the Conservation (Natural Habitats &c) Regulations as amended.
- 3.21 In any event the scale of the additional housing, in relation to that currently proposed would call into question the whole strategy of the Plan. The Council accepted that delivering this scale of housing would require allocating sites outside settlement limits. Such an approach would conflict with one of the fundamental aims of the Plan's strategy, that being to confine development to within existing settlement limits⁴.

⁴ Para 5.23 Wrexham County Borough Council Local Development Plan 2006 - 2021

Conclusion

- 3.22 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.
- 3.23 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 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.

4. AFFORDABLE HOUSING

- 4.1 This topic was the subject of hearing session 6 held on 27 January 2012. The delivery of affordable housing is a priority for Welsh Government, and the Plan, at paragraph 6.9, recognises the 'need to maximise the provision of local affordable homes to satisfy future requirements'.
- 4.2 It is evident that the Plan was prepared on the premise that it would meet virtually all the identified need for affordable housing. Paragraph 5.38 of the Deposit Plan identifies the contributions expected from various sources of affordable housing supply and states that a total of 2165 units could be delivered which is described as 99% of the identified need of 2205.
- 4.3 The 2165 unit figure in the Deposit Plan includes a contribution of 'up to 640 from rural and urban village exceptions'. This exceptions site policy, P4, provides that 100% affordable housing schemes can be permitted outside settlement limits in certain circumstances. In response to representor criticisms that a similar policy in the UDP had failed to deliver any such housing, the Council decided to remove this element from the identified supply through Focussed Change FC08. This change also introduced the addition of approximately 165 affordable housing units from windfall schemes, and calculated that the amended supply of affordable housing units would total 1540, representing 70% of the projected need.
- 4.4 During the hearing session the Council accepted that this target figure, which is derived from a 2006 Housing Needs Assessment (EBH02) was now out-of-date and should be 2010 to reflect the findings of the 2009 Update to the Assessment (EBH03).

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- 4.5 In BP5 the Council explains that the shortfall in the Plan's supply of affordable housing identified at the Focussed Change Stage would be made up by other Council initiatives, in particular Homebuy and an initiative to bring empty homes back into occupation. During the hearing session the Council accepted that, even on the basis of public funding of such initiatives over the past 5 years, the likely contribution from such sources would account for only 285 additional units, which would be approximately 185 short of making up the deficit between the Plan's contribution of 1540 and the agreed need of 2010. The Council has identified future initiatives that will seek to maximise the return from public funding on affordable housing projects. Even so, in light of the likely continued pressure on public spending, the assumption that past levels of publicly funded delivery will continue seems highly unlikely. Thus, even allowing for the lower revised figure of need, the Plan when combined with publicly funded initiatives will not meet the identified need. Moreover, for reasons that are outlined below, it is clear that the level of contribution from the Plan's policies will fall significantly short of the envisaged 1540 units.
- 4.6 The Plan provides 3 sources of contribution to affordable housing: public sector owned sites (345 units); windfalls (165 units); and developer contributions on general market schemes (1030 units of which 58 were completed between 2006 and 2009). Each is examined in turn:
- i) Policy P5 makes provision for 345 units to be provided on 100% affordable housing schemes on identified sites. 147 of these have already been delivered. At the hearing it was accepted that in the light of further consideration of the likely capacity of each site, several of which have already been granted planning permission, that 271 units was a more realistic figure. It was also explained that one of the largest of these sites identified as providing some 41 units may not come forward given that the Council has not yet decided whether to release the site for 100% affordable housing, notwithstanding its allocation in the Plan. The Council confirmed that it has decided to allocate all its available funding for social housing to maximise the delivery of these sites but accepted that the future level of grant aid is less certain given public funding constraints.
 - ii) At Focussed Change stage the housing contribution from windfall sites was introduced to the housing supply figures. It is expected to provide 910 units of which 165 units would be affordable housing. Not only is there uncertainty regarding the delivery of this scale of windfall sites but, for reasons detailed in the next point, it is not likely that the envisaged level of contribution to affordable housing from market housing schemes will be achieved.
 - iii) The vast majority of the anticipated contribution to affordable housing provision is from general market housing allocations identified in Policy P1, and Policy P3 sets that contribution at 30%.

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For reasons detailed further on in this report, the provision at 30% is not viable in the present housing market and would not be so in the event of a 10% upturn in house prices. Indeed the evidence indicates that a 20% contribution would not be likely to be viable in such circumstances. There is no evidence of the likely viability of schemes at a lower rate of contribution.

- 4.7 Thus there is likely to be a shortfall in relation to each of the 3 sources of affordable housing contribution. The issue of viability is such that the shortfall in relation to allocated and windfall sites is likely to be considerable. This is examined in more detail in the following paragraphs.
- 4.8 Paragraph 6.7 of the Plan indicates that economic viability will be taken into account in determining the provision of affordable housing on any given site. It goes on to state that only in exceptional circumstances where viability is genuinely threatened as a result of unforeseen costs (e.g. extraordinary site contamination and re-mediation) that the 30% requirement would be reduced. It was accepted at the hearing that this approach to viability fails to recognise that the viability of any scheme is critical to its delivery. There is a need to include within the Policy that consideration of viability can, where proven, justify departing from the required level of contribution.
- 4.9 Notwithstanding the scope to introduce an element of flexibility to the contribution requirement, it is necessary that the level of contribution is based on robust and credible evidence. It was generally accepted at the hearing that, given the importance of providing affordable housing, the proportion of contribution sought should be challenging and should not be purely based on the present difficult economic climate. On the other hand setting too high a level of contribution would be counter productive in that it would deter developers from considering schemes in the County. In the event of a marked upturn in the housing market the monitoring framework should trigger a timely review of the Plan to secure higher contributions if justified by changing circumstances. Establishing a realistic contribution figure is also necessary to establish the likely delivery of such housing over the Plan period.
- 4.10 The evidence base which supports the viability of the 30% requirement is the DVS Viability Study (EBH06) produced in September 2009 and a second report (EBH08) in October 2010.
- 4.11 Representatives of house builders at the hearing considered that some assumptions used in the original DVS report over-estimated viability, including the percentage of developer profit that ought to have been factored into the appraisals taking into account the requirements of financial institutions when deciding to fund schemes. In its second report the DVS acknowledges certain limitations in terms of its viability appraisal, however the Council did not commission any further work on

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this topic. The hearing confirmed that there are a series of considerations that indicate that the viability assessment is overly optimistic, the main ones are listed below:

- i) Out of 18 sites assessed 5 or 6 are greenfield sites. This is not representative of the 84% brownfield site allocations of the Plan which is significant given that the study indicates that the greenfield sites were generally shown to be more viable than brownfield.
- ii) The assessment does not take into account additional construction costs that will arise once Part L of the Building Regulations is amended to require a higher standard in terms of the Code for Sustainable Homes. Whilst there was no agreement at the hearing on the likely amount of increased costs, there was agreement that some additional allowance was appropriate given that this requirement will be introduced next year.
- iii) The appraisal did not take into account additional costs arising from planning obligations. Although the DVS report explains that it was its understanding that affordable housing contributions would take priority over any other planning obligation contributions, it was accepted at the hearing that the Plan makes no such provision. The Council acknowledged that some contributions required to directly facilitate the site's development, such as off-site highway or drainage improvements, would feature ahead of affordable housing.
- iv) The finding that schemes would be viable was predicated on a 10% upturn in housing values, which the DVS considered in its 2010 Report could be reasonably expected to occur in 3 to 4 years. The HBF refers to research undertaken by Savills in 2011 which concluded that house prices in Wales are not likely to increase by more than 0.5% by 2015. There is no evidence to suggest that this is not a realistic prediction, particularly given the current state of the economy.

4.12 Notwithstanding the limitations of the study, it established that on the basis of house values at the time of the assessment 15 out of 18 sites were unviable even with a reduced contribution of 20%. The DVS's second report accepts that at the time of the 2009 study the data did not support a 20% target.

4.13 At the hearing the Council suggested that a target of 25% may be more realistic on the basis that this is the UDP requirement, but accepted that this was not supported by the only available detailed evidence which has been presented on viability. It agreed to consider asking the DVS to undertake an assessment of viability on the basis of a contribution below 20%, which is the lowest figure in the DVS study.

4.14 It is acknowledged that the services of a recently appointed Rural Housing Enabler Officer may encourage some take-up of the

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exceptions sites policy, and that its wording could be altered to make it more accommodating of such development. Even so any contribution would not be likely to markedly reduce the anticipated shortfall in provision.

Conclusion

- 4.15 It is evident that the combined contribution to the supply of affordable housing from the Plan and other initiatives will fall considerably short of the identified need. Whilst it is accepted that present economic conditions make the delivery of sufficient affordable housing a challenging prospect, there is no evidence that the Plan has been devised to maximise the Plan's potential contribution to delivery.
- 4.16 The Council has sought to emphasise that other priorities have driven the Plan's strategy but it appears that there are 2 significant elements of the strategy that militate against maximising affordable housing delivery – firstly, the reliance on brownfield which tends to be more expensive, or at least more difficult, to develop; and secondly, the restrained level of general market housing growth which places a higher pro rata burden on each market housing unit to contribute to meeting the need for affordable housing.
- 4.17 There is no evidence that in choosing its strategy that the benefits of a mainly brownfield approach have been properly assessed and balanced against a shortfall in the delivery of affordable housing. Indeed it appears that in adopting an overly optimistic view of the likely capacity of the Deposit Plan to deliver in this respect, the necessary exercise of balancing conflicting objectives was not undertaken. Once it was realised that there would be some shortfall it was decided to rely on using public funds to make up the gap rather than seeking to make changes to the Plan which would maximise potential delivery. It is now apparent that this initiative will not make up the shortfall between the Plan's target supply and the identified need. Even more significant is the likelihood that the Plan will fall well short of its delivery target given that it has not been informed by a realistic understanding of the limitations imposed by economic viability considerations.

5. GYPSY AND TRAVELLER PROVISION

- 5.1 This topic was examined at hearing session 5 held on 27 January 2012. A Gypsy and Traveller Accommodation Assessment (EBG+T01) was produced in 2007 and updated by the Gypsy and Traveller Potential Sites Study (EBG+T02) in 2008. These documents comprise the Council's evidence base in relation to this topic.
- 5.2 The 2008 Study identified a need for 15 pitches up to 2013 and an additional 12 pitches post 2013 and refers to the existence of one

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unauthorised encampment. The Council confirmed that this unauthorised site at Rossett continues to be occupied by 5 families with legal proceedings well advanced to secure their displacement.

- 5.3 The Council has referred to the Study identifying a 'possible' need post 2013 but it was unable to explain the basis for this qualification of the need other than to contend that predictions beyond 5 years introduce too significant an element of uncertainty caused by the fluidity of family arrangements. However, this approach fails to acknowledge that the Study considered such difficulty and calculated need beyond the 5 year period by applying a growth rate to the base population. The Study's figure of need is based on an assumption that growth proceeds at a rate of 3.9% (which the report states is used by the Department of Communities and Local Government) whereas it identifies the historic growth within the County as 6.25%. Using this higher percentage would have resulted in a requirement for a further 9 pitches.
- 5.4 Circular 30/2007: Planning for Gypsy and Traveller Caravan Sites requires local planning authorities to allocate sufficient sites in LDPs to ensure that identified pitch requirements for residential and transit use can be met. At paragraph 24 it explains that exceptionally, where an authority is 'unable to meet all assessed future needs through specific site locations' the LDP should give a 'reasoned explanation why that has not been possible. It must explain what criteria will be used to ensure adequate provision and state the detailed measures it will take to ensure that adequate provision is made during the plan period.'
- 5.5 Policy P10 makes provision for 15 pitches to meet the need until 2013 by allocating land to enable an extension to an existing site at Ruthin Road. This allocation fails to recognise that the 2008 Study refers to shortcomings identified by the gypsy and traveller community in relation to this site in terms of its poor accessibility to nearby settlements and to public transport. Representations to the Plan identify other concerns including that, as the site is perceived to be an Irish Travellers' site, many Romany Gypsies are fearful that moving onto the site would lead to social tensions and potential conflict whilst its proximity to a busy main road is seen as creating an unsuitable living environment. Its present vacancy rate (6 empty pitches) may reflect these concerns. Other identified drawbacks appear to have been addressed by the site's recent refurbishment.
- 5.6 The Plan makes no allocation to meet the identified need from 2013 to the end of the Plan period. There is no evidence to justify this decision other than the assertion that the study's findings are considered to be unreliable beyond a 5 year timeframe. The Council considers that a decision to review the Plan in 2013 provides a suitable mechanism for dealing with future need. Whilst such an approach clearly fails to meet the requirement for adequate provision during the plan period this shortcoming is compounded by the fact that no potential sites have

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been identified as suitable for allocation should the review reveal this to be necessary. This is particularly significant given that the acknowledged difficulties of identifying any new sites in terms of local opposition would be likely to severely hinder a prompt revision to the Plan.

- 5.7 Turning now to part 2) of Policy P10 which provides a criteria based element to the policy. The Circular identifies the requirement for a criteria based policy to enable future or unexpected demand to be met, and emphasises that criteria should be 'fair, reasonable, realistic and effective in delivering sites'. P10 includes an upper limit of 7 pitches that may be permitted over the Plan period. Whilst this limit appears to be based on the identified need in the Study for private site provision there appears to be no reason for imposing an upper limit on the number of pitches which could lead to the refusal of a planning application that would otherwise meet all the criteria of the policy. The Council's reliance on this identified level of need runs counter to its stance regarding the reliability of future predictions of need in relation to allocating sites.
- 5.8 The policy imposes a limitation of a single pitch on each site, preventing occupation by extended families which would frustrate the desire of the gypsy and traveller community to provide support across the generations which is an important aspect of gypsy culture. Such an arbitrary limit runs counter to the specific advice in Annex B of the Circular. Among the criteria of P10 is that proposals should not have a detrimental visual impact or be detrimental to the amenities of neighbouring properties. These criteria together with a requirement that the proposal is generated by 'local need' further indicate that the policy is unacceptably restrictive, and contrary to the advice in the Circular, including Annex B which provides examples of the types of requirements that should not be included in such policies. That the policy is so stringent is all the more inappropriate given the LDP's failure to allocate sufficient land for the Plan period.
- 5.9 The Plan makes no provision for transit sites on the basis that the Study identified no transit sites in occupation. However this does not take into account that the Study recorded past instances of unauthorised transit site encampments and found that the absence of such sites at that time did not indicate that such a need would not arise on occasions in the future. The Council has stated that the issue of transit site provision was being addressed at a regional level and during the hearing session it explained that a study had recently been completed but that the Council had not been apprised of its findings. In line with PPW the Plan should make appropriate provision if it is to minimise the potential for unauthorised encampments.

Conclusion

- 5.10 The Plan fails to make reasonable provision to meet the identified needs of the gypsy and traveller community. Its approach fails to have proper regard to national policy and is likely to lead to future instances of unauthorised encampments which give rise to problems of poor living conditions for occupiers and lead to tensions between the settled and the traveller communities.

6. OTHER SIGNIFICANT CONCERNS

- 6.1 During the course of the first week's hearings a number of other concerns were raised by the Inspectors. Whilst this report does not identify every concern several are identified below in order to provide an indication of the scale of changes that would be required in order to address each one.
- 6.2 Wrexham is identified in the Wales Spatial Plan as a key hub which ought to be strengthened as a focus for investment in, amongst other sectors, housing. There is concern that the restrictive approach of the Plan to housing in particular fails to have regard to the Wales Spatial Plan.
- 6.3 The lack of information on phasing raises concerns with regard to the timely delivery of development over the remainder of the Plan period.
- 6.4 The limitations imposed by economic viability considerations will limit the potential contributions to infrastructure, affordable housing and community facilities. To appreciate the potential benefits that will arise from the envisaged scale of development, and to ensure a transparent decision-making process at planning application stage, the Plan should provide an indication of how conflicting priorities will be addressed. This could be incorporated within a revised Policy P13 and augmented by SPG.
- 6.5 The implications of the introduction of the Community Infrastructure Levy post 2014 on the ability to secure contributions from developers for necessary facilities and infrastructure has not been fully addressed.
- 6.6 Wording of policies: many policies lack sufficiently precise wording to ensure that they can be interpreted with reasonable consistency thereby undermining the Plan's coherence and effectiveness. Several policies are phrased as aspirations and would lack the necessary precision to ensure that they would be effective. There are also examples of policies which contain clear errors in drafting (in particular P15) and other policies which, as drafted, would have the effect of restricting a particular type of development rather than enabling it in line with the stated purpose (P9). Many policies provide no flexibility even though

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this would in practice be sensible e.g. to recognise viability considerations (P3 and P15), or to cease to protect a facility if there is no reasonable prospect that its use will resume (P12).

- 6.7 The Plan at paragraph 1.6 makes clear that national planning policy will also be used to determine planning applications, and rightly seeks to avoid re-iterating national policy. However, the very limited and general references in the Plan to national policy make it difficult to establish the relationship between the LDP and national policy in relation to specific matters. It was agreed that this could be clarified by specific references to elements of national policy throughout the Plan.
- 6.8 The Plan places undue reliance on supplementary planning guidance (SPG) which is at odds with the advice in LDP Wales. Many policies would need to be redrafted to ensure that they set out the criteria for planning decisions rather than delegating to SPG. Furthermore, the hitherto unspecified time lag between adoption of the Plan and the Council's adoption of a series of SPG documents would create a period where there could be an absence of sufficient guidance to properly inform decision making.
- 6.9 During the opening hearing session it was agreed that there was scope to further revise the monitoring framework to ensure that it would provide reasonable flexibility as well as triggering a timely review in the event that the Plan significantly fails to deliver.

7. OTHER POTENTIALLY SIGNIFICANT CONCERNS

- 7.1 The agenda for hearing session 7 identifies potential concerns with regard to the Plan's approach of dealing with all nature conservation interests in one general policy (SP10). This approach fails to reflect the different approaches that are required in relation to international, national or local designations. A clear cross-reference to relevant national policy⁵ may address this concern but there would also be a need to identify the different designations on the Proposals Map in line with LDP Wales, paragraph 2.24. Policy SP14 does not have sufficient regard to the detailed policy approach to green barriers set out in PPW. It is not clear whether the designations have been based on a formal assessment in line with national policy.
- 7.2 During the opening hearing session there was an acceptance by the Council that the Plan sought steady growth in the future following a period of significant growth in recent years. However, in the context of the regional importance of Wrexham, which is identified as a Key Business Sector Area in the Wales Spatial Plan, it is not clear whether the employment land allocations will cater for an appropriate level of growth. This raises the question of whether the Plan is sufficiently

⁵ TAN5: Nature Conservation and Planning

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ambitious in this respect, and in relation to other sectors of the economy such as retailing.

- 7.3 The County's traditional manufacturing base has been declining in recent years, a trend that is expected to continue whilst the high quality business sector is identified as having the greatest potential for growth. There are concerns that as the allocation of suitable land for high quality business is concentrated on one site only, the Western Gateway, that this will not maximise the opportunity of attracting new employers to the County. It is not clear whether the Plan's strategy and policies would encourage growth in high-tech industries within the County. It is also suggested that restricting housing growth would limit the number of workers available in the local pool of labour making it more difficult to attract investment from potential employers.
- 7.4 Another concern in relation to employment is that a restricted pool of suitable labour residing in the County may lead to workers being attracted to commute from outside the County. This would mean that much of the wealth generated by increased employment would be spent outside the County whilst also leading to an increase in car borne journeys which runs counter to promoting sustainable development which paragraph 5.6 of the Plan says underpins the LDP.

8. THE WAY FORWARD

- 8.1 The Inspectors are concerned that the matters raised in this report demonstrate that the LDP does not have regard to national policy (Soundness Test C2) or to the Wales Spatial Plan (Test C3), is not founded on a robust and credible evidence base (Test CE2) and is not reasonably flexible to deal with changing circumstances (Test CE4). There is also concern that the Plan does not set out a coherent strategy from which its policies and allocations logically flow (Test CE1).
- 8.2 In light of these concerns the Council is asked to consider the implications of the above and to provide a response. In doing so it should bear in mind the comments made by the Lead Inspector during the first hearing session that the examination should progress on the basis that the Council considers that it has submitted a sound plan. The scope to consider further changes to the Plan at this stage is limited, and must ensure that any change is consistent with the Plan's strategy and does not undermine the sustainability appraisal report or the public consultation process. It would also be necessary to consider any implications to the timely conclusion of the examination.
- 8.3 The Exploratory Meeting scheduled for 9:30am on 23 February 2012 will provide an opportunity for the Council to provide its response to the matters raised in this report. It is understood that both its Planning Policy Panel and Executive Board will have had the opportunity to

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discuss the content of this report in advance. It is anticipated that representatives of the Welsh Government will also be present.

- 8.4 The scope of the meeting will be strictly limited to discussing how best to move forward in light of the identified concerns. There will be no opportunity for the Council, or any one else, to comment on the merits of the Plan. The hearing sessions, based on the matters and issues that have already been identified are the only forum to examine the merits of the Plan and the representations that have been submitted in objection.
- 8.5 If the Council has any specific queries that it would wish to raise at the Meeting it would be helpful if prior notification is provided to the Inspectors via the Programme Officer which may enable a more considered response to be provided at the Meeting.

APPENDIX B
Development Masterplan
Prospectus



The Oaks Business Park
Development Masterplan Prospectus
April 2018 - LS/DMP/version002

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01

Introduction

- 01.1 Introduction
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01.1 Introduction

INTRODUCTION

The Oaks extends to an area of 22 ha and is a brownfield previously developed site largely within the existing settlement boundary of Wrexham Industrial Estate (WIE). It benefits from being located at a central point in the estate with good strategic access to the network and is largely level and free of constraint; ready for development and regeneration.

The site has, historically, been allocated for Employment purposes in the former Wrexham & Maelor Local Plan and also benefited from an Outline planning permission granted for employment. This permission was never implemented due to market conditions. The permission lapsed and a period of inactivity ensued. The site has since been reviewed and its prospects are now being actively promoted.

We can confirm that Cefn Park Developments Ltd (CPDL) are the freehold landowners of the site. Their preference is to hold the land as a commercial property investment but they have not ruled out entering a joint venture partnership with commercial property developers and indeed we can confirm that approaches from several such operators with interests locally and regionally have been made.

Interest has also been expressed by a business park developer looking to aquire the freehold interest of the whole site. Importantly, these have been enquiries from owner occupiers including a food manufacturing busiess keen to locate to the borough.

For reasons of commercial confidentiality, we are unable to disclose names at this stage.

What this does show is that there is a pent-up demand for a site of this scale and location and this Prospectus is seeking to bring the site forward for an employment based development, which offers opportunities for B2 and B1 light industrial uses; noting that other (ancillary) use class opportunities exist and should not be discounted.

CPDL appointed a professional team who have addressed all aspects of technical enviro-engineering. This has allowed their masterplanners, Land Studio, to develop a responsive masterplan framework that has sought to accommodate feedback from the key stakeholders and statutory consultees and demonstrate the development capacity of the site and its deliverability.



DELIVERABILITY

Cefn Park Development Ltd (CPDL) can confirm that it is their intention to bring the site forward for a commercial development in a timely and expedient manner.

The delivery of the site within this Local Development Plan (LDP) period will be governed by three factors:

1. The speed as which the LDP is adopted;
2. The speed as which a planning permission can be secured here and;
3. The speed as which the site can be built out.

01.

The speed at which the LDP is adopted is fundamental to whether WCBC can achieve the delivery of its employment needs targets within the plan period, from the preferred allocation sites. Clearly this is a County Borough wide matter which dictates when allocation sites can come forward for development in a controlled plan-led manner.

We understand the following LDP timetable is anticipated, with adoption of the Plan by around September 2019, this gives the Council 9 years in which to deliver its total commercial needs target before the Plan expires in 2028. The timetable is set out below.

February 2018	Deposit Plan published	10 week consultation
June 2018 +	Submission Plan (in parallel with Focused Changes) and issued to PINS	Issued to WG / PINS for Examination
September 2018 +	Examination in Public Inspectors Report	Will involve period of 12 months
September 2019 +	Adoption of LDP	Plan period expires 2028

This is pertinent, as we consider that not only can this site be delivered within the plan time frame but it can be done so at the earliest stage possible.

02.

The speed at which we can secure planning permission is important. CDPL's preferred intention is to submit a planning application in advance of the plan being adopted since delaying "live and active" investment needs do not work for operators and business will move on.

A recent example of this was the decision of Wholebake (a food manufacturing operator) to pull away from a strategic site on Bryn Lane, WIE (Gardenbreeze) due to planning uncertainty and instead invest in a neighbouring Borough for their new 140,000 sqft manufacturing facility, which could have resulted in a new £25 M investment and over 300 new jobs for Wrexham.

CPDL have therefore geared their programme to being able to submit an application prior to the adoption of the Plan.

CPDL will continue to take guidance from planning officers, but we are keen to secure planning permission at the very earliest opportunity.

03.

The speed at which the site can be completed will be determined by several factors.

However, what sets this site apart from any other being promoted in the Borough is the fact that this site is ready for development.

The local employment market is presently strong. Not only is there an acute pent up demand for employment land in Wrexham, but the WIE is particularly attractive as a destination for all types of owner occupiers and operators.

Accordingly, there is an aspiration to bring forward development here at the very earliest opportunity with a strong expectation for take-up.

CPDL envisage that following a period of 12 to 18 months to mobilise and implement site infrastructure, landscaping and any necessary parcelisation it would be ready for construction of individual units thereon in and could, subject to user interest, be fully occupied and complete between 24 and 48 months later.

Evidence to justify this delivery programme is provided in the table below, which assumes CPDL pre-empt the adoption of the LDP with an early application. Any plan slippage might have an impact upon this.

October 2017 +	Prepare an Outline EIA masterplan planning application – with option to include hybrid detailed elements for early occupiers
December 2017	Instigate DMO pre-application consultation process
February 2018	Submit planning application
June 2018	PA determined
September 2018	S106 agreed (to address biodiversity measures) and Decision Notice issued
December 2018	Start on site

01.3 Introduction: Opportunity

THE OPPORTUNITY

The benefits of locating employment growth and having a strategic site of this scale, nature and location within the Wrexham Industrial Estate are not just logical but obvious.

Wrexham needs to deliver jobs to retain and sustain its existing and new residential population. Without new employment land investment will simply locate elsewhere and lost Gross Value Added (GVA) will do nothing to enhance economic prosperity and growth.

Relative to LDP ambitions there are several material considerations that reinforce the identification of a KSS in this location by the Council's own Background Papers on Key Strategic Sites (BP3) and WIE Expansion Selection (BP5) in February 2016; along with the Council's Employment Land Review:

- The use of an existing brownfield site with a historical allocation and permission that can now be brought forward
- Its scale can accommodate single user large investors and smaller scale light industrial users – neither of which are being accommodated in the plan, but all of which are known needs as reflected by the ELR findings
- Key infrastructure links with A534 and A483 that has capacity to accommodate the scale proposed and provide sustainable transport links with established and new residential neighbourhoods and the town centre

- No significant environmental or engineering constraints (drainage, ecology, services, highways and landscape) exist that cannot be positively addressed
- Indeed, CPDL consider that positive net gains and benefits for environmental habitat management and enhancement can accrue from development and investment
- Sustainable growth point location with enhanced accessibility, connectivity and environmental mitigation
- Growth in other directions is limited around the industrial estate and needs to happen in parallel to give flexibility and choice
- The opportunity to secure, protect, enhance and manage areas of biodiversity

The Council's BP5 paper identified just two greenfield locations and missed this opportunity altogether without considering it. This was perhaps partly due to the site not being actively promoted for employment purposes; something that this Prospectus seeks to rectify. We do not disagree that other sites are needed but to favour greenfield release over brownfield re-use runs contrary to all planning and sustainability principles.

This site is located at the core of the WIE and is the logical location of well-planned sustainable growth for this plan period and must be allocated and safeguarded for future employment purposes.



01.4 Introduction: **Vision**

A VISION FOR THE OAKS BUSINESS PARK

CPDL consider the key headlines and vision of the Oaks Business Park to comprise as follows:

- *Create a high quality, attractive, new employment park that could accomodate a variety of employment types and users*
- *A well designed employment destination that will attract and generate economic prosperity and jobs*
- *Parkland landscape setting with green corridors and retention of key assets (e.g. trees and valued habitats) to be integrated into the layout*
- *Habitat and landscape restoration and enhanced amenity provision*
- *Managed and improved public access providing permeable links and connections*
- *A long term environmental dividend to secure, protect and manage local biodiversity interests through a management solution (through ground and rent service charges and transfer of land to an appropriate nature conservation body*
- *Surface water management – SUD’s*

Development will clearly facilitate net gains and allow investment to fund a host of environmental benefits from what is currently a sterile and derelict brownfield. It is subject to no habitat management, is used by fly-tippers and suffers from un-controlled access. The result of continuing the status quo through not regenerating this site is obvious and will bring no value at all as there would be no incentive to fund any improvements or protect the valued habitats.

EVIDENCE BASE

In addition to this report, other reports and documents that make up the evidence base include:

- Archaeology : Giffords
- Ecology : Kingdom Ecology
- Trees : Tree Solutions
- Drainage : Opus
- Highways : Opus
- Heritage : Townscape
- Contamination : Opus
- Utilities : TMC



02

Context + Site Development

- 02.1 Context
- 02.2 Existing and Historic Boundaries
- 02.3 Site Development

02.1 Context and Site Development: **Context**



Site Location

The proposed site extends to some 22.16 ha and it is located towards the south east boundary of the Wrexham Industrial Estate, with access from the A532, B5130 and Cefn Road.

Key:

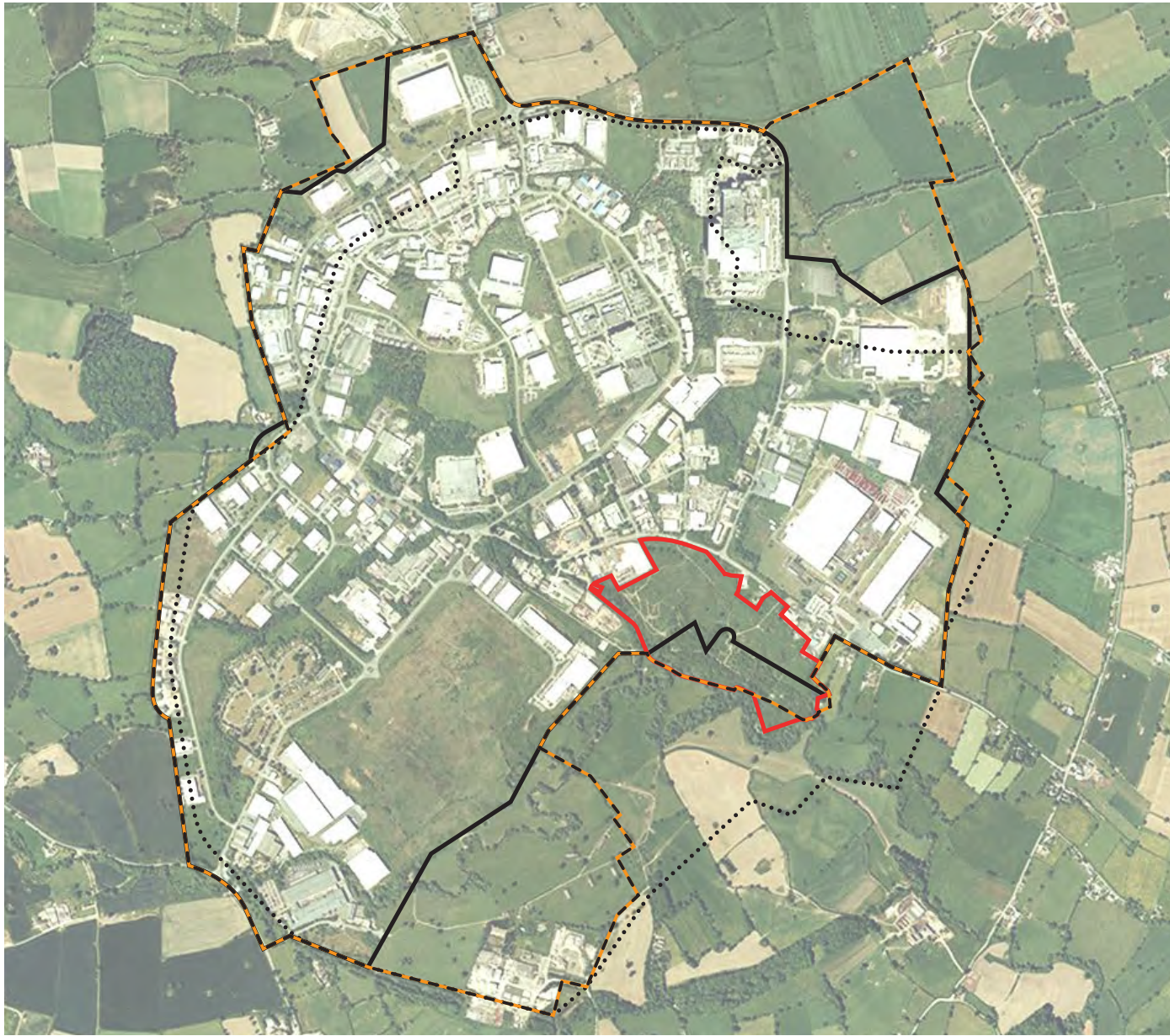
 Site Boundary

02.2 Context and Site Development: **Existing and historic boundaries**

Location and Context

The plans below show how the Wrexham Industrial Estate boundary has developed from the Royal Ordnance Factory that previously occupied the site. The plans show the original extent of the Royal Ordnance factory boundary, the 1992 settlement boundary and the existing settlement boundary, revised in 2000. These are overlaid on an existing aerial (left) and the Royal Ordnance Factory layout from 1964 (right). As illustrated, the majority of the proposed development site (red line boundary) falls within the historic Royal Ordnance factory boundary. The following pages show how the site has developed over the past century in greater detail.

-  Royal Ordnance Factory Boundary
-  1996 Wrexham / Maelor Local Plan Settlement Boundary
-  2005 Wrexham UDP (Unitary Development Plan) Settlement Boundary



Aerial date: January 1958

02.3 Context and Site Development: **Site Development**



Year: 1873

The plan on the left shows a historical record of the site recorded in 1873. Field boundaries and trees form the main structural elements with very little development apart from Oak Road. Footpaths and tracks provide links from Redwither Brook to Oak Road. The alignment of some of these tracks and field boundaries are still evident today.



Year: 1881

The plan on the left shows what small amount of development happened between 1873 and 1881. The most notable change is the addition of several tracks within the site boundary.

Key:

	Site Boundary
	Primary road
	Secondary road
	Field boundary
	Brook / Pond
	Track
	Drain
	Building
	Blast mound
	Trees
	Major electricity power transmitter

02.3 Context and Site Development: **Site Development**



Year: 1938

There was a small amount of change between 1881 and 1938. A number of tracks were removed and replaced. A new track from the west connected Oak Road through the site towards the east. The smaller network of tracks inside the site boundary were removed or realigned along field boundaries to create more open farmland.

Key:

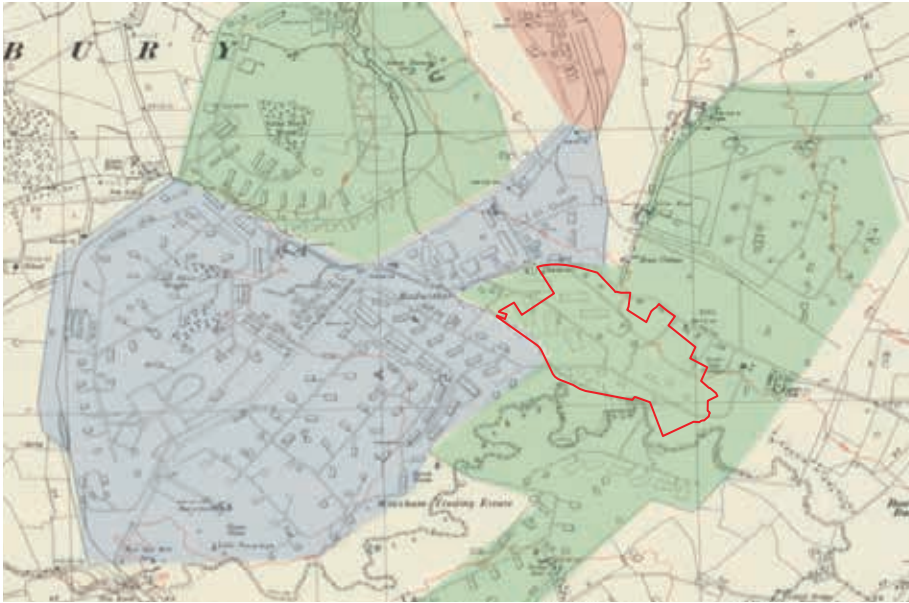
	Site Boundary
	Primary road
	Secondary road
	Field boundary
	Brook / Pond
	Track
	Drain
	Building
	Blast mound
	Trees
	Major electricity power transmitter



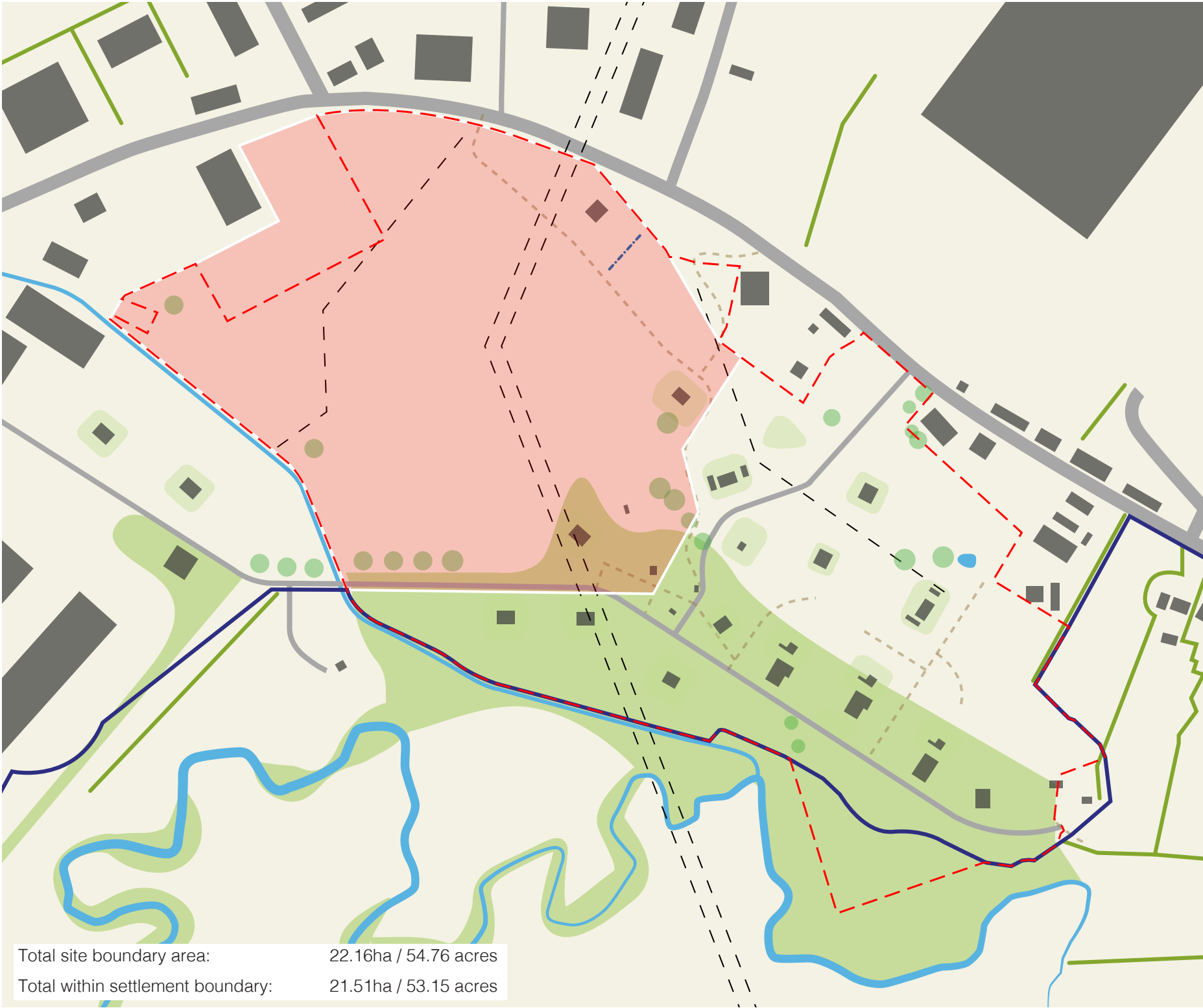
Year: 1961

This plan from 1961 shows the extents of the Royal Ordnance factory site, built during the Second World War. Various buildings are shown along with access roads and additional tracks. A major overhead electricity transmitter was also shown crossing the site.

Plan showing the site boundary (red line) in the context of the original Royal Ordnance factory site



02.3 Context and Site Development: **Site Development**



Year: 1996 - Wrexham and Maelor Local Plan 1992-2001 (adopted February 1996)

As Wrexham Industrial Estate developed during the latter half of the C20th, the earlier manufacturing buildings were removed and replaced with industrial units, which can be seen along Oak Road.

The dark blue lines marks the settlement boundary and the red area highlights the area of land allocated for employment development at that time.

Various utilities are also shown, including additional overhead power transmitters.

Key:

- Site Boundary
- Settlement Boundary
- Allocation for development (11.50ha)
- Primary road
- Secondary road
- Field boundary
- Brook / Pond
- Woodland
- Trees
- Track
- Drain
- Building
- Blast mound
- Major electricity power transmitter
- Minor electricity power transmitter

02.3 Context and Site Development: **Site Development**



Year: 2000 - Planning Permission Plan

The main change between 1992 and 2000 is the realignment of the settlement boundary, removing a large area of the site from the settlement.

The area highlighted in red shows the extent of land with detailed planning consent for employment use on the site (Planning consent obtained 10th July 2000 P / 2000 / 0019).

- Key:
- Site Boundary
 - Planning consent boundary (22.16ha)
 - Settlement Boundary
 - Planning consent development area (13.16ha)
 - Primary road
 - Secondary road
 - Field boundary
 - Brook / Pond
 - Woodland
 - Trees
 - Track
 - Drain
 - Building
 - Blast mound
 - Major electricity power transmitter
 - Minor electricity power transmitter

02.3 Context and Site Development: **Site Development**



Year: 2005 - Wrexham UDP 1996-2011 (adopted February 2005)

The plan on the left illustrates the existing layout of the site with the existing settlement boundary shown as a dashed blue line. Remnants of tracks, woodland and Royal Ordnance factory buildings still remain with some of the historic field boundaries evident through the alignment of existing tree planting.

Buildings in the industrial estate have continued to develop with the addition of increased road infrastructure.

The existing utilities infrastructure is shown with a 132Kv overhead cable crossing the site, alongside a 33Kv and 11Kv routes, water mains and sewers. Further detail of these utility corridors are provided on the following pages.

Key:

- Site Boundary
- Settlement Boundary
- Primary road
- Secondary road
- Field boundary
- Brook / Pond
- Woodland
- Trees
- Track
- Drain
- Building
- Blast mound
- 132Kv electricity power lines
- 11-33Kv electricity power lines



03

Site Analysis

- 03.1 Site Boundary
- 03.2 Levels
- 03.3 Ecology / Trees
- 03.4 Utilities / Drainage / Flood Risk
- 03.5 Access
- 03.6 Opportunities and Constraints

03.1 Site Analysis: **Site Boundary**



Site Analysis

The following section assesses the existing conditions on the site, analysing their impact and in turn informing the location and extent of potential zones for development.

Key:

-  Site Boundary (22.16 Ha / 54.8 acres)

03.2 Site Analysis: **Levels**



Site Levels

The majority of the site area is relatively flat with falls from north to south ranging from 1:60 slopes in the north west, to 1:25 in the south east. There is a distinct steepening of the gradient on the southern edge of the side, marked by the Royal Ordnance factory road, where the land drops to meet Redwither Brook.

Key:

- Site Boundary
- North-south crossfall gradient
- West-east crossfall gradient
- Sleep slope towards stream

Extract of:
Topographical Survey (PMS16131 - The Oaks Wxm Ind Est)



03.3 Site Analysis: **Ecology / Trees**



Ecology and trees

The following ecology and tree information is based on the information set out in 'Land at Oak Road, Wrexham Industrial Estate Ecology Assessment, November 2016' and 'Tree Survey Schedule BS5837: 2012), April 2016' by Kingdom Ecology.

The site comprises of various woodland, scrub and grassland habitats at various stages of succession.

The northern and western half of the site have undergone scrub clearance in 1970 and 2000. These areas have been relatively undisturbed and left to naturally regenerate. The site now largely comprises of dense, continuous hawthorn scrub.

Within the wider area of scrub are some small glades of flower-rich, short sward grassland along with ribbons of further flower-rich grassland. Interspersed amongst these areas are patches of bramble underscrub and taller swards of coarser grasses.

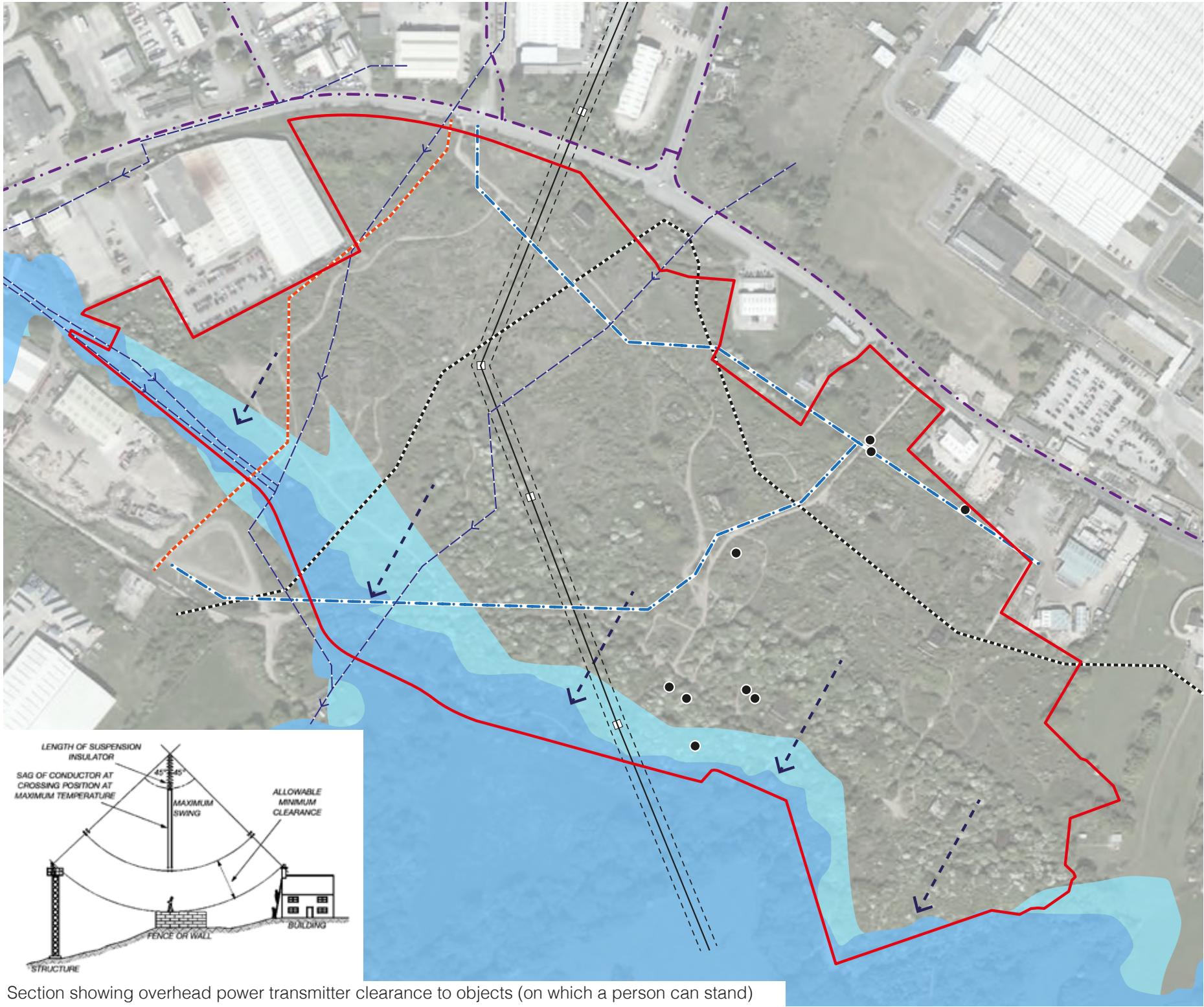
The southern half of the site comprises various types of broadleaved woodland habitat.

Three permanent ponds and several small ephemeral pools are also present around the site.

Key:

	Site Boundary		Existing Building
	TPO Tree (Category A)		Broadleaved Woodland
	TPO Tree (Category B)		Continuous Hawthorn Scrub
	Tree (Category A)		Continuous Bramble Scrub
	Tree (Category B)		Tall Herb Community
	Tree (Category C)		Neutral Grassland
			Pond
			Redwither Brook

03.4 Site Analysis: **Utilities, Drainage and Flood Risk**



Utilities

The following section is informed by the Preliminary Flood Risk and Drainage Assessment report by OPUS.

As stated in the report, the flood zone information shown on the left is considered to be low for the majority of the site. Development is suitable within Flood Zone B if it is proved that the site levels are greater than flood levels used to define the adjacent extreme flood outline. Development within Flood Zone C2 would not be permitted unless the site was able to pass the justification test and acceptability of consequences as defined by TAN 15.

As set out in the Tony Malkin Consulting report, the site contains larger 132kV and Sewer network utilities, along with smaller 33kV, 11kV and water main utilities. A number of manholes are positioned around the site near the location of preexisting Royal Ordnance buildings.

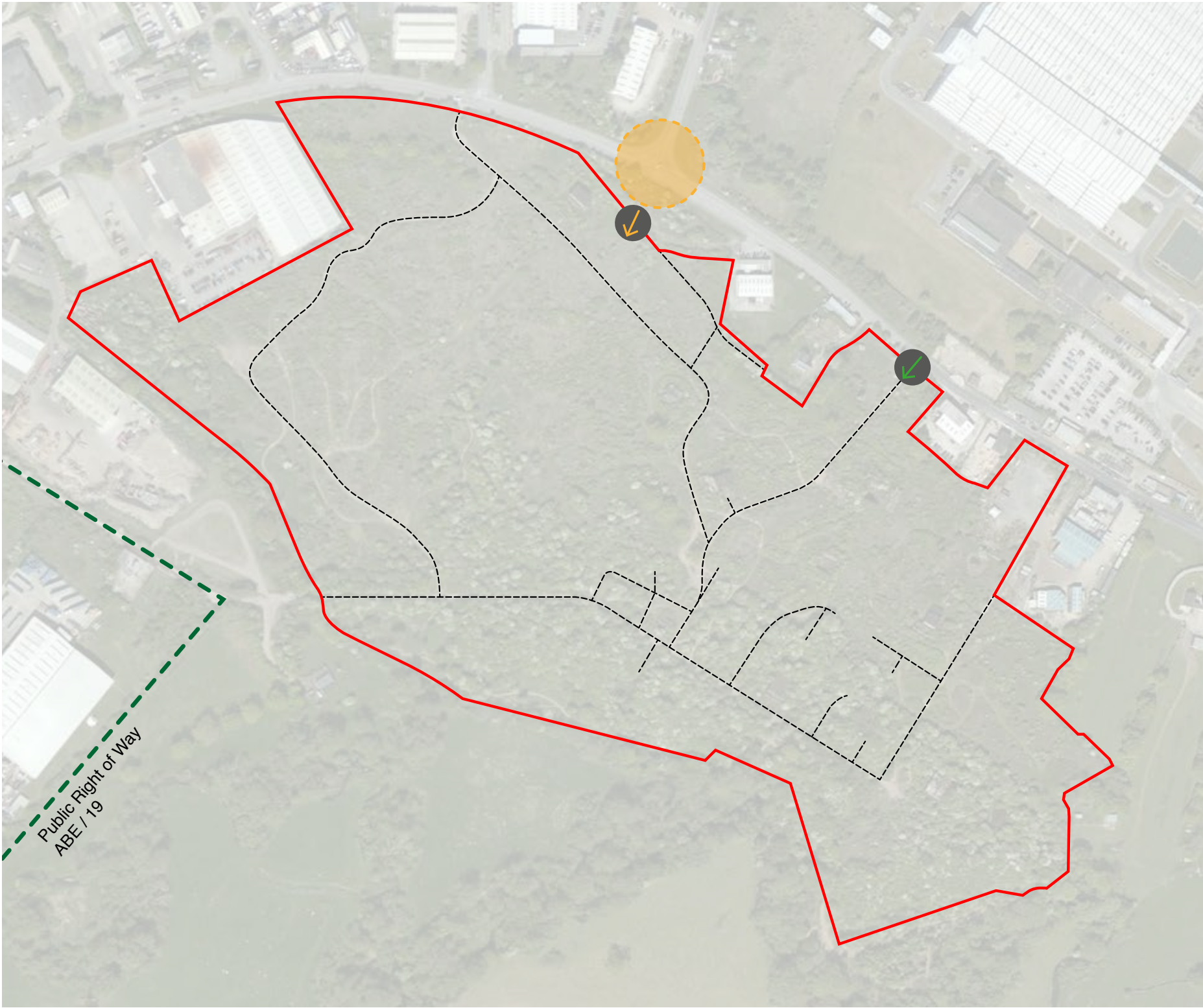
The floodzone areas are positioned around Redwither Brook south of the site. A small area inside the site along the southern boundary falls within this floodzone with the majority designated as 'areas known to have been flooded in the past'.

A steep crossfall from the Royal Ordnance factory road to Redwither Brook provides natural drainage for the site.

Key:

- Site Boundary
- 132kV electricity power transmitter -Scottish Power (SP)
- 33kV electricity power transmitter (SP)
- Manhole
- 11kV electricity transmitter (SP)
- Zone C2: Without significant flood defence infrastructure
- Zone B: Areas known to have been flooded in the past
- Water run-off direction
- Medium pressure gas pipe
- Water main - Dwr Cymru Welsh Water (DCWW)
- Sewer (DCWW)

03.5 Site Analysis: **Access**



Access

Based on a site visit carried out by OPUS (documented in 'Highways Site Assessment, October 2016'), the proposed highway works will consist of a proposed 36m ICD roundabout at the Oak Road / Bryn Lane junction shown in figure 01 below. There does not appear to be any significant boundary constraints which adversely affect the potential highway designs.

The document also notes the proposed emergency access route is significantly overgrown and covered in detritus and visibility from the access out on Oak Road is currently adversely affected by the overgrown hedgerow.

The existing site infrastructure (shown as a dashed black line) was developed from Royal Ordnance vehicle tracks and historic footpaths. They are a combination of concrete and dirt tracks and provide a link between Oak Road and the public right of way.

Key:

- Site Boundary
- Oak Road / Bryn Lane junction
- Secondary / Emergency access
- Proposed roundabout location
- Existing site route infrastructure
- Public Right of Way

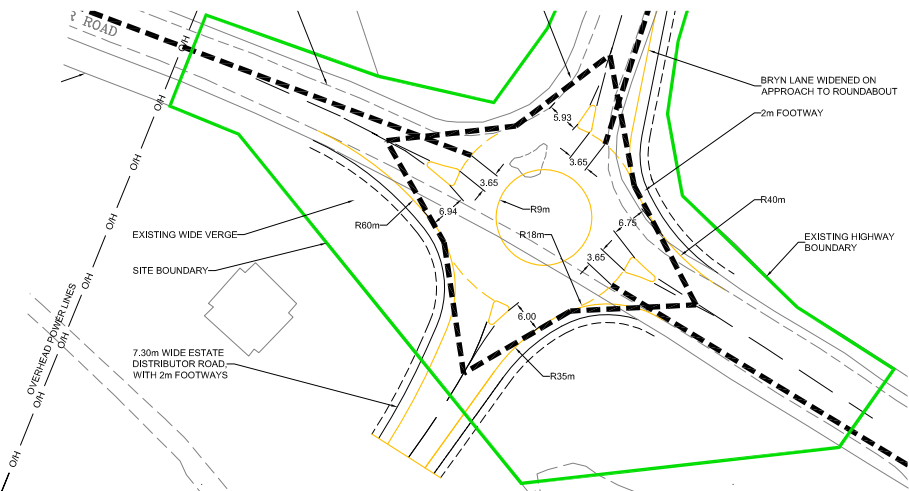
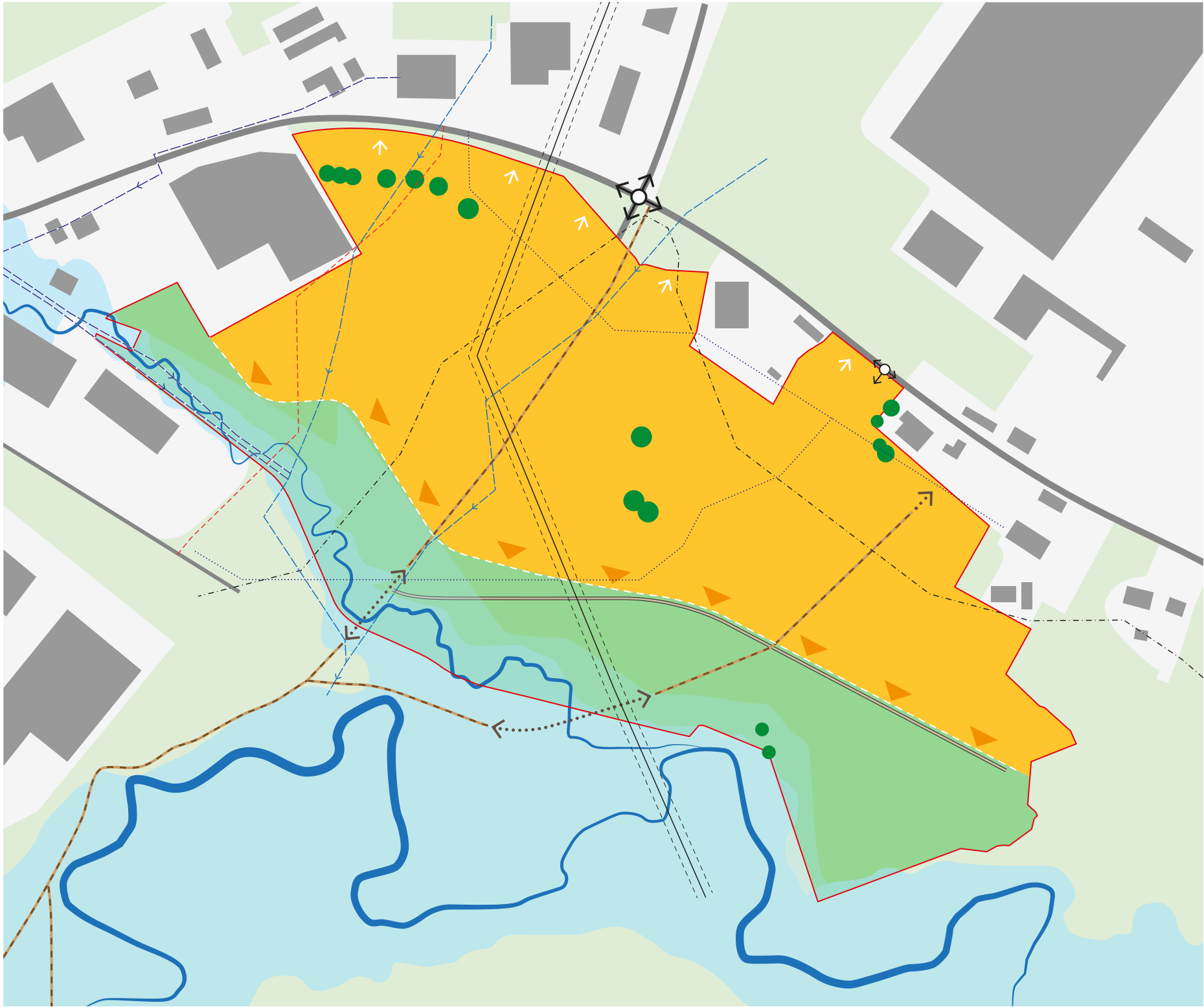


Figure 01: Proposed roundabout access to site

03.6 Site Analysis: **Opportunities and Constraints**



A number of opportunities and constraints are evident on the site as a result of the site's character and its context. These have been set out in built form below accompanied by the adjacent diagram:

Opportunities

- There is the potential for a large development area to the north of the site, which avoids steep gradient levels and floodzones.
- The existing network of infrastructure could provide links between Oak Road and the public right of way. They could also inform the positioning of the plot boundaries.
- Potential to develop a new frontage to Oak Road and an ecological zone to the south of the site.
- The site consists of large adaptable areas that could be developed to suit the needs of various business types.
- Views of the site are well screened from all directions apart from glimpse views from the public right of way, which is located south of the site.
- Relocation of smaller utilities could provide increased plot efficiency

Constraints

- Large utilities such as the 132kV overhead power transmitter and sewer network are difficult to re-locate.
- A area of flat ground is contained in the floodzone area and is therefore undevelopable
- A number of existing site features such as habitats and trees will need to be removed to maximise site efficiency.

	Site Boundary		Access point
	Developable land with steady gradient		Major electricity transmitter
	Undevelopable land with steep gradient to river		Sewer
	Development frontage		11kV power transmitter
	Floodzone B		33kV power transmitter
	Floodzone C2		Water main
	Redwither Brook		Historic footpath
	Existing tree (Category A, B and C)		Maintenance track
	Interface to existing woodland		Relinking historic footpath
	Existing building		



04

Scale + Approach

- 04.1 Analysis of existing developments
- 04.2 Proposed land uses

04.1 Scale and Approach: **Analysis of existing developments**

Introduction

The development examples on the following pages show the comparable scales of various portal frame buildings in relation to the existing development site. The examples are taken from Wrexham Industrial Estate which contains a variety of successful commercial and industrial developments.

Each example will highlight the size and development ratio efficiency of the plot and include a description of the unit type.



B2 / B8: Large Industrial

The TDG Logistic site at Wrexham Industrial Estate use a 20-30m portal frame with large service area to the rear of the site.

Gross area of site:	4.81 ha / 11.89 acres
Gross building area:	2,200m2
Development ratio:	46%
Size of building:	90-120m

04.2 Scale and Approach: **Analysis of existing developments**



B1: Small Industrial

The image above shows an example of 25m portal frames for B1 small industrial units. Different approaches to car parking, access and servicing are shown with the shared service area for some units (Area 01) and more traditional private service area for others (Area 02).

Gross area of site:	3.9 ha / 9.64 acres
Gross building area:	770m2
Development ratio:	20%
Building size:	40-80m



B2 / B8: Large Industrial

The example above shows examples of medium scale development at Wrexham where 40m portals are used. The service area varies depending on the business. In this example, a small commercial vehicle area is situated at the back with car parking along the main access road.

Gross area of site:	7.13 ha / 17.62 acres
Gross building area:	1,870m2
Development ratio:	26%
Building size:	40-200m



B2 / B8: Large Industrial

The example above shows a much larger scale development. The buildings use 12no. 15m portals and 1no. 25m portal which is serviced by a 10m wide access road and large commercial vehicle parking area. The entrance contains a car parking area that fronts onto the access road.

The industrial estate contains a large number of these portals, most notably Kellogg's, which has a site area of around 34ha, of which approximately 30% is taken up by buildings.

Gross area of site:	21.36 ha / 52.78 acres
Gross building area:	8,080m2
Development ratio:	38%
Building size:	150-200m

04.3 Scale and Approach: **Proposed land uses**



B1 Small Industrial

Small industrial units provide building space for smaller businesses. One building can often accommodate multiple businesses as illustrated in the image on the left. General specification for this type of buildings include:

- 20-30m portals
- 40-50% efficiency
- Layout varies on business type
- Combination of commercial vehicle parking and car parking

04.4 Scale and Approach: **Proposed land uses**



B2 / B8 Large Industrial

B2 and B8 industrial plots provide extensive interior and exterior space for large businesses. They vary in layout but usually contain:

- 15-40m portals on a large scale
- 60% efficiency
- Commercial vehicle parking, road infrastructure and turning circles
- Car parking area and offices at the front of development



05

Sketch Option

- 05.1 Site Layout
- 05.2 Building Layout
- 05.3 Area comparison of proposals
- 05.4 Precedent studies

05.1 Sketch Option: **Site Layout**



Description:

The diagram opposite illustrates the arrangement of plots within the site. Turning areas are provided at each end of a central spine road that connects all development plots. Larger plots are located to the west with medium to smaller sized plots to the east. Two access points are located on Oak Road, the primary access is a continuation of Bryn Lane, and the secondary access point is located between Higher Oak SAAB Authorised Garage and R & J Motors.

Pedestrian links provide connections over Redwither Brook to the south, through the centre of the site and to the west of the site linking with Oak Road.

Some of the existing trees have been retained and a green corridor has been proposed around the eastern boundary of the site, providing a green link between Oak Road and the Ecology / Amenity Zone. A new frontage of planting along the northern boundary provides a buffer along Oak Road.

Both the 11kV and 33kV electricity line and water main have been diverted to minimise the constraints on individual plots for development (this alignment is subject to a detailed assessment of potential routes). The foul water system and 132kV pylon remain on their existing alignment.

The southern ecology / amenity zone and ecological mitigation zone retains the existing landscape structure and habitat, which comprises broadleaved woodland and hawthorn scrub. This provides a buffer between the southern development boundary and Redwither Brook, and footpath links between the public right of way and Oak Road.

Attenuation ponds located along the southern boundary provide catchment for run-off water using the existing site levels.

Key:

	Site Boundary		33kV electricity transmitter
	Woodland		Existing tree
	Industrial developable plots		Proposed tree
	Development frontage		Access road / Plot access
	132kV electricity transmitter		Buffer zone / Green Corridor
	Sewer		Existing footpath
	Water main		Proposed footpath
	11kV electricity transmitter		

05.2 Sketch Option: **Building Layout**

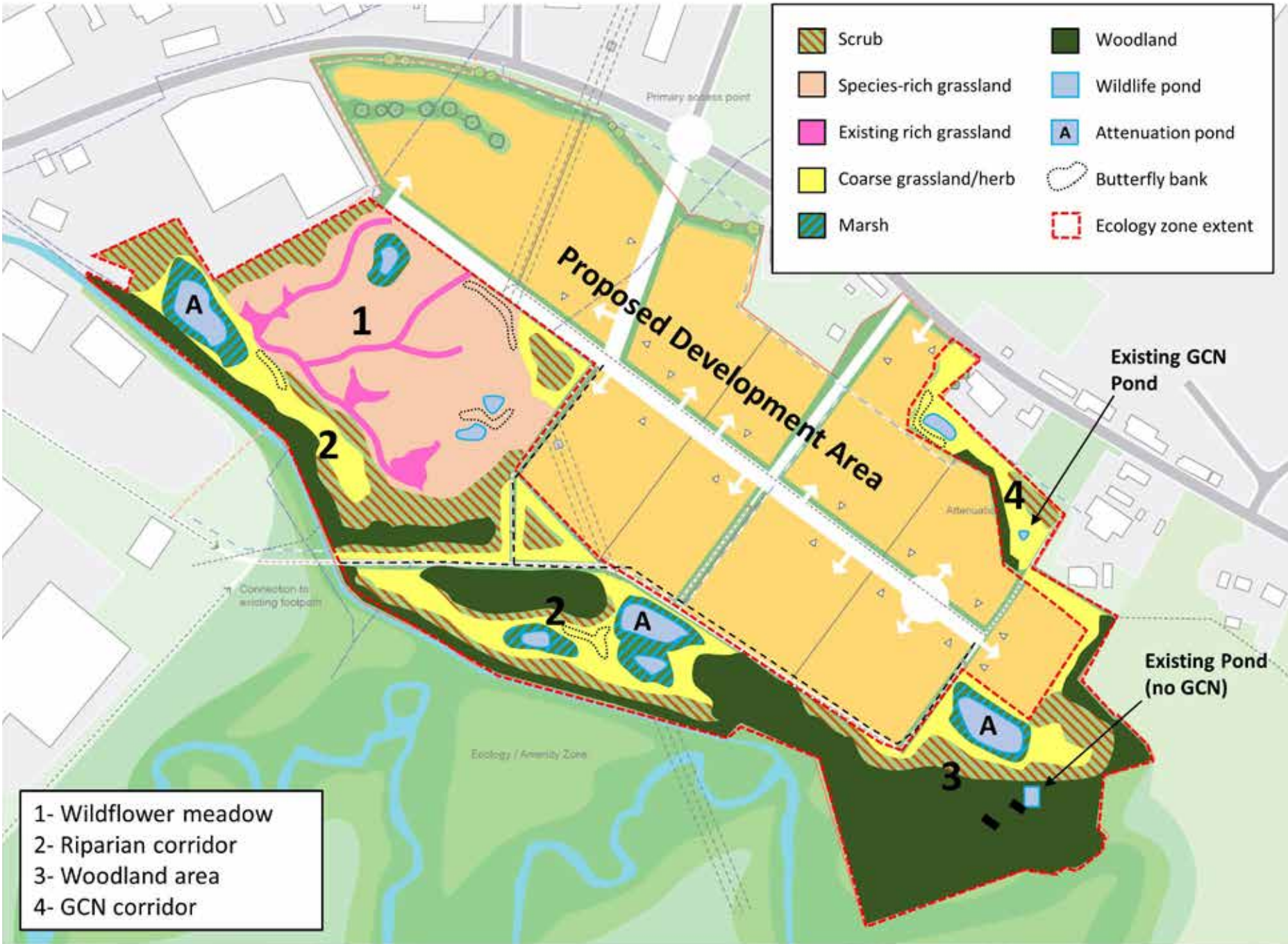


Areas:

□ Total site area:	22.16 ha / 54.76 acres
■ Development area:	8.58 ha / 21.20 acres (39%)
□ Infrastructure:	1.18 ha / 2.92 acres (5%)
■ Green Corridors / Buffer Planting:	2.26 ha / 5.59 acres (10%)
■ Ecological Mitigation Zone:	2.92 ha / 7.22 acres (13%)
■ Amenity zone:	7.22 ha / 17.84 acres (33%)

	Plot area	Gross building area	Development ratio
1.	1.27 ha / 3.14 acres	3,500m2	28%
2.	0.83 ha / 2.05 acres	3,500m2	42%
3.	0.85 ha / 2.10 acres	3,900m2	46%
4.	0.83 ha / 2.05 acres	3,600m2	43%
5.	0.63 ha / 1.56 acres	3,300m2	52%
6.	0.43 ha / 1.06 acres	2,200m2	51%
7.	1.00 ha / 2.47 acres	5,000m2	50%
8.	0.94 ha / 2.32 acres	5,300m2	56%
9.	0.55 ha / 1.36 acres	2,300m2	42%
10.	0.82 ha / 2.03 acres	5,000m2	61%
11.	0.43 ha / 1.06 acres	2,200m2	51%

05.3 Sketch Option: **Draft Ecology Zone**



Draft Ecology Zone Design:

A draft design for the proposed Ecology Zone at the site has been produced (illustrated on the left).

The Ecology Zone will seek to retain valuable areas of existing habitat and to promote extension of these habitats across the site through sensitive management.

The habitat design will aim to create and maintain an intricate mosaic of different habitat types including short sward flower-rich grassland, coarser tall grassland, bramble underscrub, taller hawthorn scrub, wetland, woodland and patches of bare ground.

The mitigation plan will also include the creation of new wildlife ponds, butterfly banks and the installation of bat boxes, bird boxes and artificial otter holts.

The ecology zone would be fenced off and regularly wardened to prevent misuse by off-road vehicles.

It is envisaged that the management plan would be carried out for at least 25 years.

The habitat management plan will ideally be implemented through initial transfer of the land (i.e. through a legal conveyance) to a suitable, interested, local wildlife organisation (e.g. North Wales Wildlife Trust, Amphibian and Reptile Conservation or North East Wales Wildlife).

The selected organisation would then be given an annual commuted sum to support the carrying out of maintenance, habitat management, wardening and monitoring of the Ecology Zone.

The Ecology Zone has been divided in to four broad habitat areas. These comprise of:

- 1 - Wildflower meadow
- 2 - Riparian corridor
- 3 - Woodland area
- 4 - Great crested newt corridor

A brief summary of management actions for each zone is provided on the following page.

05.3 Sketch Option: **Draft Ecology Zone**

Area 01

01 Wildflower meadow

Management of this area would seek to retain the existing areas of species-rich grassland and to facilitate the expansion of this habitat into adjacent low value habitats.

This would be achieved through scrub clearance with the cutting back of more recent hawthorn and bramble scrub. The arisings from scrub clearance should be removed from the proposed grassland expansion areas with some of the cut hawthorn and larger scrub retained as log piles at the site.

Some scrub habitats would be retained around the edges of this area.

New wildlife ponds and butterfly banks would also be created within this area

The wildlife ponds would include some permanent ponds and also some ephemeral ponds which would be designed to occasionally dry out.

The margins of the ponds will be graded to provide considerable shallows that have the ability to draw down to encourage a range of flora and a corresponding invertebrate fauna.

Ephemeral ponds are ideal for invertebrates, as they prevent fish from establishing and the fluctuating water level provides dynamic habitats that include diverse margins.

This area will be principally managed for its botanical and invertebrate interest.

Diversity of habitats would be maintained through various mowing regimes of grassland and scrub habitats. Sections of vegetation within this area would be cut several times a year (e.g. along the line of any proposed footpaths); some parts annually; some parts every two or three years and some parts of the scrub habitat once every 10 years.

Area 02

02 Riparian corridor

This area would be managed to provide a mosaic of coarser grassland/tall herb habitat, wetland areas, scrub and woodland habitats.

This would be achieved through some scrub/young woodland clearance with grassland and scrub managed through varying mowing regimes.

Wetland habitats would include areas of marsh and dedicated wildlife ponds plus the creation of larger attenuation ponds which would also be designed to be of value to wildlife.

The pockets of woodland would also be managed with woodland thinned out and high value trees encouraged to come through (e.g. young oaks trees). This can be achieved through 'haloing' (haloing involves the felling and pruning back of surrounding low-value trees and scrub so that they do not shade out and stunt the development of the older, slow-growing oak trees). The thinning out of the woodland should allow more light through to the field layer potentially enhancing conditions for woodland ground flora.

The variety of habitat niches within the woodland areas would also be increased by creating a glade/woodland ride type habitat alongside the existing hardstanding track.

The ride would be maintained through a variety of mowing/cutting regimes with parts of the ride cleared on a rotational basis with various frequencies of cut. The aim would be to maintain linear parallel belts of herbaceous and scrubby vegetation at a variety of successional stages.

Area 03 + 04

03 Woodland area

This would be managed in a similar fashion to the Riparian Corridor area with the thinning of the woodland and the haloing of more valuable oak trees.

An existing pond and buildings would be retained in this area. A new attenuation pond would be constructed which would be designed to be of value to wildlife.

Grassland and scrub habitats would be managed through various mowing regimes.

Bat and bird boxes would be installed on retained mature trees in this area. Artificial otter holts would be constructed within proximity to the River Clywedog.

04 Great crested newt corridor

A corridor of habitat would be retained along the eastern edge of the site. An existing great crested newt pond is located within this area.

Habitats within this area would be managed to provide suitable terrestrial habitats for great crested newt and would comprise of a mosaic of rough grassland, scrub and woodland habitats.

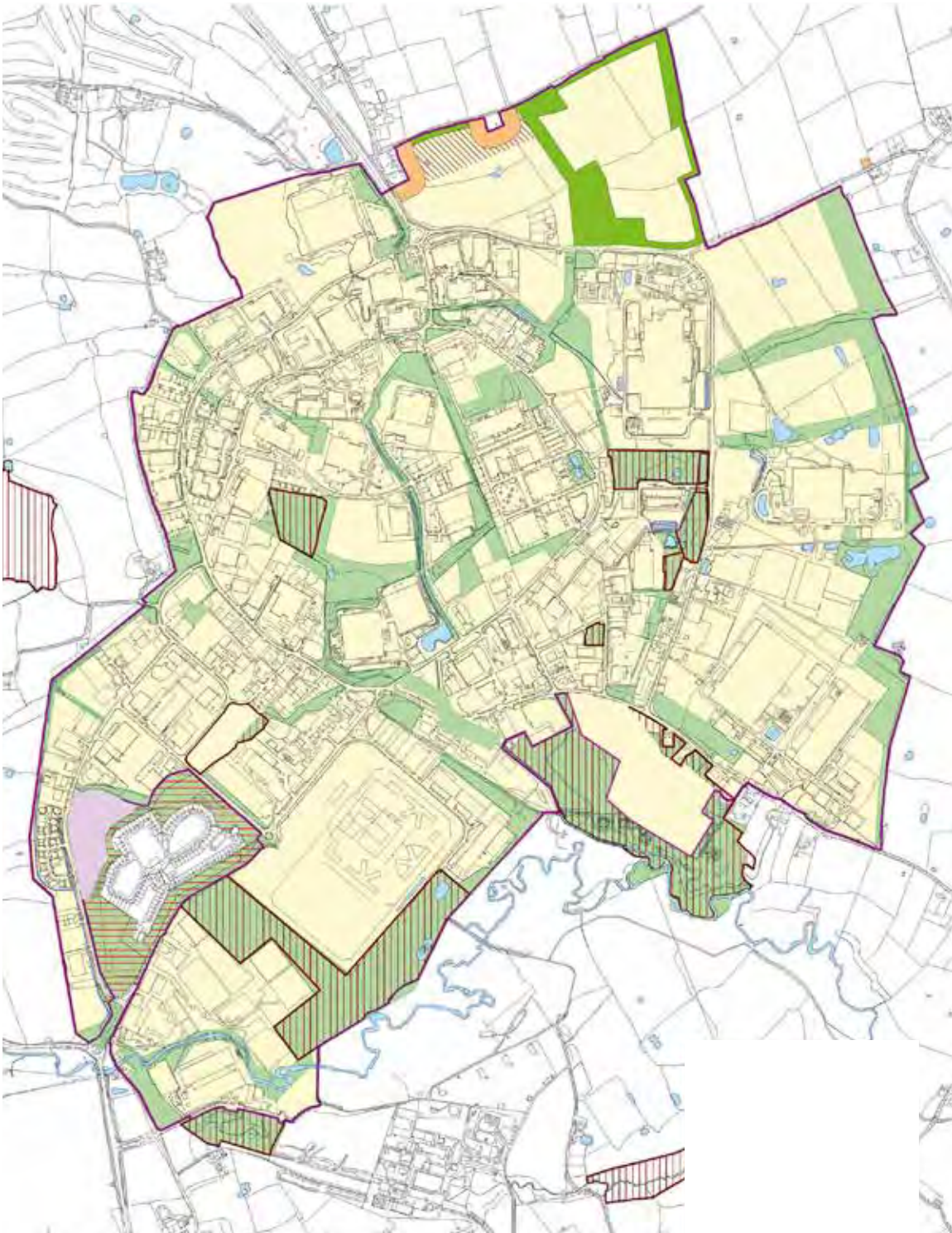
Diversity of habitats would be maintained through various mowing regimes of grassland and scrub habitats.

A new wildlife pond would be created within this area along with a large butterfly bank/great crested newt hibernacula.

This area will link the existing pond with newly created habitats elsewhere at the site and to habitats located beyond the proposed development site (an additional great crested newt breeding pond is located on the opposite side of Oak Road).

05.3 Sketch Option: Draft Ecology Zone

Updated Wrexham Council Ecological Network Plan:



The Wrexham Industrial Estate supports a variety of non-statutory designated local wildlife sites and undesignated areas of semi-natural habitat that are of importance to a number of species and habitats of conservation value including great crested newt, notable butterflies, bats, otter and birds.

However, the nature of the industrial estate entails that many of these habitats are fragmented and isolated by the surrounding commercial units and road infrastructure.

It is understood that WCBC is seeking to define an Ecology Network, through the industrial estate, to provide connectivity between areas of valuable habitat. The linkages would be created by retaining areas of more-or-less unbroken wildlife corridors plus islands of habitat to provide stepping stones through the estate.

We are supportive of these ambitions to provide a functioning Ecology Network which could both promote biodiversity within the industrial estate and enhance the health and well-being of users of the estate by providing proximal access to nature and green spaces; however, we do feel that any policies must reflect PPW and be underpinned by a sound evidence base and serve to present deliverable management and enhancement benefits.

We have established the baseline biodiversity value of land within the Oaks site and identified opportunities to contribute towards the Ecology Network. This would be achieved through the retention and enhancement of key areas including the maintenance of a continuous corridor of wildlife habitat within areas of established woodland plus careful design considerations within developed and undeveloped land adjoining the wildlife corridor.

The preliminary design layout for the site identifies some exciting biodiversity solutions that will deliver a meaningful level of net biodiversity benefit upon the Estate and this has allowed us to draw up proposals identifying alternative and additional areas of land which could be allocated as part of the main Ecology Network and which would be retained and actively managed for their conservation benefit.

These proposals will provide a mechanism whereby sections of the green network can be managed, maintained and enhanced. Such mechanisms are currently not in place for much of the proposed Ecology Network.

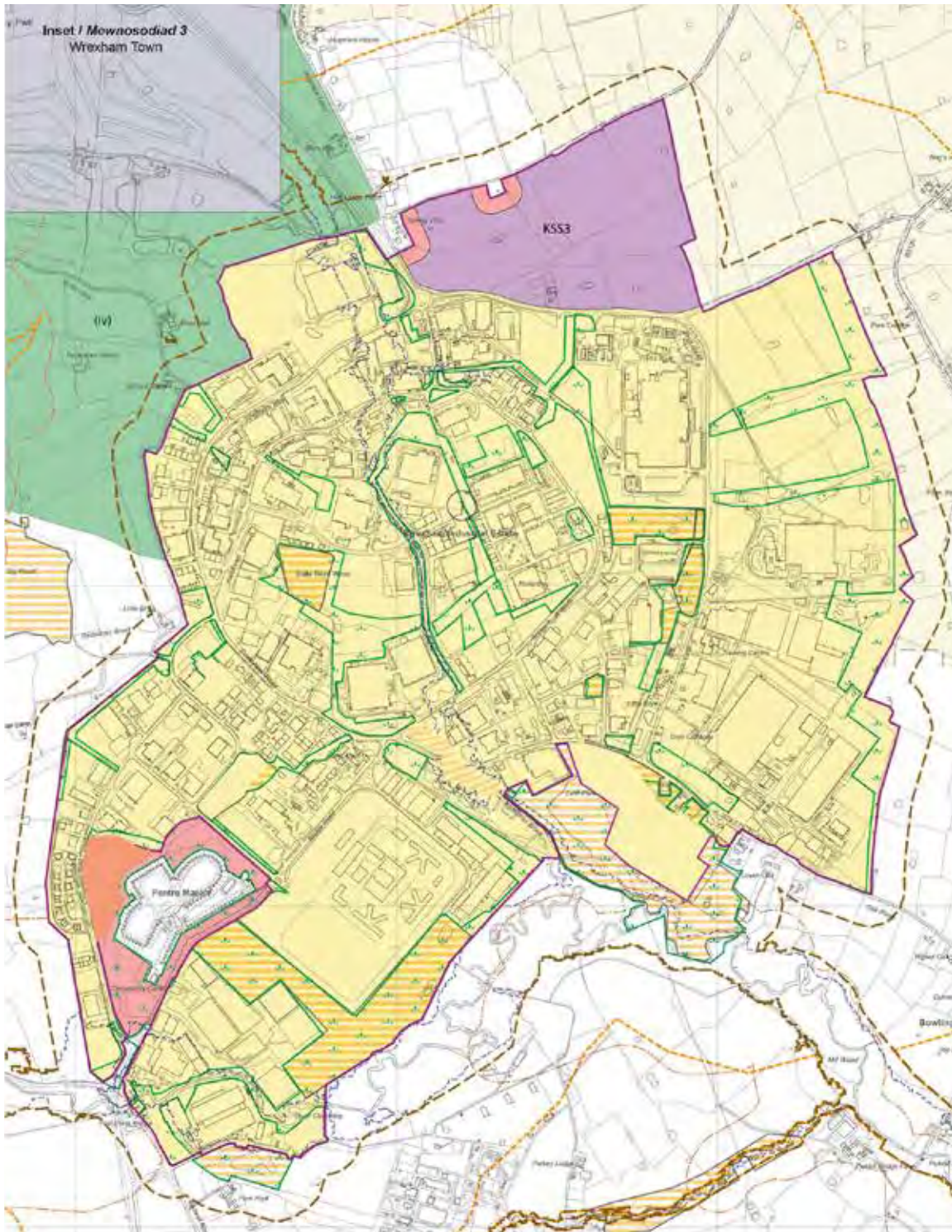
We have identified the locations of an alternative Ecology Network in a strategic manner, whereby important areas of habitat would be linked together to provide significant areas of continuous wildlife habitat allowing the colonisation of new areas and promoting more robust populations for key species of conservation value.

Key:

- Pentre Maelor Buffer
- WIE Employment Area
- KSS3 Environment Mitigation
- KSS3 Restricted Use
- KSS3 Residential Buffer
- Ponds and Water Courses
- Designated Wildlife Sites
- Green Network
- Residential Development

05.3 Sketch Option: **Draft Ecology Zone**

Updated Wrexham Council Emerging LDP:



One such area that we have identified comprises of a section of the Afon Clywedog Corridor outwith, but immediately adjacent to the industrial estate. Ecologically, this is a strategically important area through its location on the river itself and between the HMP Berwyn Ecology Zone and the Southern Edge of the Oaks LWS. This area is currently farmed but not in productive use due to its floodplain location.

The active management of this area, exclusively for conservation, along with the creation of new habitat features, would provide a significant enhancement to the Estate's ecological assets through the provision of a significant area of unbroken, semi-natural habitat along the southern boundary of the industrial estate.

It is considered that the proposed alternative Ecology Network offered provides a pragmatic solution allowing the twin aims of continued economic development of the estate plus promotion and enhancement of local wildlife assets to be achieved.

From a strategic policy context, the recently published draft PPW (version 10) places a much greater emphasis on “placemaking”, locating development in the most sustainably accessible areas and the use of brownfield previously developed land for bringing forward development needs.

It does not seek to dilute the requirement to conserve and enhance biodiversity but does recommend that there is a need to increase the resilience of ecosystems, including elevating “net benefit”, avoiding any significant loss of biodiversity and recognizing the potential for green infrastructure networks through connectivity.

PPW is clear that development should not be prevented on sites identified as statutorily protected; those that are not designated (such as those upon the WIE) should not preclude appropriate development.

We consider that working closely with WCBC, NRW (and others) in bringing these sites forward and developing a placemaking vision based upon the alternative approach we are advocating is appropriately sensitive to known ecological assets, but shall also serve to deliver a range of biodiversity benefits through on site ecology zones, but importantly will offer an active long-term management plan delivery mechanism.

05.4 Sketch Option: **Area comparison of proposals**

Comparison of areas:

The following table illustrates the development of site areas from the Wrexham / Maelor Local Plan in 1996 to the proposed options shown in this document. The percentage rates are based on the total site boundary amount (22.16ha):

	<i>Wrexham / Mealor (1996)</i>	<i>Consent (2000)</i>	<i>UDP (2005)</i>	<i>Proposed</i>
<i>Total site</i>	22.16ha / 54.76 acres	22.16ha / 54.76 acres	22.16ha / 54.76 acres	22.16ha / 54.76 acres
<i>Site area within Settlement boundary</i>	21.51ha / 53.15 acres (97%)	21.51ha / 53.15 acres (97%)	13.75ha / 33.98 acres (62%)	13.75ha / 33.98 acres (62%)
<i>Development area</i>	11.5ha / 28.42 acres - allocation (52%)	12.10ha / 29.90 acres (55%)	/	9.76ha / 24.12 acres (44%)
<i>Ecology / Amenity zone</i>	/	10.06ha / 24.86 acres (45%)	/	12.40ha / 30.64 acres (56%)

05.5 Sketch Option: **Precedent Studies**





06

Key Benefits + Next Steps

- 06.1 Summary
- 06.2 Infographic
- 06.3 The Ask

SUMMARY OF KEY BENEFITS

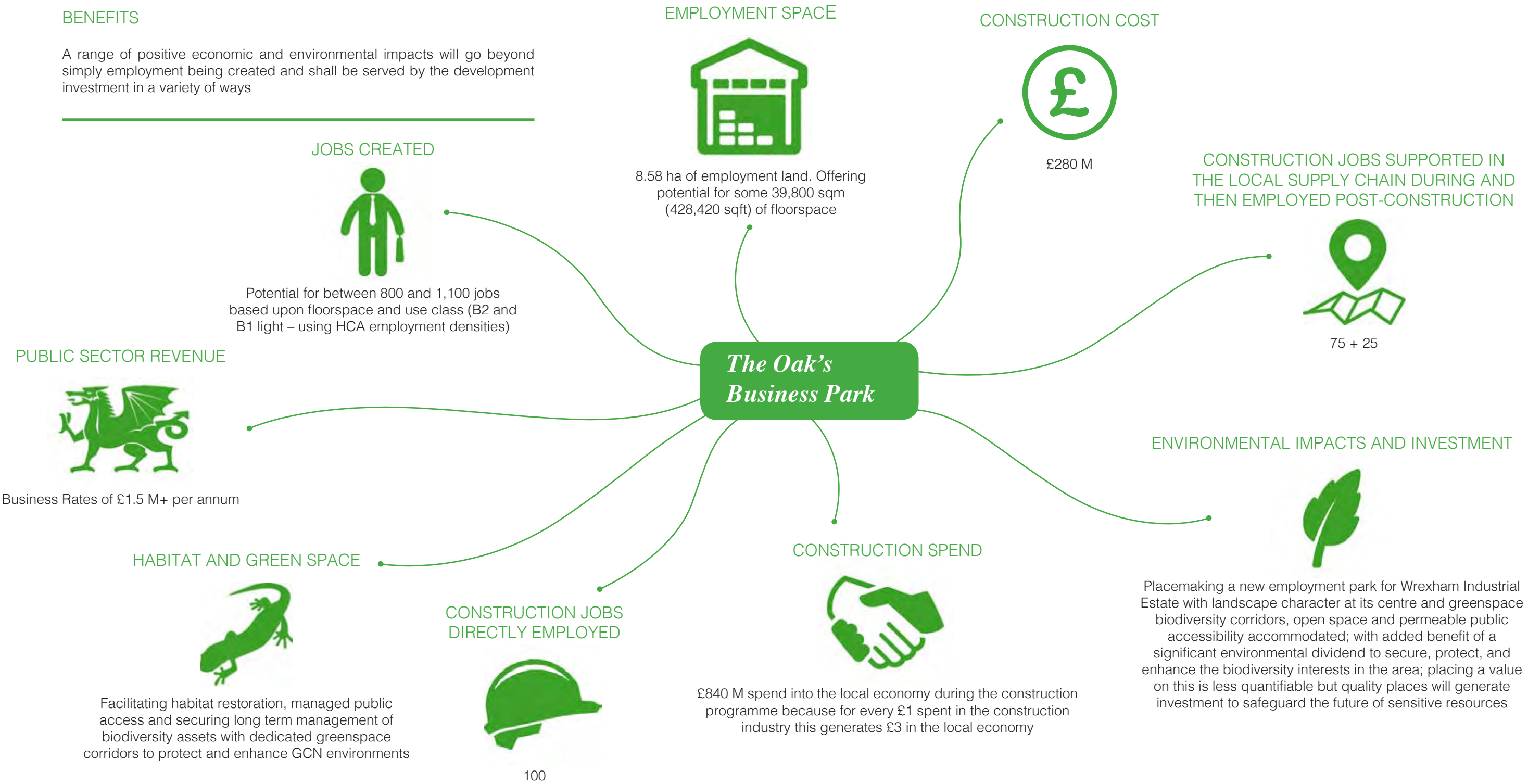
The development will achieve sustainable development in accordance with the emerging policy emphasis upon providing a series of economic, social and environmental net gains.

The development proposals will generate significant and mutually supportive economic, social and environmental benefits and gains which collectively constitute sustainable development.

06.2 Key Benefits and Next Steps: **Infographic**

BENEFITS

A range of positive economic and environmental impacts will go beyond simply employment being created and shall be served by the development investment in a variety of ways



06.3 Key Benefits and Next Steps: **The Ask**

THE ASK

The key Ask in moving forward is for the Local Authority to:

- *Confirm the status of this site as a key employment location – allocate and safeguard in the LDP*
- *Recognise the ability of it to come forward immediately and accelerate employment delivery*
- *Work in partnership with Cefn Park Developments and NRW to deliver new jobs and an environmental management solution*

CPDL will continue to develop the masterplan, engage with the Local Authority, key community and statutory stakeholders with a view to working towards assembling a “ready to go” planning application and provide tangible sustainable environmental and economic benefits.

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APPENDIX H

Inspector Findings

(2012)

INSPECTORS' PRELIMINARY FINDINGS

1. INTRODUCTION

- 1.1 During the opening week of hearings several potentially significant concerns emerged in relation to aspects of the Plan, particularly in relation to housing. This preliminary report has been produced to inform the Council of the seriousness of our concerns in order that the Council may consider their implications and reach an informed decision on how it would wish matters to be progressed. These preliminary findings have been informed by all the duly made representations that are before the Examination and the evidence submitted in relation to Hearing Sessions 1 to 6 held between 25 and 27 January 2012.
- 1.2 When considered individually some of the concerns identified are potentially so serious that they may undermine the soundness of the Plan, others, when considered in isolation, may be capable of being addressed through changes to the Plan. However, the number and extent of changes already identified and the likelihood that several others would arise in relation to the postponed sessions, indicate that the necessary changes may go beyond that which can be reasonably introduced at this stage in the Plan preparation process. The extent of these changes also raises concerns regarding the time implications that would be required to enable the Council to prepare and draft the necessary alterations during the course of the examination (see Section 9 of Examining Local Development Plans, Procedure Guidance – The Planning Inspectorate Wales, 2009).
- 1.3 An additional concern is the failure of the Council to empower its representatives at hearing sessions to suggest any changes to the Plan in response to identified shortcomings. The absence of any delegated powers vested in officers representing the Council frustrates the ability of the sessions to seek to resolve even fairly minor matters. The Council were advised of the need to secure delegated authority at the Pre-Hearing Meeting.
- 1.4 Sections 3, 4 and 5 of this report detail the fundamental concerns that have arisen, whilst section 6 outlines the other significant concerns that have been highlighted in the first week's hearing sessions. Potentially significant matters relating to sessions that have not yet been heard are set out in section 7, followed by concluding comments in section 8.
- 1.5 The Inspectors' approach from the outset has been to work with all parties towards achieving a sound Plan which could be recommended to the Council for its adoption. However, in light of the evidence which is now available it is the Inspectors' initial finding that the extent of the concerns identified in this report indicates that this may not be

achievable. The Exploratory Meeting has been arranged to enable the available options to be discussed with the Council.

2. Summary of the Main Findings

- 2.1 The main findings in this preliminary report concentrate on the topics covered during the opening week's hearing sessions. Other potential concerns are also mentioned but the comments in this respect are qualified by the fact that they have not yet been subject to oral examination at a hearing session. For this reason these matters are referred to as 'Other Potentially Significant Concerns'.

Fundamental Concerns

- A significant shortfall in the supply of housing which, if it were to be addressed, would undermine the strategy of the Plan of confining general housing to within settlement boundaries.
- A failure to take reasonable steps to secure an appropriate supply of affordable housing.
- A lack of suitable provision to meet the needs of the gypsy and traveller community.
- A failure in the Plan to respond to its own evidence base.
- An incoherent use of evidence e.g. short and long term trends used inconsistently to justify low housing figures.
- That cumulatively the changes that would be likely to be required would go beyond those which should be necessary to secure a sound Plan within a timely fashion, taking account of the potential need for an Appropriate Assessment and a Strategic Environmental Assessment/Sustainability Appraisal.

Other Significant Concerns

- The overall level of growth proposed by the Plan may lack sufficient ambition in terms of strengthening Wrexham's role as a key hub as envisaged in The Wales Spatial Plan 2008 Update.
- General lack of phasing throughout Plan.
- General lack of clarity and certainty within policies in relation to, amongst other matters, the definition of terms used, development densities and committed sums.
- A lack of prioritisation in relation to planning obligations i.e. affordable housing versus infrastructure, open space etc.
- Some policies lack effect, are unduly onerous, pull in the opposite direction to their intended objectives, and contain drafting errors.
- A lack of flexibility in the Plan, in particular overly rigid policies.
- The Plan does not make adequate provision in response to the introduction of the Community Infrastructure Levy in 2014.
- The flow and understanding of the Plan is hampered by a lack of cross references to national policy.

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- There is over-dependence on supplementary planning guidance (SPG) to deliver policy, with no clarity of proposed content or timescales for their preparation leading to a likely absence of essential guidance between adoption of the Plan and the Council's adoption of its various SPGs.
- Some monitoring indicators are unclear and are therefore likely to be ineffective.

Other Potentially Significant Concerns

- The approach to the protection of the natural environment fails to reflect the relative significance of international, national and local designations.
- The approach to green wedges does not have adequate regard to national policy.
- The Plan's approach to growth in the employment and retailing sectors does not reflect the Wales Spatial Plan's desire to see the strengthening of Wrexham as a key hub.
- Concern that the allocation of employment land has not sought to meet the likely future demand from the high technology sector which has been identified as having the greatest potential to grow.
- Concern that the envisaged scale of growth in the employment sector may be hampered by the limited pool of suitably skilled workforce that would be likely to result from the Plan's more restrictive approach to housing growth.
- Concern that the proposed imbalance between the scale of employment and housing growth may lead to employees commuting into the County to work, thus limiting the economic benefits to the area and increasing car borne journeys.

3. HOUSING NEED AND SUPPLY

- 3.1 These matters were the subject of Hearing Sessions 3 and 4 held on 26 January 2012.

National Planning Policy

- 3.2 Planning Policy Wales Edition 4 February 2011 (PPW) confirms in paragraph 9.2.2 that the latest Welsh Government (WG) local authority level Household Projections for Wales should form the starting point for assessing housing requirements. It also states that: '*Local planning authorities should consider the appropriateness of the projections for their area, based on all sources of local evidence, including the need for affordable housing identified by their Local Housing Market Assessment*' and: '*Where local planning authorities seek to deviate from the Assembly Government projections, they must justify their own preferred policy based projections by explaining the rationale behind them*'.

EXAMINATION

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- 3.3 Paragraph 9.2.1 of PPW sets out the matters which local authorities should take into account and which may justify deviating from the Government Projections. These matters include, amongst other things, the capacity of an area in terms of social, environmental and cultural factors. Paragraph 9.2.3 sets out the requirement on local planning authorities to ensure that sufficient land is genuinely available or will become available to provide a 5 year supply of land for housing.

Housing Figures in the Plan

- 3.4 The Council's Background Paper 5, Population, Household Growth and Housing Numbers, Updated September 2011 (BP5), explains that that the proposed level of housing to be provided by the Plan will provide sufficient homes to accommodate the projected demographic increase (births/deaths and household formation trends) set out in the latest (2008 based) WG projections, and to meet 60% of the projected increase arising from migration trends (both international and from within the UK).
- 3.5 During the hearing sessions the Council accepted that the 8065 figure set out in Policy SP3 represents the target number of houses which are required to meet the identified need. Although it was acknowledged that this figure when originally calculated represented the supply figure and included an element of slippage, the Council had subsequently accepted that 8065 should be the target figure. Accordingly it was agreed that to meet this figure the Plan should provide an additional 10% supply figure in line with the accepted contingency for slippage. Thus, notwithstanding that the Council's officer could not agree to revised figures without prior consultation with the Planning Policy Panel, it is the Council's position that the figure in Policy SP3 should read 8870 (rounded-off figure). On this basis the Plan has a shortfall in its provision of new housing of 805 units. The Council confirmed that it has not identified a list of reserve sites upon which it could rely in the event that the Examination revealed a requirement for additional sites.

Housing Need

Population Trends and Calculations

- 3.6 The calculation of housing need in the Plan originated from the WG's 2003 household projections for North Wales which was apportioned between authorities by the North Wales Population and Housing Research Group which produced population and household projections in 2005. This identified a requirement for 6300 homes in Wrexham County Borough. Following publication of the first WG household projections specific to the County which were based in 2006 and published in 2009, it was decided that the Plan should provide for an increase in the number of houses from the figure of 6300 set out in the preferred

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strategy, to a revised policy figure of 8065¹. The Plan was prepared prior to the publication of the WG's 2008 based household projections, but this data was used to inform the update to BP5. The Council describes the change between the 2006 and 2008 data as modest, accounting for an increase of 360 in the number of houses needed.

- 3.7 The 2008 projection figures extend over the period 2008-2023. During a hearing session there was agreement that using the mid year estimates for the first 2 years of the Plan (2006-08) combined with an adjustment based on the annual rate of growth derived from the Projection multiplied by the remaining number of years (2008 to 2021 = 13 years) would result in the requirement for 11,786 homes over the Plan period when an allowance for a vacancy rate of 4% and a 10% increase on that total to provide for slippage is included. This total equates to an annual rate of 786 units, compared with the corresponding figure provided by the Plan of 538.
- 3.8 The Council has referred to past build rates in the County over the last 14 years of some 400 dwellings per annum², which was well above the rate provided by the UDP. The lifespan of the UDP ended in 2011 and its housing provision has been built out.
- 3.9 Despite arguing that the 2008 projections are not a reliable indication of the future requirement for new housing the Council has not undertaken its own statistical-based analysis of household projections. It could have chosen to run the WG statistical model itself as a means of testing the effect of inputting different assumptions but has not done so, explaining that it had experienced difficulties in obtaining the model. Thus, whilst the Council has sought to undermine the reliability of the WG Projections it was unable to provide any alternative figures.
- 3.10 The Council confirmed that it did not dispute the figures regarding natural change in population or the household formation rates. Its main reasons for not accepting the projection figures are that the assumed rates of domestic and overseas migration into the County are based on past rates that are considerably higher than it predicts will occur in the future. Both of these contentions are summarised and considered below:
- i) *Rates of immigration over the past 5 years provides an unreliable indicator of future rates* – Overseas migration accounts for a relatively modest proportion of the annual increase. The Council contends that a projection of immigration rates based on the past 5 years is unreliable given that the early part of the period saw unprecedented rates of immigration into Wrexham from Eastern Europe, particularly from Poland. The Council predicts that such rates will not occur in the future. However, it was accepted at the hearing

¹ BP5 6.3.3

² BP5 6.5.18

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that the annual rate of immigration assumed by WG projections is similar to that identified in ONS figures cited by the Council (Figure 15, BP5). The Council also accepted that whilst there was anecdotal evidence that some of the Polish community had moved back to their homeland in recent years there was little reliable information available to suggest that immigration patterns over the Plan period would be significantly different to that predicted in the WG Projections.

- ii) *Past rates of in-migration have been unduly influenced by the movement of people from Cheshire West and Chester Council (CWAC) which is a trend that will not continue.* A cornerstone of the Council's case in seeking to reject the WG projections is its assumption that past trends of in-migration from within the UK would drop markedly. This contention was based on an anticipated change in planning policy which would see the presently restrictive approach to housing in the neighbouring CWAC being replaced with a strategy that would see, in broad terms, that county meeting its own housing needs. Again no analysis has been made of the proportion of in-migration generated from CWAC as distinct from other neighbouring authorities and further afield. It was accepted that, given Wrexham's size and range of attractions and facilities, it is reasonable to expect that it would draw in-migrants from other parts of the region. The relatively cheap housing it provides when compared to CWAC could also mean that it may attract in-migrants even if house building rates increase in that County. In any event there are no figures available to suggest the likely effect on in-migration from the envisaged policy change. Moreover, the Council confirmed that the policy change would only have a direct effect on housing supply after the CWAC site allocation Development Plan Document (DPD) has been adopted. This would be no earlier than 2015, and even then the Council confirmed that some slippage was anticipated. In these circumstances, it appears that Wrexham would be unlikely to see any effect on in-migration from this anticipated change in planning policy until the later part of the Plan period.

- 3.11 In support of both the above contentions it is argued that the 5 year period on which the projections are based is an inappropriate timeframe on which to make reliable projections. However, the Council does not rely on an alternative time period, but suggests on the one hand that a 10 year period would enable peaks and troughs to be smoothed out whilst, elsewhere, the Council seeks to rely on trends over the past 2-3 years to suggest that the 5 year trend is an unreliable indicator of future patterns. During the hearing, WG explained that whilst there are drawbacks with using a 5 year period on which to base its projections, this was found to be the most suitable period following detailed consideration informed by extensive consultation. There is no reason to conclude that it is not the most suitable approach in this case.

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- 3.12 The Council has failed to justify departing from the latest WG Projections in the Plan's identified housing requirement. The available evidence indicates that the housing requirement for the County over the Plan period is 11786. This means that, given the Plan's failure to provide the 10% contingency in its housing supply which the Council accepts is required, the shortfall in the identified supply is 3721.

Environmental and Other Considerations

- 3.13 The Council considers that it should not provide this higher level of housing growth on the basis that it would cause an unacceptable impact on the environment and on the cultural character and social cohesion of communities. The Council's main arguments in support of this stance are summarised and addressed below:

- i) Environmental impact – Whilst an Urban Potential Study³ was commissioned by the Council, this focused on sites within settlements defined in the adopted Unitary Development Plan (UDP). Outside settlements, there has been no formal assessment of environmental impact. Nonetheless, as most alternative sites before the Examination fall outside settlements they are contrary to the Plan's strategy, and have been rejected as unsuitable by the Council for that reason. The Council considers that there is a strong landscape conservation reason for continuing to place controls over settlement expansion by retaining the settlement limits set out in the UDP. It says that this is demonstrated by its desire to safeguard Special Landscape Areas (SLAs), though at the hearing it did not dispute that such designations are commonly found throughout the country. Although part of County has recently been designated as an Area of Outstanding Natural Beauty, it was accepted at the hearing that there was no reason to believe that the character of the County was such that it could not accommodate any expansion of settlements.
- ii) Social/linguistic – The Council considers that excessive housing growth would lead to a large increase in the level of in-migration, which could damage community cohesion and demographic structure of the population. However, there is no evidence to indicate the nature of any impact that would arise from greater build rates. Moreover, there seems to be no acknowledgement that in this respect the restrictive approach may have a harmful effect on the ability of local residents to find homes that would enable them to continue to reside in their community.

- 3.14 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. It appears

³ Wrexham Urban Potential Study (ENTEC 2007)

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that the restrictive strategy has been a locally popular approach in response to concerns regarding high levels of migration into the County. However, the Council accepts that the Plan cannot directly influence migration patterns and that higher house prices and the availability of well paid jobs within easy commuting distance may mean that migration patterns continue, thus restricting the ability of local residents to access housing in their communities. This could have a seriously harmful impact on the local population and does not appear to have formed part of the Council's appraisal of the most appropriate housing supply figure.

- 3.15 The Plan identifies the provision of 'enough quality housing, including affordable housing' among its objectives. Whilst the Plan was prepared on the basis that it would meet its identified need for affordable housing, for reasons set out elsewhere in this report it is evident that this will not be the case. Restricting housing growth will limit the scope to secure affordable housing as a proportion of general market housing. This again suggests that the advantages of the Council's approach have not been weighed against the potentially detrimental impacts of such a restrictive approach to housing growth. The impact on delivery of affordable housing reinforces the need to provide housing at the level in line with the WG Projections.

Housing Supply

- 3.16 The identified supply of housing is comprised of various elements: existing commitments i.e. houses built, under construction or with planning permission (4885); sites allocated in the Plan (1925); 100% affordable housing sites on publicly owned land (345); and windfall sites (910). The 2010-11 Joint Housing Land Availability Study (JHLAS) (SDE03) is yet to be agreed but this provides updated information that indicates an increase in commitments but slippage in the number of units that would be delivered on the allocated sites and the 100% affordable housing sites, which was confirmed at the hearing sessions. The Plan's proposed housing supply is not supported by a trajectory of provision and there is little evidence to suggest a timely delivery of housing. Moreover, evidence from the house building industry raises concerns that many of the allocated sites will not come forward in the short term because of the particular challenges in developing brownfield sites in a difficult economic climate when lenders are risk averse in the face of potential unidentified abnormal costs. The evidence provided in the Entec Urban Potential Study (page 53) also indicates that for viability reasons a brownfield strategy would not provide a reliable source of supply.
- 3.17 It is also accepted that one of the largest site allocations, the Cefn Mawr former Flexsys site, will not come forward until at least 2016. Whilst the land owner is supportive and working positively with the Council, it appears that there may be significant obstacles (site remediation and an existing tenant) to the site's delivery within the lifetime of the Plan. A

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further hearing session had been scheduled to consider this and several other sites in greater detail in the light of concerns regarding their potential to provide the timely delivery of envisaged housing.

- 3.18 In terms of windfalls, whilst according to the Council the 910 figure identified in the Plan is a conservative estimate, there is some question over whether past trends are a reliable indicator given that the more viable brownfield sites may have already been developed. Indeed, the Urban Potential Study (pg 54) indicates that in Wrexham Town, it is possible that its brownfield development potential could be greatly eroded over the next 10 years. At the hearing the Council asserted that 'new' brownfield sites were likely to continue to become available over the Plan period, for instance as a consequence of public bodies releasing land for development as they seek to realise assets in response to straitened financial circumstances. However there is no evidence to indicate that this scale of windfall development would occur.
- 3.19 The Plan's proposed housing supply of 8065 would result in a shortfall of some 3721 when compared to the established need based on WG projections. This disparity converts to an annual figure of 248 houses over the Plan period. Given that several allocated sites are not likely to be delivered over the next 4 or 5 years, this suggests that the annual shortfall over this period would be markedly greater than 248 units. This concern on timely delivery is reinforced by the findings of the latest JHLAS which reveal that a notable proportion of sites identified in the Plan as commitments, and which contribute to the Plan's housing supply, are not expected to be developed in the next 5 years.
- 3.20 The Council has confirmed that, even though the Plan sought to provide a housing target which was significantly below the WG projections, it decided not to identify any potential additional allocations that could contribute to meeting any shortfall that may be identified during this Examination. Thus the identification of even a modest amount of additional sites would be a significant exercise for the Council which may require several months to undertake. Moreover, the Council confirmed that because of issues relating to the rate of water abstraction within an aquifer, a housing supply figure exceeding 9,000 homes would require an Appropriate Assessment to be undertaken as required by the Conservation (Natural Habitats &c) Regulations as amended.
- 3.21 In any event the scale of the additional housing, in relation to that currently proposed would call into question the whole strategy of the Plan. The Council accepted that delivering this scale of housing would require allocating sites outside settlement limits. Such an approach would conflict with one of the fundamental aims of the Plan's strategy, that being to confine development to within existing settlement limits⁴.

⁴ Para 5.23 Wrexham County Borough Council Local Development Plan 2006 - 2021

Conclusion

- 3.22 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.
- 3.23 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 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.

4. AFFORDABLE HOUSING

- 4.1 This topic was the subject of hearing session 6 held on 27 January 2012. The delivery of affordable housing is a priority for Welsh Government, and the Plan, at paragraph 6.9, recognises the 'need to maximise the provision of local affordable homes to satisfy future requirements'.
- 4.2 It is evident that the Plan was prepared on the premise that it would meet virtually all the identified need for affordable housing. Paragraph 5.38 of the Deposit Plan identifies the contributions expected from various sources of affordable housing supply and states that a total of 2165 units could be delivered which is described as 99% of the identified need of 2205.
- 4.3 The 2165 unit figure in the Deposit Plan includes a contribution of 'up to 640 from rural and urban village exceptions'. This exceptions site policy, P4, provides that 100% affordable housing schemes can be permitted outside settlement limits in certain circumstances. In response to representor criticisms that a similar policy in the UDP had failed to deliver any such housing, the Council decided to remove this element from the identified supply through Focussed Change FC08. This change also introduced the addition of approximately 165 affordable housing units from windfall schemes, and calculated that the amended supply of affordable housing units would total 1540, representing 70% of the projected need.
- 4.4 During the hearing session the Council accepted that this target figure, which is derived from a 2006 Housing Needs Assessment (EBH02) was now out-of-date and should be 2010 to reflect the findings of the 2009 Update to the Assessment (EBH03).

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- 4.5 In BP5 the Council explains that the shortfall in the Plan's supply of affordable housing identified at the Focussed Change Stage would be made up by other Council initiatives, in particular Homebuy and an initiative to bring empty homes back into occupation. During the hearing session the Council accepted that, even on the basis of public funding of such initiatives over the past 5 years, the likely contribution from such sources would account for only 285 additional units, which would be approximately 185 short of making up the deficit between the Plan's contribution of 1540 and the agreed need of 2010. The Council has identified future initiatives that will seek to maximise the return from public funding on affordable housing projects. Even so, in light of the likely continued pressure on public spending, the assumption that past levels of publicly funded delivery will continue seems highly unlikely. Thus, even allowing for the lower revised figure of need, the Plan when combined with publicly funded initiatives will not meet the identified need. Moreover, for reasons that are outlined below, it is clear that the level of contribution from the Plan's policies will fall significantly short of the envisaged 1540 units.
- 4.6 The Plan provides 3 sources of contribution to affordable housing: public sector owned sites (345 units); windfalls (165 units); and developer contributions on general market schemes (1030 units of which 58 were completed between 2006 and 2009). Each is examined in turn:
- i) Policy P5 makes provision for 345 units to be provided on 100% affordable housing schemes on identified sites. 147 of these have already been delivered. At the hearing it was accepted that in the light of further consideration of the likely capacity of each site, several of which have already been granted planning permission, that 271 units was a more realistic figure. It was also explained that one of the largest of these sites identified as providing some 41 units may not come forward given that the Council has not yet decided whether to release the site for 100% affordable housing, notwithstanding its allocation in the Plan. The Council confirmed that it has decided to allocate all its available funding for social housing to maximise the delivery of these sites but accepted that the future level of grant aid is less certain given public funding constraints.
 - ii) At Focussed Change stage the housing contribution from windfall sites was introduced to the housing supply figures. It is expected to provide 910 units of which 165 units would be affordable housing. Not only is there uncertainty regarding the delivery of this scale of windfall sites but, for reasons detailed in the next point, it is not likely that the envisaged level of contribution to affordable housing from market housing schemes will be achieved.
 - iii) The vast majority of the anticipated contribution to affordable housing provision is from general market housing allocations identified in Policy P1, and Policy P3 sets that contribution at 30%.

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For reasons detailed further on in this report, the provision at 30% is not viable in the present housing market and would not be so in the event of a 10% upturn in house prices. Indeed the evidence indicates that a 20% contribution would not be likely to be viable in such circumstances. There is no evidence of the likely viability of schemes at a lower rate of contribution.

- 4.7 Thus there is likely to be a shortfall in relation to each of the 3 sources of affordable housing contribution. The issue of viability is such that the shortfall in relation to allocated and windfall sites is likely to be considerable. This is examined in more detail in the following paragraphs.
- 4.8 Paragraph 6.7 of the Plan indicates that economic viability will be taken into account in determining the provision of affordable housing on any given site. It goes on to state that only in exceptional circumstances where viability is genuinely threatened as a result of unforeseen costs (e.g. extraordinary site contamination and re-mediation) that the 30% requirement would be reduced. It was accepted at the hearing that this approach to viability fails to recognise that the viability of any scheme is critical to its delivery. There is a need to include within the Policy that consideration of viability can, where proven, justify departing from the required level of contribution.
- 4.9 Notwithstanding the scope to introduce an element of flexibility to the contribution requirement, it is necessary that the level of contribution is based on robust and credible evidence. It was generally accepted at the hearing that, given the importance of providing affordable housing, the proportion of contribution sought should be challenging and should not be purely based on the present difficult economic climate. On the other hand setting too high a level of contribution would be counter productive in that it would deter developers from considering schemes in the County. In the event of a marked upturn in the housing market the monitoring framework should trigger a timely review of the Plan to secure higher contributions if justified by changing circumstances. Establishing a realistic contribution figure is also necessary to establish the likely delivery of such housing over the Plan period.
- 4.10 The evidence base which supports the viability of the 30% requirement is the DVS Viability Study (EBH06) produced in September 2009 and a second report (EBH08) in October 2010.
- 4.11 Representatives of house builders at the hearing considered that some assumptions used in the original DVS report over-estimated viability, including the percentage of developer profit that ought to have been factored into the appraisals taking into account the requirements of financial institutions when deciding to fund schemes. In its second report the DVS acknowledges certain limitations in terms of its viability appraisal, however the Council did not commission any further work on

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this topic. The hearing confirmed that there are a series of considerations that indicate that the viability assessment is overly optimistic, the main ones are listed below:

- i) Out of 18 sites assessed 5 or 6 are greenfield sites. This is not representative of the 84% brownfield site allocations of the Plan which is significant given that the study indicates that the greenfield sites were generally shown to be more viable than brownfield.
- ii) The assessment does not take into account additional construction costs that will arise once Part L of the Building Regulations is amended to require a higher standard in terms of the Code for Sustainable Homes. Whilst there was no agreement at the hearing on the likely amount of increased costs, there was agreement that some additional allowance was appropriate given that this requirement will be introduced next year.
- iii) The appraisal did not take into account additional costs arising from planning obligations. Although the DVS report explains that it was its understanding that affordable housing contributions would take priority over any other planning obligation contributions, it was accepted at the hearing that the Plan makes no such provision. The Council acknowledged that some contributions required to directly facilitate the site's development, such as off-site highway or drainage improvements, would feature ahead of affordable housing.
- iv) The finding that schemes would be viable was predicated on a 10% upturn in housing values, which the DVS considered in its 2010 Report could be reasonably expected to occur in 3 to 4 years. The HBF refers to research undertaken by Savills in 2011 which concluded that house prices in Wales are not likely to increase by more than 0.5% by 2015. There is no evidence to suggest that this is not a realistic prediction, particularly given the current state of the economy.

4.12 Notwithstanding the limitations of the study, it established that on the basis of house values at the time of the assessment 15 out of 18 sites were unviable even with a reduced contribution of 20%. The DVS's second report accepts that at the time of the 2009 study the data did not support a 20% target.

4.13 At the hearing the Council suggested that a target of 25% may be more realistic on the basis that this is the UDP requirement, but accepted that this was not supported by the only available detailed evidence which has been presented on viability. It agreed to consider asking the DVS to undertake an assessment of viability on the basis of a contribution below 20%, which is the lowest figure in the DVS study.

4.14 It is acknowledged that the services of a recently appointed Rural Housing Enabler Officer may encourage some take-up of the

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exceptions sites policy, and that its wording could be altered to make it more accommodating of such development. Even so any contribution would not be likely to markedly reduce the anticipated shortfall in provision.

Conclusion

- 4.15 It is evident that the combined contribution to the supply of affordable housing from the Plan and other initiatives will fall considerably short of the identified need. Whilst it is accepted that present economic conditions make the delivery of sufficient affordable housing a challenging prospect, there is no evidence that the Plan has been devised to maximise the Plan's potential contribution to delivery.
- 4.16 The Council has sought to emphasise that other priorities have driven the Plan's strategy but it appears that there are 2 significant elements of the strategy that militate against maximising affordable housing delivery – firstly, the reliance on brownfield which tends to be more expensive, or at least more difficult, to develop; and secondly, the restrained level of general market housing growth which places a higher pro rata burden on each market housing unit to contribute to meeting the need for affordable housing.
- 4.17 There is no evidence that in choosing its strategy that the benefits of a mainly brownfield approach have been properly assessed and balanced against a shortfall in the delivery of affordable housing. Indeed it appears that in adopting an overly optimistic view of the likely capacity of the Deposit Plan to deliver in this respect, the necessary exercise of balancing conflicting objectives was not undertaken. Once it was realised that there would be some shortfall it was decided to rely on using public funds to make up the gap rather than seeking to make changes to the Plan which would maximise potential delivery. It is now apparent that this initiative will not make up the shortfall between the Plan's target supply and the identified need. Even more significant is the likelihood that the Plan will fall well short of its delivery target given that it has not been informed by a realistic understanding of the limitations imposed by economic viability considerations.

5. GYPSY AND TRAVELLER PROVISION

- 5.1 This topic was examined at hearing session 5 held on 27 January 2012. A Gypsy and Traveller Accommodation Assessment (EBG+T01) was produced in 2007 and updated by the Gypsy and Traveller Potential Sites Study (EBG+T02) in 2008. These documents comprise the Council's evidence base in relation to this topic.
- 5.2 The 2008 Study identified a need for 15 pitches up to 2013 and an additional 12 pitches post 2013 and refers to the existence of one

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unauthorised encampment. The Council confirmed that this unauthorised site at Rossett continues to be occupied by 5 families with legal proceedings well advanced to secure their displacement.

- 5.3 The Council has referred to the Study identifying a 'possible' need post 2013 but it was unable to explain the basis for this qualification of the need other than to contend that predictions beyond 5 years introduce too significant an element of uncertainty caused by the fluidity of family arrangements. However, this approach fails to acknowledge that the Study considered such difficulty and calculated need beyond the 5 year period by applying a growth rate to the base population. The Study's figure of need is based on an assumption that growth proceeds at a rate of 3.9% (which the report states is used by the Department of Communities and Local Government) whereas it identifies the historic growth within the County as 6.25%. Using this higher percentage would have resulted in a requirement for a further 9 pitches.
- 5.4 Circular 30/2007: Planning for Gypsy and Traveller Caravan Sites requires local planning authorities to allocate sufficient sites in LDPs to ensure that identified pitch requirements for residential and transit use can be met. At paragraph 24 it explains that exceptionally, where an authority is 'unable to meet all assessed future needs through specific site locations' the LDP should give a 'reasoned explanation why that has not been possible. It must explain what criteria will be used to ensure adequate provision and state the detailed measures it will take to ensure that adequate provision is made during the plan period.'
- 5.5 Policy P10 makes provision for 15 pitches to meet the need until 2013 by allocating land to enable an extension to an existing site at Ruthin Road. This allocation fails to recognise that the 2008 Study refers to shortcomings identified by the gypsy and traveller community in relation to this site in terms of its poor accessibility to nearby settlements and to public transport. Representations to the Plan identify other concerns including that, as the site is perceived to be an Irish Travellers' site, many Romany Gypsies are fearful that moving onto the site would lead to social tensions and potential conflict whilst its proximity to a busy main road is seen as creating an unsuitable living environment. Its present vacancy rate (6 empty pitches) may reflect these concerns. Other identified drawbacks appear to have been addressed by the site's recent refurbishment.
- 5.6 The Plan makes no allocation to meet the identified need from 2013 to the end of the Plan period. There is no evidence to justify this decision other than the assertion that the study's findings are considered to be unreliable beyond a 5 year timeframe. The Council considers that a decision to review the Plan in 2013 provides a suitable mechanism for dealing with future need. Whilst such an approach clearly fails to meet the requirement for adequate provision during the plan period this shortcoming is compounded by the fact that no potential sites have

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been identified as suitable for allocation should the review reveal this to be necessary. This is particularly significant given that the acknowledged difficulties of identifying any new sites in terms of local opposition would be likely to severely hinder a prompt revision to the Plan.

- 5.7 Turning now to part 2) of Policy P10 which provides a criteria based element to the policy. The Circular identifies the requirement for a criteria based policy to enable future or unexpected demand to be met, and emphasises that criteria should be 'fair, reasonable, realistic and effective in delivering sites'. P10 includes an upper limit of 7 pitches that may be permitted over the Plan period. Whilst this limit appears to be based on the identified need in the Study for private site provision there appears to be no reason for imposing an upper limit on the number of pitches which could lead to the refusal of a planning application that would otherwise meet all the criteria of the policy. The Council's reliance on this identified level of need runs counter to its stance regarding the reliability of future predictions of need in relation to allocating sites.
- 5.8 The policy imposes a limitation of a single pitch on each site, preventing occupation by extended families which would frustrate the desire of the gypsy and traveller community to provide support across the generations which is an important aspect of gypsy culture. Such an arbitrary limit runs counter to the specific advice in Annex B of the Circular. Among the criteria of P10 is that proposals should not have a detrimental visual impact or be detrimental to the amenities of neighbouring properties. These criteria together with a requirement that the proposal is generated by 'local need' further indicate that the policy is unacceptably restrictive, and contrary to the advice in the Circular, including Annex B which provides examples of the types of requirements that should not be included in such policies. That the policy is so stringent is all the more inappropriate given the LDP's failure to allocate sufficient land for the Plan period.
- 5.9 The Plan makes no provision for transit sites on the basis that the Study identified no transit sites in occupation. However this does not take into account that the Study recorded past instances of unauthorised transit site encampments and found that the absence of such sites at that time did not indicate that such a need would not arise on occasions in the future. The Council has stated that the issue of transit site provision was being addressed at a regional level and during the hearing session it explained that a study had recently been completed but that the Council had not been apprised of its findings. In line with PPW the Plan should make appropriate provision if it is to minimise the potential for unauthorised encampments.

Conclusion

- 5.10 The Plan fails to make reasonable provision to meet the identified needs of the gypsy and traveller community. Its approach fails to have proper regard to national policy and is likely to lead to future instances of unauthorised encampments which give rise to problems of poor living conditions for occupiers and lead to tensions between the settled and the traveller communities.

6. OTHER SIGNIFICANT CONCERNS

- 6.1 During the course of the first week's hearings a number of other concerns were raised by the Inspectors. Whilst this report does not identify every concern several are identified below in order to provide an indication of the scale of changes that would be required in order to address each one.
- 6.2 Wrexham is identified in the Wales Spatial Plan as a key hub which ought to be strengthened as a focus for investment in, amongst other sectors, housing. There is concern that the restrictive approach of the Plan to housing in particular fails to have regard to the Wales Spatial Plan.
- 6.3 The lack of information on phasing raises concerns with regard to the timely delivery of development over the remainder of the Plan period.
- 6.4 The limitations imposed by economic viability considerations will limit the potential contributions to infrastructure, affordable housing and community facilities. To appreciate the potential benefits that will arise from the envisaged scale of development, and to ensure a transparent decision-making process at planning application stage, the Plan should provide an indication of how conflicting priorities will be addressed. This could be incorporated within a revised Policy P13 and augmented by SPG.
- 6.5 The implications of the introduction of the Community Infrastructure Levy post 2014 on the ability to secure contributions from developers for necessary facilities and infrastructure has not been fully addressed.
- 6.6 Wording of policies: many policies lack sufficiently precise wording to ensure that they can be interpreted with reasonable consistency thereby undermining the Plan's coherence and effectiveness. Several policies are phrased as aspirations and would lack the necessary precision to ensure that they would be effective. There are also examples of policies which contain clear errors in drafting (in particular P15) and other policies which, as drafted, would have the effect of restricting a particular type of development rather than enabling it in line with the stated purpose (P9). Many policies provide no flexibility even though

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this would in practice be sensible e.g. to recognise viability considerations (P3 and P15), or to cease to protect a facility if there is no reasonable prospect that its use will resume (P12).

- 6.7 The Plan at paragraph 1.6 makes clear that national planning policy will also be used to determine planning applications, and rightly seeks to avoid re-iterating national policy. However, the very limited and general references in the Plan to national policy make it difficult to establish the relationship between the LDP and national policy in relation to specific matters. It was agreed that this could be clarified by specific references to elements of national policy throughout the Plan.
- 6.8 The Plan places undue reliance on supplementary planning guidance (SPG) which is at odds with the advice in LDP Wales. Many policies would need to be redrafted to ensure that they set out the criteria for planning decisions rather than delegating to SPG. Furthermore, the hitherto unspecified time lag between adoption of the Plan and the Council's adoption of a series of SPG documents would create a period where there could be an absence of sufficient guidance to properly inform decision making.
- 6.9 During the opening hearing session it was agreed that there was scope to further revise the monitoring framework to ensure that it would provide reasonable flexibility as well as triggering a timely review in the event that the Plan significantly fails to deliver.

7. OTHER POTENTIALLY SIGNIFICANT CONCERNS

- 7.1 The agenda for hearing session 7 identifies potential concerns with regard to the Plan's approach of dealing with all nature conservation interests in one general policy (SP10). This approach fails to reflect the different approaches that are required in relation to international, national or local designations. A clear cross-reference to relevant national policy⁵ may address this concern but there would also be a need to identify the different designations on the Proposals Map in line with LDP Wales, paragraph 2.24. Policy SP14 does not have sufficient regard to the detailed policy approach to green barriers set out in PPW. It is not clear whether the designations have been based on a formal assessment in line with national policy.
- 7.2 During the opening hearing session there was an acceptance by the Council that the Plan sought steady growth in the future following a period of significant growth in recent years. However, in the context of the regional importance of Wrexham, which is identified as a Key Business Sector Area in the Wales Spatial Plan, it is not clear whether the employment land allocations will cater for an appropriate level of growth. This raises the question of whether the Plan is sufficiently

⁵ TAN5: Nature Conservation and Planning

ambitious in this respect, and in relation to other sectors of the economy such as retailing.

- 7.3 The County's traditional manufacturing base has been declining in recent years, a trend that is expected to continue whilst the high quality business sector is identified as having the greatest potential for growth. There are concerns that as the allocation of suitable land for high quality business is concentrated on one site only, the Western Gateway, that this will not maximise the opportunity of attracting new employers to the County. It is not clear whether the Plan's strategy and policies would encourage growth in high-tech industries within the County. It is also suggested that restricting housing growth would limit the number of workers available in the local pool of labour making it more difficult to attract investment from potential employers.
- 7.4 Another concern in relation to employment is that a restricted pool of suitable labour residing in the County may lead to workers being attracted to commute from outside the County. This would mean that much of the wealth generated by increased employment would be spent outside the County whilst also leading to an increase in car borne journeys which runs counter to promoting sustainable development which paragraph 5.6 of the Plan says underpins the LDP.

8. THE WAY FORWARD

- 8.1 The Inspectors are concerned that the matters raised in this report demonstrate that the LDP does not have regard to national policy (Soundness Test C2) or to the Wales Spatial Plan (Test C3), is not founded on a robust and credible evidence base (Test CE2) and is not reasonably flexible to deal with changing circumstances (Test CE4). There is also concern that the Plan does not set out a coherent strategy from which its policies and allocations logically flow (Test CE1).
- 8.2 In light of these concerns the Council is asked to consider the implications of the above and to provide a response. In doing so it should bear in mind the comments made by the Lead Inspector during the first hearing session that the examination should progress on the basis that the Council considers that it has submitted a sound plan. The scope to consider further changes to the Plan at this stage is limited, and must ensure that any change is consistent with the Plan's strategy and does not undermine the sustainability appraisal report or the public consultation process. It would also be necessary to consider any implications to the timely conclusion of the examination.
- 8.3 The Exploratory Meeting scheduled for 9:30am on 23 February 2012 will provide an opportunity for the Council to provide its response to the matters raised in this report. It is understood that both its Planning Policy Panel and Executive Board will have had the opportunity to

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discuss the content of this report in advance. It is anticipated that representatives of the Welsh Government will also be present.

- 8.4 The scope of the meeting will be strictly limited to discussing how best to move forward in light of the identified concerns. There will be no opportunity for the Council, or any one else, to comment on the merits of the Plan. The hearing sessions, based on the matters and issues that have already been identified are the only forum to examine the merits of the Plan and the representations that have been submitted in objection.
- 8.5 If the Council has any specific queries that it would wish to raise at the Meeting it would be helpful if prior notification is provided to the Inspectors via the Programme Officer which may enable a more considered response to be provided at the Meeting.

APPENDIX I

LDP2 Examination

Representations



SUBMISSION STATEMENT

in respect of

Wrexham LDP Examination

on behalf of

CPDL

Matters 5

September 2019

Matter 5	Economic growth, employment and enterprise
Response deadline	Thursday 22 nd August
Date of session	Thursday 5 th September 1.30 to 4.30
Relevant Policies	SP9

Key Issue: Is the economic strategy coherent and based on a clear and robust preparation process? Will it address the Key Issues and Strategic Objectives effectively and efficiently? Are the strategy and strategic policies realistic and appropriate in the light of relevant alternatives and are they based on robust and credible evidence?

Questions

- Given the high level of deprivation in some parts of the CB, is the strategy for economic growth sufficiently aspirational?
- Why wasn't the employment-led growth option selected, particularly in the light of the large amount of available employment land?
- What is the cross-border employment relationship? What proportion of the existing jobs within Wrexham CB are filled by employees from outside the CB? How many of Wrexham's residents travel to work outside the CB?
- Is there still funding through the Vibrant and Viable Places programme? If so, how are its regeneration aims reflected in the LDP?
- How will the LDP maintain and enhance the CB's tourism, culture and leisure offer?

J10 Response

- **SEE ALSO MATTER 12 RESPONSE**
- Given the emerging **NDP Policy 17** we would question the aspirational nature of **Policy SP9**, which we feel is insufficient.
- We would question the correlations between an anticipated projection of 4,200 jobs and the amount of land identified for allocation.
- The North Wales Growth Deal is not reflected in the policy.
- Allocating just 28 ha of land is considered insufficient.
- We also question the need to protect all existing 25 employment sites under **Policy EM1**, when the Authority have been prepared to grant permission for alternative uses (without any marketing evidence) in the past.
- The inferred suggestion is that there is a large amount of available employment land – this is not correct.

NDP Policy 17 – Wrexham and Deeside

The Welsh Government supports Wrexham and Deeside as the primary focus for regional growth and investment. Wrexham and Deeside's role within the North region and the wider cross-border areas of Cheshire West and Chester and Liverpool City Region should be maintained and enhanced.

Strategic and Local Development Plans across the region should recognise Wrexham and Deeside as the focus for strategic housing and economic growth; essential services and facilities; advanced manufacturing; transport and digital infrastructure; and consider how they can support and benefit from Wrexham and Deeside's regional role.

The Welsh Government will work with cross border authorities to promote Wrexham and Deeside's strategic role and ensure key investment decisions support Wrexham and Deeside and the wider region.

Wrexham and Deeside is one of only 3 National Growth Areas being designated nationally and as such Wrexham is an area where growth will be encouraged.



SUBMISSION STATEMENT

in respect of

Wrexham LDP Examination

on behalf of

CPDL

Matters 9

September 2019

Matter 9	Economy
Response deadline	Tuesday 17 th September
Date of session	Tuesday 1 st October 9.30 to 4.30
Relevant Policies	KSS3, EM1, EM4, EM5, EM6

Including Wrexham Industrial Estate; KSS3: Land to the north of Bryn Lane, Wrexham Industrial Estate; Protection of Existing Employment Land; Employment Development Outside of Settlement Limits; Visitor Accommodation Outside Settlement Limits; Pentre Maelor and KSS3 Housing Buffer Zones.

Key Issue: Do the overall scale, type and distribution of the allocated employment sites achieve the relevant objectives of the LDP in a sustainable manner consistent with the Wales Spatial Plan (WSP) and national policy?

Have relevant alternatives been considered and is the identification of the allocated sites based on a robust and rational site selection process?

Are the policies for employment development clear, reasonable and appropriate?

Questions

- Is the quantitative employment land position clearly set out? What are the total requirement, realistic land supply, existing employment areas, and available development sites?
- How have employment sites protected under Policy EM1 been selected? Has sufficient consideration been given to the suitability of the sites for non-employment uses?
- Is the allocation of KSS3 justified? Will the living conditions of the occupiers of adjoining residential areas be protected?
- Should there be a reference within Policy SP11 to the Masterplanning Framework SPG?
- What is the status of the Wrexham Industrial Estate: Green Network supplementary planning guidance?
- Why is it necessary to include part of the Oaks and other local nature conservation sites covered by Policy NE2 within Wrexham Industrial Estate?

J10 Response

- **SEE ALSO MATTER 5 RESPONSE**

Requirement / Demand

- The Council rely upon the BE Group ELR (2015) report and are seeking to deliver between 4,200 and 4,700 jobs and have translated this into a need for 45 ha of employment land and 20 to 30 ha of new allocations. It identifies a minimum growth requirement allocation of 35 ha (between 2013 and 2030), which would translate to 30.9 ha over the plan period.
- It has recognised, however, that an alternative growth requirement consistent with past take-up rates would give a required allocation need for 60 to 70 ha over the same 2013 to 2030 period which would translate to between 52.9 and 61.8 ha over the plan period.
- We do not agree with the methodology used to calculate the requirement and believe it to be seriously flawed.
- The ELR based quantum is at odds with the past evidence base. **LDP1** referred to the GVA Employment Land Study of 2007, which indicated that demand was between 68 and 103.5 ha over the 15-year plan period of 2006 and 2021 (which would result in between 4.5 and 6.9 ha per annum). The Plan proposed 120 ha of land supply and 70 ha of allocations.
- The **Population & Household Projections with Dwellings and Employment Impacts report (January 2018)** lead us to make the following observations:
- Linking population growth to employment need raises concern over the logic and practicalities of such an approach being used to calculate the number of jobs and subsequently determine the amount of new employment land allocations.

- The Authority appear to be saying that a total of 8,500 new dwellings over the plan period correlates to 4,700 new jobs and a need to find 32.8 ha of employment land allocations. They assume that the ratio will be based upon 143 jobs per hectare or 1 job / 21 sqm of floorspace and assume an average density of 3,000 sqm of floorspace per hectare, which would suggest that 98,400 sqm of floorspace could be generated.

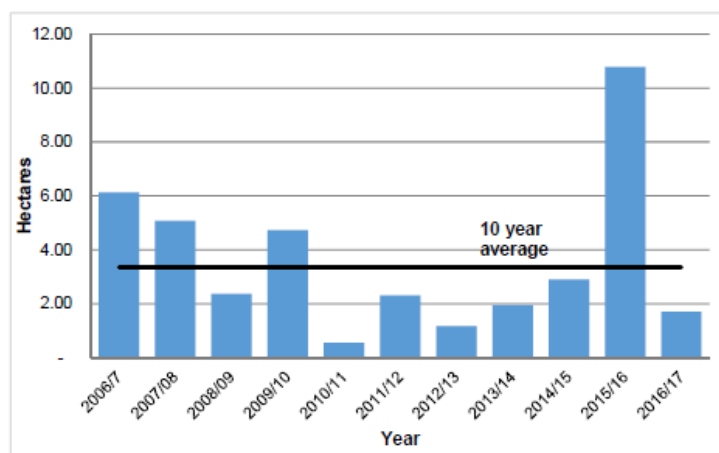
	Proposed growth option 2014-based 10 year migration trend (WG)	2014-based 5 year migration trend (WG)	Preferred strategy - Feb 2016
Household growth	7,500	5,800	10,250
Dwelling impacts – change 2013-2028			
Households to dwellings	7,750	6,000	10,650
Plus contingency	750	600	1,050
Total	8,500	6,600	11,700
Annual figure	570	440	780
Employment impacts – change 2013-2028²			
Job growth	4,700	2,700	7,550
Land (ha)	32.8	19.0	52.9

- We do not accept that this is a sound method and the BE Groups method (taken from their 2015 ELR : where their cost-calculators are derived) is not credible and undermines the Council's employment land requirement. Given that the vast majority of Wrexham's employment growth is concentrated on industrial land (at the WIE) it follows that such uses are a lot more land hungry than B1 offices are, and that for Wrexham (unlike to somewhere like Manchester) this will equate to more land being required and lower densities.
- The fact is that employment densities can vary wildly and if one applied the more accurate HCA Job Density rate of 42 jobs per hectare (or 1 job / 70 sqm of floorspace), then whilst accepting an average density of 3,000 sqm / ha the resultant employment land allocation need would be closer to between 111 ha (based upon 42 jobs / ha) and 67 ha (based upon 98,400 sqm of floorspace and 1 job/70sqm).
- We would endorse the more robust HCA method and experience suggests that we have neem proven right having handled many industrial occupier demands over the years.
- However, neither the HCA calculator method nor past completions are being relied upon and we would question the accuracy of this.
- Indeed, we are concerned by inconsistent figures being used. The Deposit LDP proposes 28 ha of new allocations and refers to 4,200 jobs, whilst this paper suggests 4,700 new jobs and refers to 32.8 ha of land ... which set of figures are the Council relying upon ? Either way, they are (in our opinion) short on employment allocations by some 40 ha and we believe that an additional 40 ha (minimum) to serve the employment need.
- Additionally, the latest 2013 NOMIS statistics for job density in Wrexham suggest that there are 0.73 jobs per working age person so with an assumed population increase of between 12,800 over the plan period the potential need job growth could be as large as 9,344 jobs over the plan period, which would equate to far more land being required.

Take-up

- The GVA 2007 report referred to the rate of employment take up having varied over the years as being around 20 ha per annum during the 1980's and 1990's. From 1997 to 2007 the average take-up was 6.87 ha per annum.
- More recently, the average take-up has been 3.35 ha per annum; but that is largely down to lack of supply and the poor competitive accessibility of the WIE.
- Historically, the WIE has indeed been the core delivery location for employment land and this has not changed; we support the Authority in seeking to focus employment in this location. The completion of the Welsh Government funded £35m link road has been key to maintaining the WIE competitive advantage and yet achieving a return on this investment by attracting new companies will be difficult without new allocations and development being supported at WIE.
- However, since the road improvements there has been very little activity of delivering new jobs and sites at WIE and we believe this is largely down to the lack of supply and the restrictive planning policy constraints (ecology) that have been imposed here.
- Whilst the Council might claim that take up averages have been good (at around 3.35 ha per annum over the past 10 years this is artificially "spiked" by the new Prison, so the average is more like 2 ha per annum; largely caused by a complete lack of supply and the fact that extant supply is not actually available and has not delivered any growth.
- This is still way below historic rates of around 6.87 ha per annum identified in the GVA report.

Chart 3.3: take up of employment land in Wrexham County Borough
Source: employment land monitoring report, Wrexham County Borough Council



Assessment of Demand

- If there is to be a projected population increase of 12,800 over the plan period, this should translate (using the NOMIS statistical calculator of 0.73 jobs per working age person) to a need to deliver 9,344 jobs over the plan period; yet just 4,200 are being suggested ... a shortfall of over 50%.
- Then, if you apply the widely accepted HCA jobs/floorspace/land calculator then 4,700 new jobs could be between needing to provide for between 67 and 111 ha of new allocations ... evidently if this is used to address the population projection calculation of 9,344 jobs this doubles to between 134 and 222 ha of employment land.
- Then if you used the GVA past take-up rates of 4.5 and 6.9 ha per annum (which is what a modest aspirational Authority like Wrexham ought to be looking to achieve and deliver (particularly given the North Wales Growth Deal and National Growth Area status) this would lead to between 67.5 and 103.5 ha of new allocations being required and therefore a supply that must exceed this.
- The fact is the Council are only providing just 66.7 ha of supply to deliver an assumed need of 45 ha; this is simply insufficient and cannot be claimed to offer any form of aspirational growth.
- It is commonly known across the UK development plan makers that you must identify more land (generally 3 ha supply for every 1 ha of need) for employment use than you know will ever be developed and delivered and just 66.7 ha of supply will never deliver for a 45 ha need.
- Moreover, the trouble is that when one interrogates the 66.7 ha of supply (**see below**) the actual quantum of potential supply plummets.

Assessment of Supply

- The suggestion and claim by the Council is that 45 ha of employment land is needed for the plan period (3 ha per annum) and that there is an existing supply of 66.7 ha (48.6 ha on the WIE and another 22.1 ha elsewhere).
- However, we have grave concerns that of the claimed supply of 66.7 ha is hugely vulnerable and at risk.
- Yet, if the supply is shown to be vulnerable, in the wrong location and simply not available this throws into doubt any aspiration of ever delivering jobs and economic growth.
- The **Policy EM1** Existing Employment Land table illustrates this below.

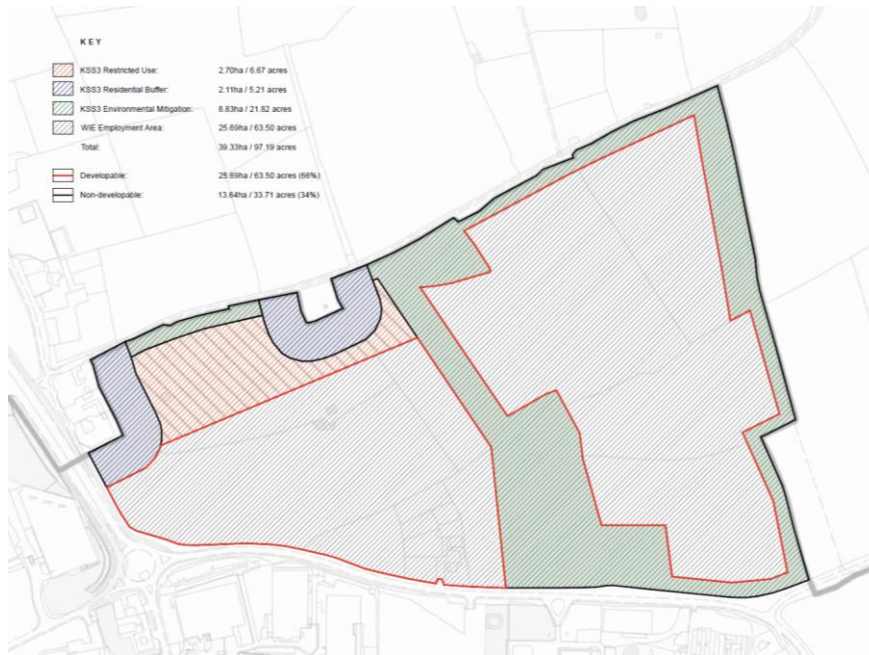
SITE	Proposed Supply	Available Site (net ha)	J10 Comments
Bryn Lane, WIE	32.2	8.0	Kingmoor Park own site; however, half of site has option for power station on it, so not available and the other half has extant permission (granted on appeal) but only with 50% coverage reducing its gross from 19 ha to 8 ha
Bryn Lane, WIE (KSS3)	40.0	28.0	Buffers result in net area of 25.7 ha No developer/landowner commitment to release
E1.21 Ridey Wood Road, WIE	3.3	3.3	WG land – being held back for Cytec expansion
E1.17 Redwither (ii), WIE	0.9	0.9	Isringhausen apparently looking to dispose of site
E1.20 Redwither (v), WIE	0.77	0.00	Not available
Site C Coed Aben Road (ii), WIE	2.35	1.8	FI owned site : PP being prepared for neighbour expansion
E1.10 Clywedog Road South (i), WIE (UDP site 10)	1.21	1.21	Apparently available
E1.11 Clywedog Road South (ii), WIE (UDP site 11)	1.96	1.96	PP for five units : apparently available
E1.12 Clywedog Road South (iii), WIE (UDP site 12)	6.5	3.29	FI owned site (site 5) permission granted for 3.01 ha with rest ecology buffer
WIE Sub-total		48.46	Council assume 46.6 ha : so we assume these are the sites making up the supply
2 : Llay IE	82.7	0.00	No capacity
3 : Former steelworks site, Brymbo	8.0	8.0	Doubtful it will attract investment and more likely to come forward for residential
4 : Chirk IE and Canal Wood IE, Chirk	66.87	0.00	No capacity
5 : Vauxhall IE, Johnstown and Gardden IE, Ruabon	30.1	0.00	No capacity
6 : Croesfoel IE and Bersham Enterprise Centre, Rhosyllen	17.0	0.6	Site too small to provide meaningful level of new employment
7 : Gresford IE, Wrexham	18.1	1.1	Site very small to provide employment of any significant scale
8 : Wynnstay Technology Park, Cefn / Acrefair	8.42	1.4	Owners have alternative use aspirations; although PP granted for mixed use with light industrial units
9 : Western Gateway, Ruthin Road, Wrexham	14.7	4.3	Option to Moneypenny
10 : Wrexham Technology Park, Wrexham	23.3	0.00	No capacity
11 : Five Crosses IE, Minera / Coedpoeth	7.9 ha	0.28	Site too small to provide meaningful level of new employment; PP granted for office workshop units
12 : Rhosddu IE, Wrexham	12.9	0.00	No capacity
13 : Advance Park IE, Rhosymedre / Cefn / Acrefair	6.1	0.00	No capacity
14 : Whitegate IE, Queensway, Wrexham	10.1	0.00	No capacity
15 : Puleston IE, Wrexham	2.98	0.00	No capacity
16 : Two Mile IE, Brynteg	0.94	0.00	No capacity

17 : Penley IE, Penley	4.4	0.00	No capacity
18 : Pandy IE, Gresford	4.45	0.7	Site too small to provide meaningful level of new employment: PP exists for two units totalling 855 sqm
19 : Southsea IE, Southsea	1.82	0.3	Site too small to provide meaningful level of new employment; site is not serviced
20 : Westminster IE, Gwersyllt	3.8	0.00	No capacity; indeed, PP for residential was granted on this site despite the protective UDP policy and no marketing was requested of the applicants
21 : Coppi IE, Rhos	3.94	0.00	No capacity
22 : Lightwood Green IE, Overton	5.22	0.00	No capacity
23 : Llay Hall IE and Riverside Business Park, Cefn-y-Bedd, Sydalit	7.88	0.00	No capacity
24 : Ruabon Business Park, Ruabon	3.42	3.42	Doubtful this will deliver due to focus on residential and mixed use
25 : Rossett Business Village, Rossett	0.91	0.00	No capacity
Sub-Total : WIE (site 1)	513.45 ha	46.6 ha	
Sub-Total : Non-WIE (sites 2 to 25)	345.95 ha	22.1 ha	
TOTAL	859.40 ha	66.7 ha	

- This table shows that out of 859.4 ha of designated employment land a total of 66.7 ha makes up the available supply.
- However, what is concerning is the fact that this includes the new 28 ha allocation at KSS3; with the remaining 38.7 ha being existing supply that has failed to be taken-up over past plan periods, yet is still being identified for allocation in this LDP.
- 16.1 ha is located on the WIE, yet of this supply almost every site has already been identified for every site has been identified for existing companies already located on the WIE for their future expansion and none of these offer any new strategic offer for attracting new investment or jobs.
- 22.1 ha of the non-WIE sites are highly vulnerable (e.g. Brymbo, Ruabon) to alternative use and we would suggest these cannot be relied upon to deliver towards employment land supply. Then, most of the sites are so small that they cannot possibly be considered to provide a meaningful contribution to strategic (let alone non-strategic) employment land and/or job supply and must be discounted; particularly since they have failed to come forward for over 30 years. The fact is that most extant supply (UDP allocations) have little prospect of being developed because of their location and ability to deliver.
- The supply is therefore far lower than it really is and considered highly vulnerable; this not only undermines any belief that a paltry 3 ha of employment land will be delivered per annum, but it also undermines any aspirations for Wrexham to play a meaningful role in any Growth Deal let alone act as a National Growth Area.
- Therefore, the Council's claim that they are over-providing in terms of supply is erroneous and the suggestion, there is an employment over supply is without foundation and not credible.
- In the light of this, we would urge the Council to make available much more employment land available and we are of the opinion that a site like the 8.18 ha (gross) Oaks site needs to be allocated along with the FIREM sites.
- **Policy SP9 and Policy EM1** seeks to protect the 25 no. existing employment sites; yet there is also a need to consider alternative uses in some of these locations (the LDP has failed to consider this) particularly given that many of these sites will continue to not come forward and many will seek to be redeveloped for alternative uses.
- We are, through our active role regionally, aware of several potential new occupiers who have been unable to relocate into the Borough due to lack of adequate sites and so a restricted supply will continue to mean Wrexham will be off the radar leading to job-leakage to places like Deeside and into England.

KSS3 Site Allocation

- Only one employment allocation is being made (**Policy SP11** : KSS3 Bryn Lane for 28 ha net. The Council claim that the KSS3 site will deliver 28 ha (net), but we have assessed KSS3 and found that this is more like 25 ha once residential buffers and environmental mitigation are added. If the **Masterplanning Framework SPG** is being applied to KSS2 and KSS3 and referred to in them then it ought to be also applied to KSS3 too, although we are of the opinion it is not necessary to repeat non-statutory SPG.
- **Policy SP11** policy refers to restricting areas of the KSS3 site to B1 offices, yet there is no known need for offices upon the WIE. Such physical and use class restrictions will have a detrimental knock-on effect on any resultant layout and commercially the viability of designing a scheme that fits all these parameters will result in the net area being driven down further.
- Moreover, the land is in multiple ownerships, has not been promoted and has no deliverability credentials behind it. **Policy SP11** also assumes an access route through the existing residence on Bryn Lane; this introduces a further flaw in the assumed delivery of the site. KSS3 has not proven any deliverability and the owners are not even promoting or willing sellers; it involves some 3+ separate ownerships and no evidence of the site coming forward has been presented. We cannot support this site being identified without any deliverability proof.
- We cannot consider KSS3 to be deliverable and as such it is at high risk of not coming forward within the plan period.



- The Council's own Economic Development team expressed a concern at the LDP1 Examination that the plan did not make any reference to "create a strategic offer" and even now they acknowledge that there is a serious lack of supply at WIE. The attempt to offer up KSS3 in meeting this need is laudable but no-one has demonstrated deliverability yet.
- The alternatives to KSS3 have simply not been adequately assessed.
- It is inconsistent with **NDP** and **PPW10** that a strategic greenfield site has been identified for development in advance of and in place of known available, suitable and viable brownfield alternatives.
- It would appear to us that insufficient strategic offer is being made and we would urge the Authority to allocate and include The Oaks at Redwither Road as a key strategic employment site; it is ready to deliver, viable, available and suitable and the landowner is willing to release. The same cannot be said about the KSS3 site and this places the LDP at enormous risk. Additionally, we would urge the Authority to confirm the FIREM sites (subject to PA Refs. P/2018/1084, 1085, 1086 and 1087) as allocations.

- The FIREM employment sites at WIE have planning permission (subject to a S106) and are deliverable within the plan period.
- The CPDL employment site at WIE is being brought forward as a planning application in Q4 2019 and is deliverable within the plan period for up to 8.8 ha.
- We would propose that the greenfield employment site allocation (KSS3) is not developed or released in advance of other brownfield alternatives at WIE having been exhausted.

EM6 Buffer

- **Policy EM6** proposes a buffer zone of 50 metres around the Pentre Maelor housing estate yet the Authority have found a narrower width to be acceptable for B1 light industrial and B8 uses (having recently granted permission for a scheme of this nature to the west of the housing estate) **PA ref. P/2018/1087**.
- The Councils assumed 50 metre buffer is not based upon any scientific assessment or evidence base; for example using noise, odour, visual or other amenity rationale. As such it is flawed and unsound.

Green Network

- **PPW10** and **NDP** state that Brownfield / PDL first before greenfield release.
- There is no known statutory status of the Green Network SPG – just a plan exists – no background evidence base has been provided by the Council and its reference under **Policy SP10** and **Policy SP15** is unsound.
- We agree that WIE (under **Policy SP10**) should be identified as the primary focus for new employment growth; the policy recognises that it can accommodate “ancillary related development” and we would urge the Authority to recognise that there is a need to enable other uses to be developed (many will deliver jobs) such as retail/leisure.
- However, we strongly object to the proposed ecological network that is proposed; there is no logic to it and areas of undeveloped land have simply been highlighted, many do not provide physical interconnectivity and are isolated.
- Moreover, the policy fails to identify any plan to deliver ecological betterment and in identifying various landholdings for this network the Council appear to have forgotten that they cannot compel landowners to deliver ecological betterment without any incentive in doing so.
- There is no rationale or evidence for including the Oaks site within an LWS (**Policy NE2**) designation and to exclude it from the WIE settlement boundary. It is inconsistent with **PPW10** (see comments made under **MATTER 12**)

NDP Policy 1 – Sustainable Urban Growth

Urban growth should support towns and cities that are compact and orientated around urban centres and integrated public transport and active travel networks. Higher density and mixed-use development on sites with good access to urban centres and public transport hubs, including new and improved Metro stations, will be promoted and supported.

This policy directs growth to be connected to existing infrastructure and maximising sustainable access.

NDP Policy 2 – Supporting Urban Centres

Proposals for new public service facilities of a significant scale should be located in town and city centres. A sequential approach must be used to assess development plan allocations and to determine planning applications for developments. Only in exceptional circumstances should public service facilities of a significant scale be approved outside of town and city centres.

This policy serves to ensure development is concentrated in the most accessible locations.

NDP Policy 17 – Wrexham and Deeside

The Welsh Government supports Wrexham and Deeside as the primary focus for regional growth and investment. Wrexham and Deeside's role within the North region and the wider cross-border areas of Cheshire West and Chester and Liverpool City Region should be maintained and enhanced.

Strategic and Local Development Plans across the region should recognise Wrexham and Deeside as the focus for strategic housing and economic growth; essential services and facilities; advanced manufacturing; transport and digital infrastructure; and consider how they can support and benefit from Wrexham and Deeside's regional role.

The Welsh Government will work with cross border authorities to promote Wrexham and Deeside's strategic role and ensure key investment decisions support Wrexham and Deeside and the wider region.

Wrexham and Deeside is one of only 3 National Growth Areas being designated nationally and as such Wrexham is an area where growth will be encouraged.



SUBMISSION STATEMENT

in respect of

Wrexham LDP Examination

on behalf of

CPDL

Matters 12

September 2019

Matter 12	Natural Environment
Response deadline	Thursday 19 th September
Date of session	Thursday 3 rd October 9.30 to 4.30
Relevant Policies	SP15, NE1, NE2, NE3, NE5, NE6, SP20
Representing	CPPLC (KSS2) CPDL (WIE) FI-REM (WIE) Gower (Gresford) Bellis (Rossett)
Other Attendees	Barton Willmore (KSS2 = MacBryde), Lichfields (TW), HBF, CART, FILCE

International and Nationally Designated Nature Conservation Sites; Locally Designated Sites of Nature Conservation and Geological Importance; Trees, Woodlands and Hedgerows; Special Landscape Areas; Waste Water Treatment and River Water Quality; Green Infrastructure

Key Issue: Do the policies and proposals on this matter achieve the relevant objectives of the LDP in a sustainable manner consistent with and national policy? Are they based on robust and credible evidence?

Are the policies and requirements clear, reasonable and sufficient?

Questions

- In only supporting development which protects, conserves or enhances the natural environment, is Policy SP15 accurate?
- Do all the designations listed in Policy SP15 have the same level of protection?
- Are changes in the designation of SLAs justified?
- Where are the landscape features for which each SLA has been designated (Policy NE5) described? How will applicants with planning proposals in an SLA know what these are?

J10 Response

- Policy SP15** infers that “at all costs” all designations and features will be protected, conserved and enhanced at all costs and are lumped in together. It places the same protection on RAMSARS as it does for locally designated wildlife sites, this is contrary to **PPW10** and **TAN5** and the protection should be proportionate.
- We feel the policy ought to include reference to a balancing exercise being undertaken to assess whether the benefits of development may outweigh any minor harm identified.
- Sequential protection has not been applied to WIE : the Oaks is simply a locally designated LWS. No evidence base has been produced by the Council; indeed, any assumptions are based upon out of date surveys data; whereas FIREM/CPDL have provided up to date assessments
- Policy NE2** runs contrary to **PPW10** and **TAN5**. Reference is made to a 2015 Local Wildlife Survey, but this is not provided as a publicly available evidence base document.
- Policy NE6** : the Council should be encouraging the statutory providers to share their capacity and investment plans rather than placing the burden and obligation upon the development sector, which cannot be expected to shoulder the whole costs of potential infrastructure improvements; indeed, the cost of many schemes can make development unviable as it becomes yet another layer of abnormal costing. In identifying new development and growth the statutory providers should be looking at what this might mean for them as they have duties and responsibilities to deliver capacity.

APPENDIX J

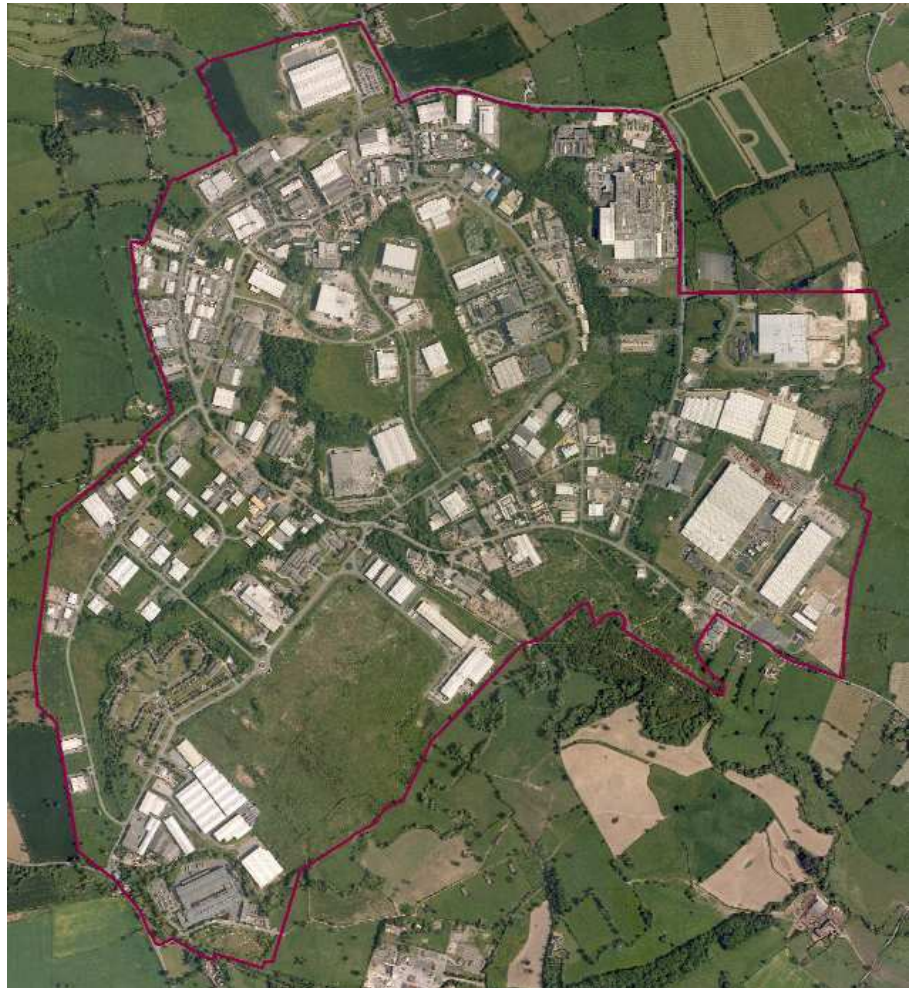
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WREXHAM INDUSTRIAL ESTATE

Employment Development and Nature Conservation

*This leaflet is available in
alternative formats*





Adoption

Wrexham Industrial Estate: Employment Development and Nature Conservation was adopted by Wrexham County Borough Council in April 2009.

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1. Introduction

1.1 This is one of a series of local planning guidance notes which amplifies policies in the adopted Wrexham Unitary Development Plan (UDP) and supplementary planning guidance in the Wrexham Local Biodiversity Action Plan (2002) and Local Planning Guidance Note 26: 'Landscape & Industrial Development'. This guidance will be a material consideration when the Council decides Planning Applications.

1.2 Wrexham Industrial Estate is one of the largest in Europe, covering 550ha and its continued development as a strategic employment centre is essential to foster economic growth and prosperity within the County Borough. At the same time, the Estate contains an important network of wildlife habitats that supports a diverse range of animals and plants which help make the Estate an attractive place to work and which contribute to the quality of life of people in the County Borough. Many of these species and habitats are protected by UK/EU legislation, such as the River Dee and Bala Lake/ Afon Dyfrdwy a Llyn Tegid SAC, which places a clear responsibility on developers/landowners to avoid harming them and a duty on the Council to promote biodiversity in exercising its functions. Safeguarding and enhancing habitats of ecological importance and local landscapes is also central to the aims of achieving sustainable development and high-quality design set out in the adopted Wrexham UDP (Policies EC4, EC6) and government advice in 'Planning Policy Wales.'

1.3 This note advises developers/landowners on the key ecological issues that they need to address before carrying out any development* on the Estate (whether or not it requires Planning Permission) and the procedures they should follow to gain planning permission and the necessary licences.

It emphasises:

- the need for an ecological assessment of the site;
- the protection of habitats that are found in preference to mitigation or off-site compensation and
- the protection of the developable area of a site from colonisation by species.

In this way it should be possible to promote economic development while also protecting and enhancing the ecology and landscape of the Estate and wider area.

1.4 Developers/landowners should be aware that a licence is often required from the Welsh Assembly Government to carry out development and site clearance works that affect protected species irrespective of whether planning permission is required. Failure to obtain a licence before commencing development or site clearance works could result in delay, prosecution, fines, confiscation of equipment, legal fees and a custodial sentence.

*'Development' refers to new buildings, extensions and demolition; access roads, turning areas and parking areas; industrial containers and pre-construction activity including site clearance and ground works.



2. Protected Species On Wrexham Industrial Estate And The Law

2.1 Wrexham Industrial Estate contains several vacant or underused plots and parts of active sites which have re-vegetated and become colonised by protected species. In addition linear, continuous and 'stepping stone' natural features, such as hedgerows, woodland and streams act as wildlife corridors through which these species migrate and disperse between habitats within and adjoining the Estate for the purposes of breeding, feeding and shelter. These habitats and routes form an important interdependent ecological network. Appendix 1 summarises a recent ecological survey of the Estate (2008) describing the species and habitats found at that time.

2.2 European Union and UK legislation protects almost all of the species found on the Estate. These are summarised in Appendix 2, but a full list of species protected in law can be found on the Defra website at www.defra.gov.uk.

2.3 Under the Wildlife & Countryside Act, 1981 (as amended by the CROW Act 2000) and the Habitat Regulations, 1994 (as amended in 2007 and 2009) it is an offence to:

- Intentionally or deliberately kill, injure or take an individual of such a species;
- Intentionally or deliberately possess any part of such a species either dead or alive
- Damage, destroy a breeding site or resting place or intentionally or recklessly obstruct access to any place or structure used by such a species for shelter, rest, protection or breeding

- Intentionally or recklessly disturb such a species whilst using any place of shelter or protection, or cause significant deliberate disturbance to such a species that may affect its survival or breeding
- Sell or attempt to sell any such species

2.4 Species are protected throughout their life cycle (e.g. great crested newts eggs, larvae, juveniles and adults).

2.5 The Protection of Badger Act 1992 prohibits the taking, injuring or killing of badgers and any interference with their setts.

2.6 It is an offence to disturb or destroy a wild bird whilst occupying a nest; to take, damage or destroy a nest whilst in use or being built; or to take or destroy an egg of any wild bird. The nesting season is 1st March to 30th September inclusive.

2.7 The Wildlife & Countryside Act (Sch. 8) makes it an offence intentionally to pick, uproot, or destroy any wild plant

2.8 If in doubt, follow the process set out in chapter 3 and seek legal advice.



3. Action When Developing Sites On Wrexham Industrial Estate

3.1 Development and site clearance on individual sites within the Estate can have a major impact on the survival of protected species both on the site itself and in the wider network of wildlife habitats. This can occur through direct loss, such as damage to setts and ponds, and indirect loss, such as the loss of wildlife corridors, fragmentation of the network and simple development pressure.



3.2 Careful thought must be given to the design, implementation, operation and maintenance of employment development sites to ensure that protected species are safeguarded. In this way employment development can occur and valued habitats and linkages between them can be protected and enhanced.



3.3 Before designing any development or undertaking site clearance works, developers/landowners should:

- seek and follow the advice of a competent ecological consultant. Such consultants should have a sound knowledge and experience of the habitat requirements of the species concerned and apply landscape ecology principles so that local circumstances are properly considered.
- consult the Countryside Council for Wales' (CCW) Regional Species Officer on the impact of the proposals and need for a licence.

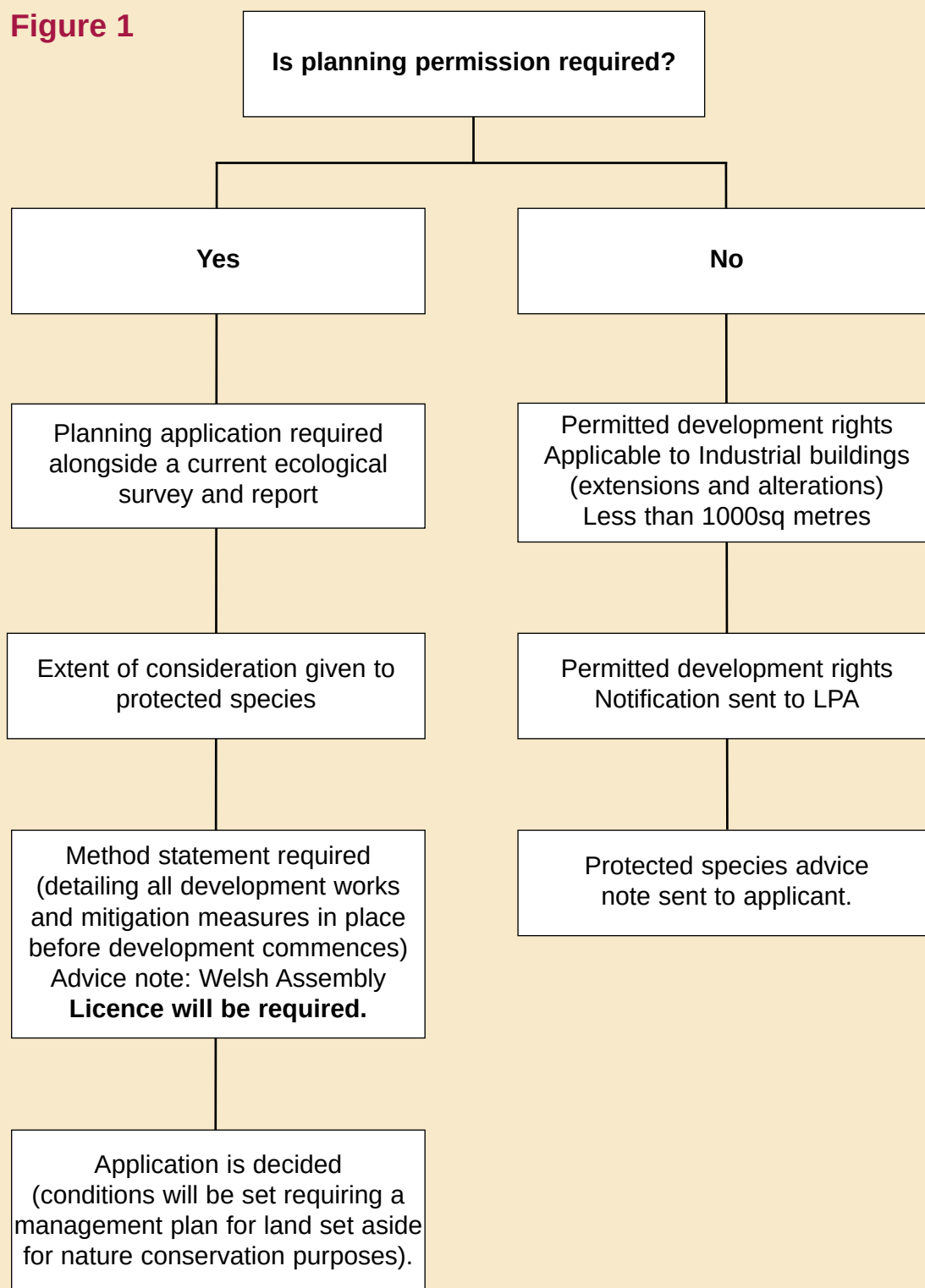


- consult other specialist organisations, as appropriate
- consult Wrexham Council's Ecologist on ecology and planning issues.

A list of contacts for such organisations is attached as Appendix 3

3.4 Where development requires planning permission, developers/landowners must undertake the following steps when submitting an application to Wrexham Council:

Figure 1



4. Obtaining Planning Permission

A) 1) Submit a Site Appraisal/Ecological Survey

4.1 Undertake desktop and site ecological surveys to identify the number of protected species, the physical extent of their habitats within the site and any linkages to habitats within 500m of the site. The legislative background to this requirement can be found in Regulation 39 of the Habitat Regulations 1994; Schedules 5 & 9 of the Wildlife and Countryside Act 1981, Section 42 of the Natural Environment and Rural Communities Act 2006 and the Wrexham Local Biodiversity Action Plan

4.2 Site surveys must be undertaken at the right times of year. This means on a number of occasions throughout the breeding seasons of affected species, but not between September and February/March as hibernating animals will be missed. This potential for delay should be factored into the project management process. Such survey times may start earlier or later depending upon environmental conditions i.e. temperature, heavy rainfall and strong winds.

4.3 The level of detail that needs to be provided will depend on the size and complexity of the development and the habitats that are found. Since sites vary in size and complexity, it is not possible to advise on the cost of such appraisals; a number of quotations should be obtained.

4.4 Submit a plan showing the planning application boundary and the habitats and linkages for each identified species.

4.5 The Council will no longer condition surveys to be conducted after planning permission is granted, whether this is a new application or a renewal. NB. Some major or special forms of development require an Environmental Impact Assessment (EIA) for which there is a statutory procedure under the Town & County Planning (EIA) Regulations.

Developers can seek a 'screening' opinion from Wrexham's Planning Department on whether an EIA is required. In cases where development might affect a European protected site (such as the Special Area for Conservation (SAC)) other screening and Appropriate Assessment procedures exist.

B) 2) Submit a Method Statement/ Concept Plan

4.6 Submit a statement and plan describing the works necessary to implement and operate the development, their impact on ecology and detailed proposals to protect existing habitats used by protected species for breeding, feeding, or shelter. The method statement must detail reasonable avoidance measures to avoid impacts on ecology. If it is not feasible to avoid all impacts on either the habitat or species, then both must be protected from harm with a satisfactory mitigation/ compensation strategy in place. Compensation is applicable for the loss of terrestrial/aquatic habitat on which the species depends. This statement must show how the requirements of the protected species have been integrated into the project design from the start

4.7 The statement should contain sufficient detail, such as the areas to be set aside for nature conservation where the species can be retained, enhanced or re-established; proposals to remove and exclude



developable areas from colonisation by protected species (e.g. protective fencing) and proposals for controlling vehicle movements, storage of equipment, materials etc. The statement should justify why mitigation/protection is necessary if proposed in place of protecting existing habitats (e.g. why other layouts have been discounted). If mitigation requires species to be translocated, then a minimum of up to 12 months is required for a receptor area to be created and stabilise as some protected species will take longer to colonise a receptor site.

4.8 Developers should take the opportunity to site and design soft landscaping areas so that they support nature conservation. On some plots it might be worthwhile to just 'do nothing' as abandoned land with rubble heaps and scrapes can be beneficial to wildlife. If such areas are of sufficient size and width that they become effective wildlife corridors or areas of shelter, they can reduce the amount of land set aside for protection/mitigation/compensation for nature conservation purposes

4.9 Advice on the location, size and design of areas set aside for nature conservation is given in Section F below

C) Submit a Management Plan

4.10 Submit a management plan showing how the areas set aside for nature conservation and landscaping will be managed in the long-term, ideally in perpetuity. This will include management regimes and arrangements for monitoring the effectiveness of habitat creation, restoration or enhancement and species population size following translocation for at least five years after development is completed. This plan should attempt to be submitted electronically. The location and size of areas set aside for nature conservation must be mapped with full grid reference supplied on a plan and included in the appendix. This will allow the Council to map the land in a digital format for monitoring purposes.



4.11 Describe measures that will be put in place to adjust the management plan and undertake remedial operations if habitat protection, mitigation or creation and the associated management regimes are not successful.

4.12 Submit proposals for maintaining soft landscaping areas that support nature conservation (e.g. mowing regimes at the appropriate time of year with the removal of cut grass to support wild flower planting schemes).

4.13 Land set aside for nature conservation should ideally be managed by an organisation with experience of managing habitats for nature conservation. (See Appendix 3).

4.14 The cost of long-term management for nature conservation should be taken into account in any land cost negotiations or project feasibility assessment.

4.15 Advice on the maintenance areas set aside for nature conservation/ landscaping is given in Chapter 6 below.

5. Obtaining A Licence To Do Works Affecting Protected Species

5.1 Whether or not Planning Permission is required for development or site clearance, a separate license will often be required from the Welsh Assembly Government (WAG). In making a decision on whether to grant a licence, WAG will be advised by the Countryside Council for Wales (CCW). For European protected species, licences will be granted only where the activity meets all of the following criteria:

- the harm caused is necessary to preserve public health or public safety or some other reasons of overriding public interest including those of an economic nature and beneficial consequences of primary importance for the environment, and
- there is no satisfactory alternative, and
- the action will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.



6. Guidance On The Location, Size, Design & Management Of Areas Set Aside For Nature Conservation/ Landscaping

Location & Size

6.1 The Council has a sequential approach to protecting and enhancing ecology on the Estate which follows advice set out in 'Planning for Biodiversity Good Practice Guide' (RTPI 1999) and 'Biodiversity by Design: a guide for sustainable communities' (TCPA, 2004), namely:

- On-site protection of existing habitats/ development areas.
- On-site mitigation/compensation where damage to a habitat is unavoidable.
- Off-site compensation as a last resort where on-site compensation is not appropriate and re-siting would enhance the ecology of the area.

6.2 Mitigation refers to practices which reduce or remove damage to protected species and their habitats such as changing a site layout or altering the timing of development.

6.3 Compensation refers to practices which offsets any damage caused by development, such as habitat creation, restoration or enhancement (e.g. new ponds, grassland restoration, artificial badger setts, nest-box schemes and bat friendly features incorporated into a new building).



On-Site Protection of Land for Nature Conservation

6.4 Where the site appraisal/ecological survey demonstrates that protected species, habitats or wildlife corridors to the wider network of habitats on the Estate are present within or surrounding a development site, the first step is to determine how much of the site can be developed without causing disturbance or harm.

6.5 Developers should ensure that their proposals retain as many natural features as possible and that they are vigilant about the presence of protected species. Some artificial features such as rubble heaps can be retained where appropriate as they can benefit wildlife by providing shelter. There will be occasions where the survey reveals that development is possible on that part of the site with little or no ecological value.

6.6 On other occasions it will show that the whole site is of such great ecological value that no further development can occur without causing disturbance or harm; in which case it may not be possible to develop the site at all unless acceptable mitigation/compensation can be provided. Protection also refers to protecting the developable area of a site from colonisation by protected species listed in Appendix 2.

On-site mitigation/compensation

6.7 Where adverse effects on habitats are unavoidable they should be minimised. The Council will permit development affecting less valued habitats on a site only where appropriately designed on-site mitigation/compensation would enhance the nature conservation value of the site and/or the network of wildlife habitats of which it forms a part. This will never be a matter of convenience, but must be supported by sound advice from the developer's professional ecologist in consultation with CCW.

6.8 In providing mitigation or compensation, an equivalent area of land must be provided unless it can be demonstrated that a smaller area of better quality would enhance the ecology of the site or the wider area. This will be hard to do given that the ecology of the area is often dependent on providing quite large foraging areas for protected species. The quality of a habitat should never be reduced as a result of compensation (e.g. replacing a pond and foraging area with just a pond).



Off-site compensation

6.9 The Council will generally not support the complete removal of protected species and habitats from development sites within the Estate. This is both harmful to the extent and diversity of the network of wildlife habitats and counter-productive as the site will soon be re-colonised by species, presenting landowners with the same issues.

6.10 Off-site provision may be appropriate, as a last resort, where the developer provides expert evidence demonstrating that:

- relocation of the habitat/species from the site will enhance the nature conservation status of the species and the network of habitats as a whole, and
- on-site compensation is impossible (e.g. due to the restricted size of the site, economic viability or unusual decontamination requirements), and
- compensation would be provided within 250m of the habitat lost, in order to facilitate migration of affected species and to preserve the overall network of wildlife habitats, and
- an equivalent area of land is provided, unless it can be demonstrated that a smaller, better quality habitat would enhance the ecology of the area, and
- habitat corridors and buffer strips to hard development are provided within the original site to help maintain the network of habitats

6.11 In exceptional circumstances where on-site or off-site provision is not appropriate (e.g. because a suitable site is not in the ownership of the developer or where there are overriding Planning Policy reasons in support of the development), developers may provide a commuted payment in lieu of compensation. This must be sufficient to enable the Council to purchase an equivalent area of land for nature conservation; to implement mitigation/enhancement on existing sites and/or to guarantee management of land within or adjacent to the Estate (such as the 3 designated wildlife sites). This will be secured by way of a Section 106 Legal Agreement.

Protecting Land Set Aside for Nature Conservation

6.12 Construction and site operations that may damage protected animals and plants in existing and newly created/restored habitats can be minimised by a number of well-established methods:

- Habitats should be fenced off (e.g. newt-proof fencing) to exclude development works, site compounds etc and a protected buffer provided around the fence to prevent disturbance (from noise, dust etc). This will not only protect the habitat, but also help retain the full extent of the developable area of the site by preventing colonisation by protected species. Extreme care should be taken in the use of machinery to erect this fencing to avoid damaging plants and animals and this should normally be carried out by a specialist newt fencing contractor.
- The hydrology of habitats should be maintained through the retention of pools, ditches etc; through careful site design and the use of such features as sustainable urban drainage systems, wildlife-friendly kerbstones and newt-friendly gully pots. Ecological consultants will know likely companies to source these.
- Site preparation should be carefully planned and supervised (e.g. undertaking site clearance outside of the bird-nesting season (not 1st March to 30th September)).
- Care should be taken to avoid accidental spillage of chemicals, petrol, tar and other toxic substances from tankers and other vehicles, which may damage nearby habitats. Contingency plans should be in place following site risk assessments to avoid and put measures in place for such unforeseen occurrences.



Designing Land Set Aside for New Nature Conservation

6.13 Appendix 4 summarises mitigation/compensation measures for particular types of habitat and species, but more detailed advice, specific to each protected species, can be found on the Natural England website at www.naturalengland.org.uk. or the Countryside Council for Wales site at www.ccw.gov.uk

Designing Landscaping Schemes for Nature Conservation

6.14 It is important to integrate new development within the landscape of the Estate and adjoining countryside. This affects the visual character and quality of the Estate as well as the perceptions of the Estate amongst existing users and those considering economic investment in the County Borough.

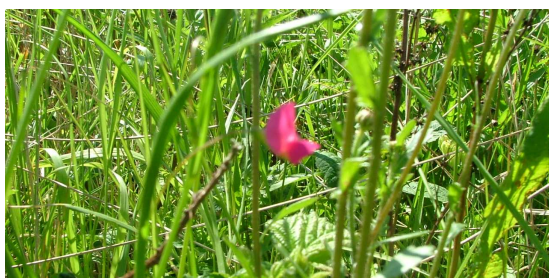
6.15 To date, developers have been encouraged to provide 'business park' landscaping, typically including ornamental tree and shrub planting, grassed frontages, low mounding and attractive fencing set behind planting, where security is necessary. Screening of storage and processing areas has also been important.

6.16 The ecological importance of the Estate requires landscaping schemes submitted for Planning Permission to better integrate the landscape and ecological requirements of the site. If landscaping areas are designed in this way they will be counted as contributing to any mitigation/compensation land that needs to be set aside as a result of unavoidable harm to lesser quality habitats. The Council will therefore support soft-landscaping schemes designed to enhance nature conservation through:

- The retention of significant trees and vegetation which contribute to character, visual integration and biodiversity. Adequate space is needed within the layout for these not to be compromised by development.

- Screen-planting of native trees and shrubs along boundaries may act as wildlife corridors where they do not separate patches of open grassland.
- Extending woodland edges to create bigger, more suitable areas of habitat that will act as 'stepping stones' from one habitat to another one
- The creation of new wildlife corridors such as linear woodland, scrub or grassland dependent on the range of animal and bird species the corridor is to support. These should link existing habitats and support the development of a wider network throughout the Estate. Applications for development adjacent to the following road corridors will be expected to provide such corridors.
 - Clywedog Road - near to River Clywedog
 - Bridge Road North - near to Wildlife Site and ponds
 - Ash Road South - near to Wildlife Site and ponds
 - Redwither - Road, near to Wildlife Site and River Clywedog
 - Oak Road - near to Wildlife Site and River Clywedog
 - Abenbury Way - close to watercourses

6.17 A 'business park' setting, of formal planting and frontages, is appropriate in those parts of the Estate where development faces key roads. However, it can be achieved through formal avenue tree planting and swathes of shrub planting, using native



species acquired locally. Long species-rich grassland can be maintained as shorter margins along roadside verges, but cut at the end of September when the flowers have seeded. The creation of less intensive landscaping schemes and the use of less intensive maintenance regimes may help reduce the overall cost to landowners/employers.

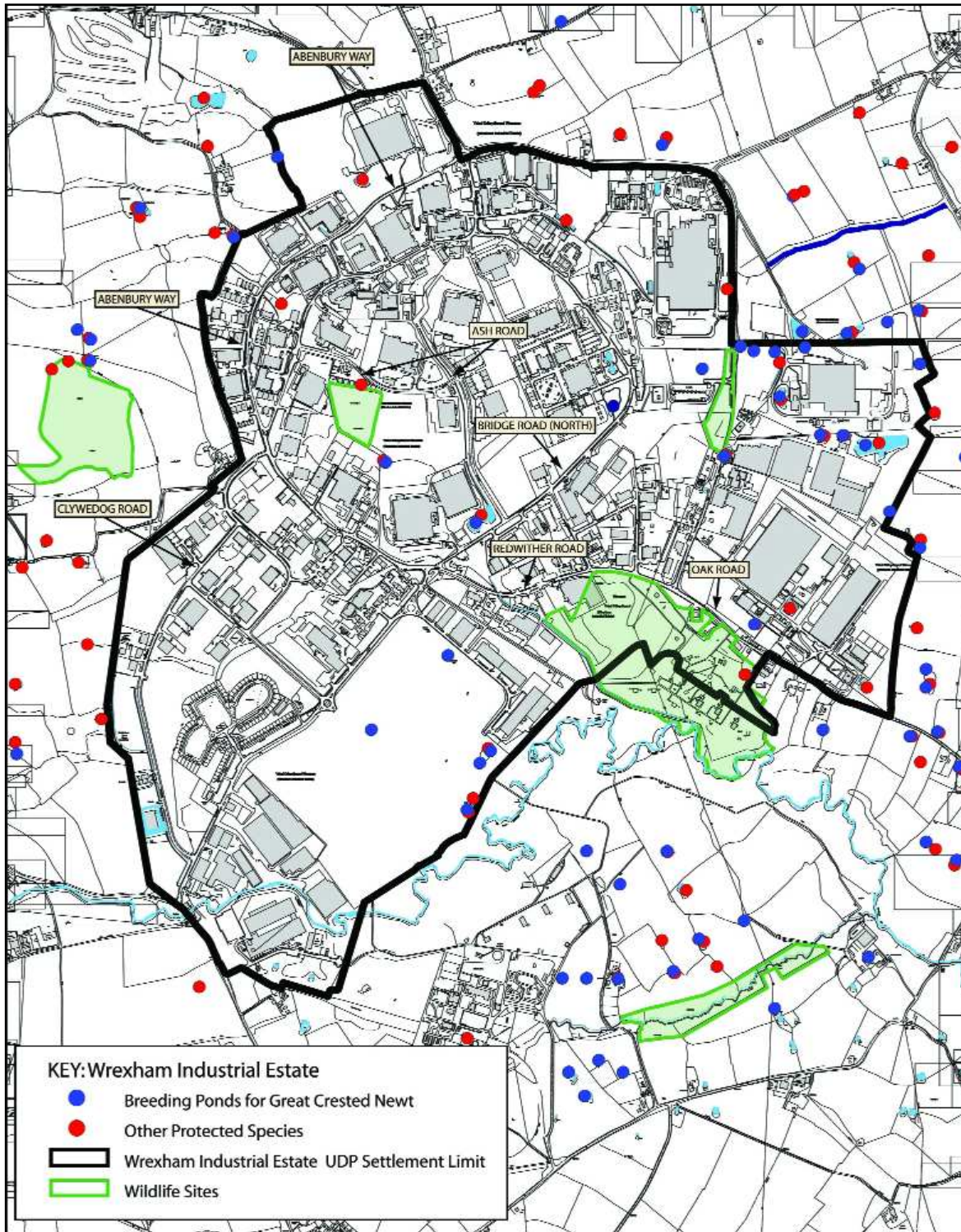


Managing Land Set Aside for Nature Conservation

6.18 When a development is completed it will be necessary to manage the site to avoid damage to habitats/species and to prevent those species re-colonising the developable area of the site. Affected areas could include woodland, grassland and wetland that were in place before the development, or which have been created or enhanced as part of the development as well as newly landscaped areas. Appendix 5 provides examples of the kind of habitats and management regimes that may be suitable on the Estate. The management will need to be tailored to the needs of the habitats and species found on any particular parcel of land.



Appendix 1: Wrexham Industrial Estate Ecological Survey 2008



Protected Species Found In Wrexham

Industrial Estate

Great Crested Newt

This newt grows to 15cm in length and is dark brown or black with a warty, rough skin; an underside that is bright orange with black spots and sides that are stippled with tiny white dots. In the spring, the male develops a ragged crest along its back and a separate straight edged crest along the top of its tail. Females, particularly in the breeding season when they are swollen with eggs, are bulky in appearance, but lack the crest. Young newts ('efts') are mottled with black and have a tiny filament at the end of the tail.

Newts and other amphibians, like frogs and toads, live on land for the majority of the year, but return to ponds and water-filled ditches at various times for breeding, feeding or shelter. They migrate (up to 500m) to ponds in the spring and hibernate on land within features such as brick rubble, spoil heaps, log piles and will burrow down into the soil during the winter. They require ponds and terrestrial habitat so proposals for a replacement pond may not be suitable. In general they should be retained in situ and translocated only a last resort.

Badger

Badgers grow up to 1m long and weigh from 10 to 13kgs. They are largely nocturnal, and retiring and live in social or family groups. They are omnivorous and eat a wide variety of foods, but their main diet consists of up to 200 earthworms per day.

Their setts comprise many entrances with underground chambers and a labyrinth of tunnels and involve the excavation of tonnes of soil. They prefer sloping sandy embankments in a variety of habitats including woodland, roadsides, grassland, copses, scrub and old quarries.

Distances travelled from the sett depend on a number of factors including the season; with winter restricting their food range and food patch that different clans of badgers will defend. They are less active during the winter, when breeding occurs, and cubs are normally born in February.



Dingy and Grizzled Skipper Butterflies

The Dingy Skipper is the larger of the two butterflies with a wing span of 27-34mm. There is normally one generation each year, but in hot summers there may be a partial second brood in August. Eggs are laid singly on young leaves of the food plants usually in sheltered situations and the larvae feed through the summer months. Pupation occurs the following spring. Adults usually emerge from early May to the end of June, but can emerge as early as mid-April in warm springs. Its main food-plants are Common Bird's-foot-trefoil; Horseshoe Vetch; and Greater Bird's-foot-trefoil.



The Grizzled Skipper is smaller with a wingspan 23-29mm. There is normally one generation each year, but there can be a partial second brood in July and August. The eggs are laid singly on food plants growing in warm positions, next to either bare ground or short vegetation (5cm). The larvae over winter as pupae, which are formed within cocoons of

leaves and silk amongst low vegetation (under 30cm). Adults emerge from the end of April until mid-June. In warm springs this may be as early as mid-March and in late years can fly until mid-July. Its main food-plants are wild strawberry, creeping cinquefoil, barren strawberry; dog rose, salad burnet; tormentil; and wood avens.

Both species are found in habitats characterised by warmth, shelter and sparse vegetation. Typical sites include woodland edges, woodland clearings, large woodland rides, unimproved grassland, hillsides and valleys.

Water Vole

Water Voles are large and often mistaken for a rat. They have dark fur around the body and a short fat face and vary from 12-20cm in length and 70-320g in weight. They eat grasses and waterside vegetation. They tend to be more active during the day than at night. They deposit distinctive black, shiny faeces in latrines located throughout and at the edges of their range during the breeding season. They usually have up to five litters a year from May to September. In mild springs the first of these can be born in March or April, though cold conditions can delay breeding until May or June. There are about five young in a litter, which are born below ground.

They occur mainly along well-vegetated banks of slow flowing rivers, ditches, dykes and lakes. Male voles live along about 130m of water bank while female's ranges over about 70m. They excavate extensive burrow systems into the banks of waterways with sleeping/nest chambers at various levels in the steepest parts of the bank and underwater entrances to provide a secure escape route. 'Lawns' of closely cropped grass, occasionally with piles of chopped food, may surround burrow entrances.

Bat

Most bats found locally are essentially nocturnal insect-eating species. They usually have a single offspring each year and live for up to 20 and, exceptionally, 30 years. They become torpid in winter as insect numbers decline, hibernating in roof spaces of buildings, bridges, hollow trees and dark caves.

The highest densities of bats occur where insects are most numerous such as wetland and woodland edges. Many species, particularly the smaller ones, follow linear features such as hedges, tree lines or waterways and are reluctant to cross wide open spaces. Any building, structure, cave or tree has potential to be used by bats. A bat survey should be undertaken only if such features would be impacted upon by the development/site clearance.

Otter

Otters are usually between 55 and 110cm long and weigh 5-12kg. They are aquatic carnivores and feed on fish. They live and breed in and near open water and watercourses, favouring habitats along rivers, but will also use marshes, lakes, reedbeds, ponds, streams, ditches and adjacent scrub and woodland. They are territorial and their home range may extend up to 40km along a stretch of water.

Lapwing

The Lapwing is a pigeon-sized, black, green and white bird with a wispy crest and broad rounded wings. They eat many agriculturally harmful insects. They are ground nesters and usually nest on wet/dry undisturbed grassland but, in their absence will nest in a variety of habitats from flat roofs on buildings to bare ground with short vegetation. They have been sighted on the Estate and are thought to breed on top of industrial units on Clywedog Road.

Appendix 3: Legal Protection For Species Found On Wrexham Industrial Estate

UK Legislation: The Wildlife & Countryside Act, 1981 (as amended).		EU Legislation: The Conservation (Natural Habitats & c.) Regulation's 1994 (as amended).	The NERC# Act and UK / Local Biodiversity Action Plan.
Birds Sch.1M Migrant, R Resident	Animals Sch. 5/6	Regulation 39 - European Protected Wild Species	Section 42 & UK BAP / L BAP species
Hobby (M*)	Bats**	Bats**	Polecat **
Barn owl (R**)	GC Newt**	Great crested newt**	Skylark **
Kingfisher (R**)	Otter*	Otter*	Common lizard**
Curlew (R*)	Water Vole**	Otter*	Grizzled, white-letter hairstreak and dingy skipper
Hobby (M*)	Bats**		Lesser Silver Water Beetle**
Fieldfare (M**)	Lesser Silver Water Beetle**		Cornflower*
Black Redstart (R*)	Grass snake **		Bullfinch * *
Peregrine (M**)	Common lizard**		Common toad **
Redwing (M**)			Yellowhammer*
			Hedgehog*
			Kestrel **
			Snipe*
			Lapwing **
			Ground beetle**
			Ground snake**

The Natural Environment and Rural Communities Act

** known to be present on the Estate

* possibly present on the Estate

Appendix 4: Contact details for Organisations with Ecology Expertise

Clwyd Badger Group	www.badgers.org.uk/clwydbadgergroup/
Bat Conservation Trust Clwyd Bat Group	www.bats.org.uk batservices@btinternet.com
Welsh Biodiversity Partnership	www.biodiversitywales.org.uk/
Butterfly Conservation	www.butterfly-conservation.org
Countryside Council for Wales for advice on ecology and licences for works affecting protected species	www.ccw.gov.uk
Ecology consultants. Use professional bodies & directories (e.g. ENDS Environmental Consultancy Directory (Environmental Data Services) & Directory of Ecologists and Environmental Managers (IEEM)).	www.endsdirectory.com www.ieem.org.uk
Environment Agency (Wales) for advice on impact on major watercourses & disposal of contaminated silt	www.ccw.gov.uk
Flora Locale	www.floralocale.org/
Forestry Commission	www.forestry.gov.uk/
Joint Nature Conservation Committee – for advice on Habitat Regulations 1997	www.jncc.gov.uk/page-1379
Natural England for advice on mitigation and compensation measures for each of the protected species	www.naturalengland.org.uk
National Wildflower Centre	www.landlife.org.uk/
North East Wales Wildlife	www.newwildlife.org.uk
North Wales Wildlife Trust	www.wildlifetrust.org.uk/northwales
Pond Conservation	www.pondconservation.org.uk/
Herpetological Conservation Trust	www.herpconstrust.org.uk/
Wrexham County Borough Council Planning Department	www.planning@wrexham.gov.uk

Appendix 5: Typical Mitigation/ Compensation Measures

Development Activity	Habitat/Species	What can be Created and Managed
Development close to a watercourse	Habitat: ponds, rivers, other water feature	Enhance or create a new water feature. Create a habitat suitable for otters, water voles & amphibians
	Species: water voles	Ditches with vegetation, undisturbed bank side vegetation
	Species: otters	Undisturbed habitat by rivers.
	Species: kingfishers	Trees by rivers/streams. Undisturbed bank sides
Barn or rural building conversion	Species: bats, barn owls	Incorporate owl lofts, bat roosts and other suitable spaces within the conversion, extension or renovation. Provide nest and bat boxes, retain mature/decaying trees, suitable planting and habitat links
Developments affecting greenfield sites	Habitat: Grassland & wildflower meadows	Area of wildflower-rich grassland strips/verges. Plant native species of local or regional genetic origin and allow natural expansion/colonisation
Development affecting/ adjacent to woodland, hedgerows, lines of trees and scrub	Habitat: Woodland Species: Barn owls other birds	Retain as many trees as possible. Plant new trees, erect suitable nest boxes. Plant native species of local or regional origin and allow natural expansion/colonisation
Development affecting old and veteran trees including any felling or lopping	Habitat: Mature trees Species: Barn owls other birds	Maintain existing mature trees. Pollard or coppice. Plant new trees to succeed old ones. Plant native species of local or regional origin and allow natural expansion/colonisation
Major commercial industrial site	Species: Newts and other amphibians	Create accessible ponds with some shading. For Great Crested Newts provide grassland for foraging with habitat piles or patches of scrub for shelter/ protection. These should be linked to other natural areas by terrestrial and aquatic habitat corridors.
	Species: Common lizard and other reptiles	Create undisturbed area of habitat and basking area of bare ground/short grass on south facing slopes. Create log piles.
	Species: Other birds	Swift, swallow and house martin boxes attached to buildings. Other bird boxes on trees etc. Native planting particularly trees with berries/seeds
All forms of development	Habitat/Species: All	Detailed guidance and advice on the design and management of sites for nature conservation can be found on the Nature England website.

Appendix 6: Management Principles For The Kinds Of Habitats Found On The Estate

Woodland

Felling non-native species, such as Sycamore regeneration, to encourage native canopy species.

Where trees are determined to be dangerous appropriate works (e.g. removing overhanging deadwood, crown reduction or felling) may be necessary. Stumps of dead trees and cut deadwood should be retained.

Wherever possible retain lying and standing dead wood as it has considerable ecological value.

Eliminate Himalayan Balsam from wetter areas by uprooting, if possible before the plant is in flower and sets seed. Treatment should be successful in 2-3 years as Himalayan Balsam is an annual.

Eliminating Japanese Knotweed by cutting and treating with specialised herbicide.

Widening woodland edges and creating an understorey by planting the following mixture:

- Crataegus monogyna Hawthorn 20%
- Corylus avellana Hazel 15%
- Ilex aquifolium Holly 10%
- Prunus spinosa Blackthorn 10%
- Rosa canina Dog Rose 10%
- Salix cinerea Grey Willow 10%
- Sambucus nigra Elder 5%
- Malus sylvestris Crab Apple 5%
- Viburnum opulus Guelder Rose 5%

NB. Trees may be protected Preservation Order or Planning Conditions. Before felling or pruning is undertaken it is advised that checks are made with Wrexham's Planning Department to determine whether consent is needed for the works.

Rides and Glades

Rides and Glades are linear and open areas respectively within Woodland.

A good network of these open areas within woodland makes a significant contribution to woodland flora and fauna by supporting large amounts of light-demanding species that might be absent elsewhere. They provide nectar sources for insects, corridors between different areas of young growth and a refuge for many species. To maximise sunlight, rides should be kept 1.5 times as wide as the height of bordering trees (e.g. where the trees are 10m high the rides should be 15m wide).

Grassland

Grazing is preferred as it provides a range of habitats of various sward heights and may be appropriate on mitigation/compensation land on the periphery of the estate. Mowing can be effective if the area is split into four quadrats that are cut in rotation over a five-year cycle. If a well-chosen selection of wildflowers are planted they will flower between May and September to support invertebrates (e.g. ground beetles are an important food source for birds, especially on intensively managed sites where there is less prey).

Grass can be cut and used for hay or silage. From a nature conservation perspective no chemicals should be used and a single late cut is preferred for haymaking. Cutting in spring is usually between April and May (depending if spring is early or late) and will usually suppress grass growth rate for 2-3 months but in some cases another cut will be needed. Thereafter an end of season cut will be needed in September to October when all flowers have flowered and set seed and all ground-nesting birds have reared their young. If the site is wetter and more fertile up to four cuts per year might be required at times dependent on the wildflowers sown. It is essential to collect the grass cuttings or they

will act as a green manure and smother low growing wildflowers.

If a 'do nothing' approach is preferred this still requires the grassland to be managed either through grazing or cutting, but leaving the grassland as it is and not doing any soil preparation or sowing of wildflowers to allow natural development. If this result is not satisfactory the grassland should be enhanced through sowing a selection of wildflowers suited to the type of grassland.

Wetland/ Ponds

Traditionally, the best time of year to manage a pond is late autumn and winter, when most plants and animals are dormant or have left the pond. If great crested newts use the pond, work should be carried out only between November and January and with a licence from WAG.

For some wildlife works in November to January will still lead to harm or disturbance (e.g. juvenile newts). Therefore works should always be carried out as sensitively as possible a little bit at a time, never removing all of one type of habitat or plant. In the case of plants, the removed vegetation should be left on the bank overnight to allow animals to escape.

In cases where there is no invasive plant growth or silting, it may not be necessary to manage the pond. There is value in the natural processes the pond goes through, but it will be necessary to monitor for invasive or non-native plants.

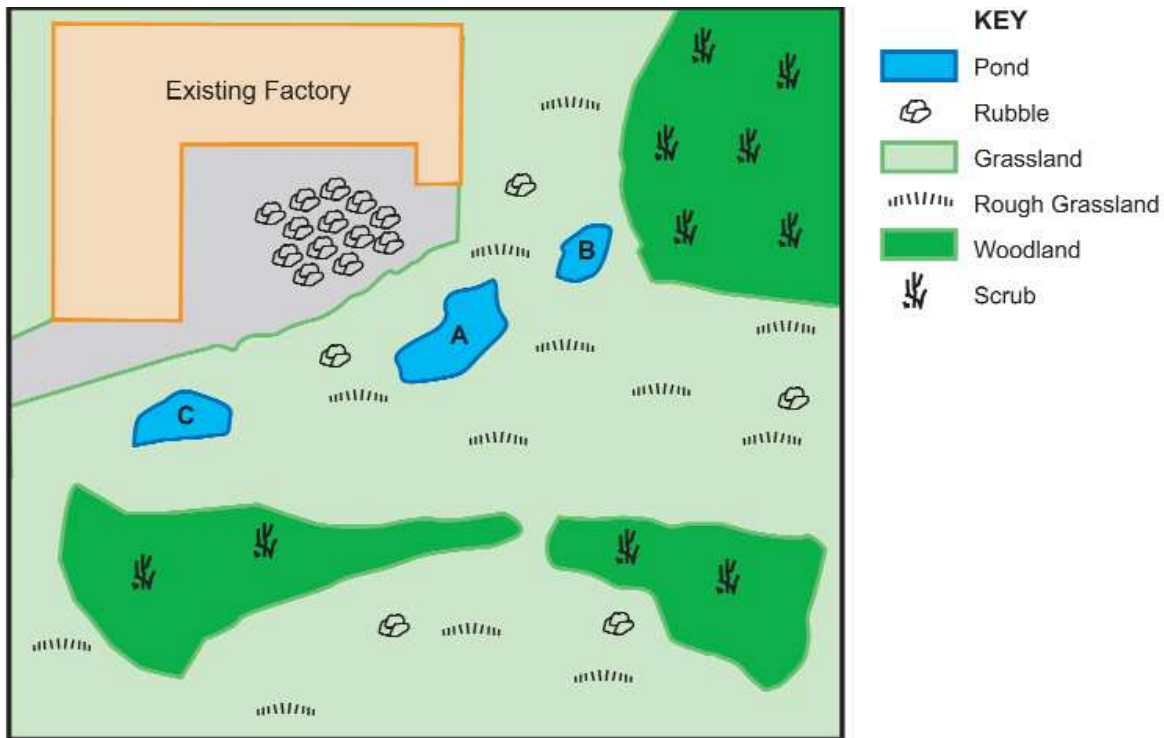
Floating plants like duckweed, blanket weed and the invasive water fern can create dense growth, which forms a thick mat over the entire water area. This blocks out light, prevents oxygen getting into the water and can be dangerous for animals as it looks solid. A small amount of algae or duckweed occurs naturally in ponds with clean water and some small beetles live out their lives within them. The problem is caused by too many nutrients in the water (especially nitrates and phosphates) which cause them to enjoy unrestricted growth.

Occasionally silt should be dredged from ponds as it will decrease the depth of water. Clean silt can be disposed of on land within the site where it will not damage other habitats or get washed back into the pond. It can also be spread on agricultural land provided it can improve the soil.

Where a pond is located close to a road it may collect water polluted with heavy metals, petrocabons etc. Contaminated silt may have to be disposed of via landfill, which can be costly and will require documentation on the substances it contains. Contact the Environment Agency (Wales) for more information and any necessary licence.

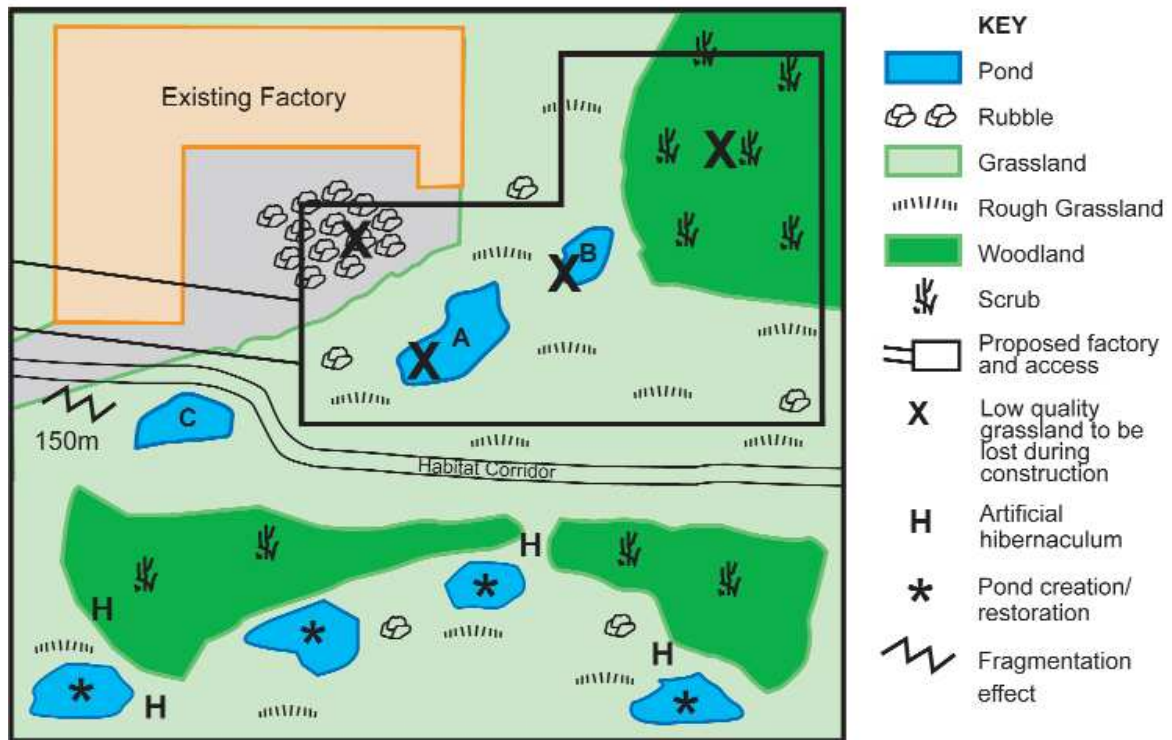
Sustainable urban drainage systems are encouraged within any future design of a development scheme. They include features like attenuation ponds and soakways. These are a natural way to collect excess surface water but also serve as to provide additional habitat for wildlife.

Appendix 7: Example: Proposed Factory On Site With Great Crested Newts



A. Site Appraisal/Ecological Survey

Great crested newts found in ponds B and C (17 & 9 newts respectively) with many more in refuges formed by disused building foundations. Rough grass & scrub form foraging area. Smooth newts, frogs & toads also found in the ponds. Little disturbance as the site is fenced. No other habitats within 500m.



B. Method Statement/Concept Plan

Factory will result in total loss of habitats within the development footprint & fragmentation of the rest of the site, causing isolation, interference & changes to hydrology of pond C & possible increased mortality from new kerb/gully pot drainage system. To protect/mitigate/compensate for species & habitats lost it is proposed to:

- capture and exclude newts from ponds A and B (February to June) with fencing and pitfall traps over the development footprint and repeat searches (May/June)
- create/enhance habitats on part of the site formally of low value for newts: this will replace lost woodland, ponds and scrub and provide 4 new ponds in compensation, bunds along the site boundary, secure fencing & screening, new places for hibernation, refuges & a landscaped corridor designed to encourage nature conservation)

- pond infilling and site clearance to occur in August

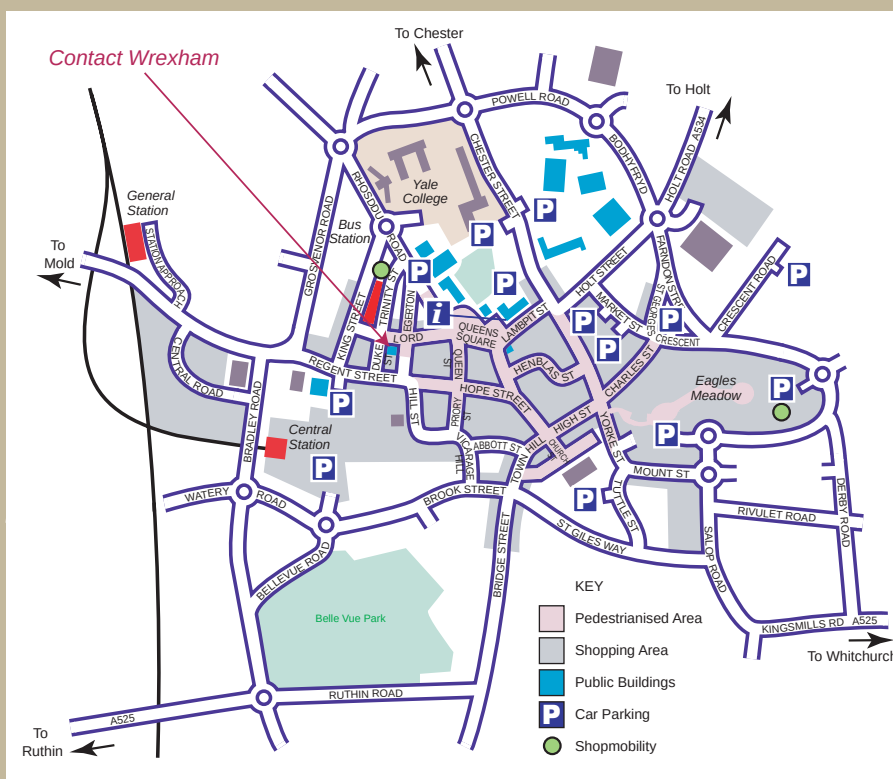
- construction to include sustainable urban drainage system to prevent major changes in hydrology

Disclaimer

The above example is provided as guidance only to illustrate a typical mitigation/compensation scheme for great crested newts. For all other species the mitigation and compensation proposed and provided will vary depending on the species. Such mitigation/compensation requirements for other species i.e. badger; bats and butterflies should be discussed with your consultant ecologist.



Contact Details



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Contact

If you require any further information regarding the Wrexham Industrial Estate: Employment Development and Nature Conservation (April 2009) Guidance Note, please contact the Planning Policy Section at the address below or visit our web site.

**Planning Policy Section,
Wrexham County Borough Council,
Lambpit Street, Wrexham LL11 1AR.**

Telephone: 01978 292019.

Fax: 01978 292502

E-mail: planning@wrexham.gov.uk

Web: www.wrexham.gov.uk/planning

Office Hours

Monday to Thursday 8.45am - 5.15pm

Friday 8.45am - 4.45pm

Special arrangements may be made with individual officers for meetings outside these hours on request.

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APPENDIX K

Draft HOT's for Mitigation S106 (UU)

S106 Unilateral Undertaking : Heads of Terms

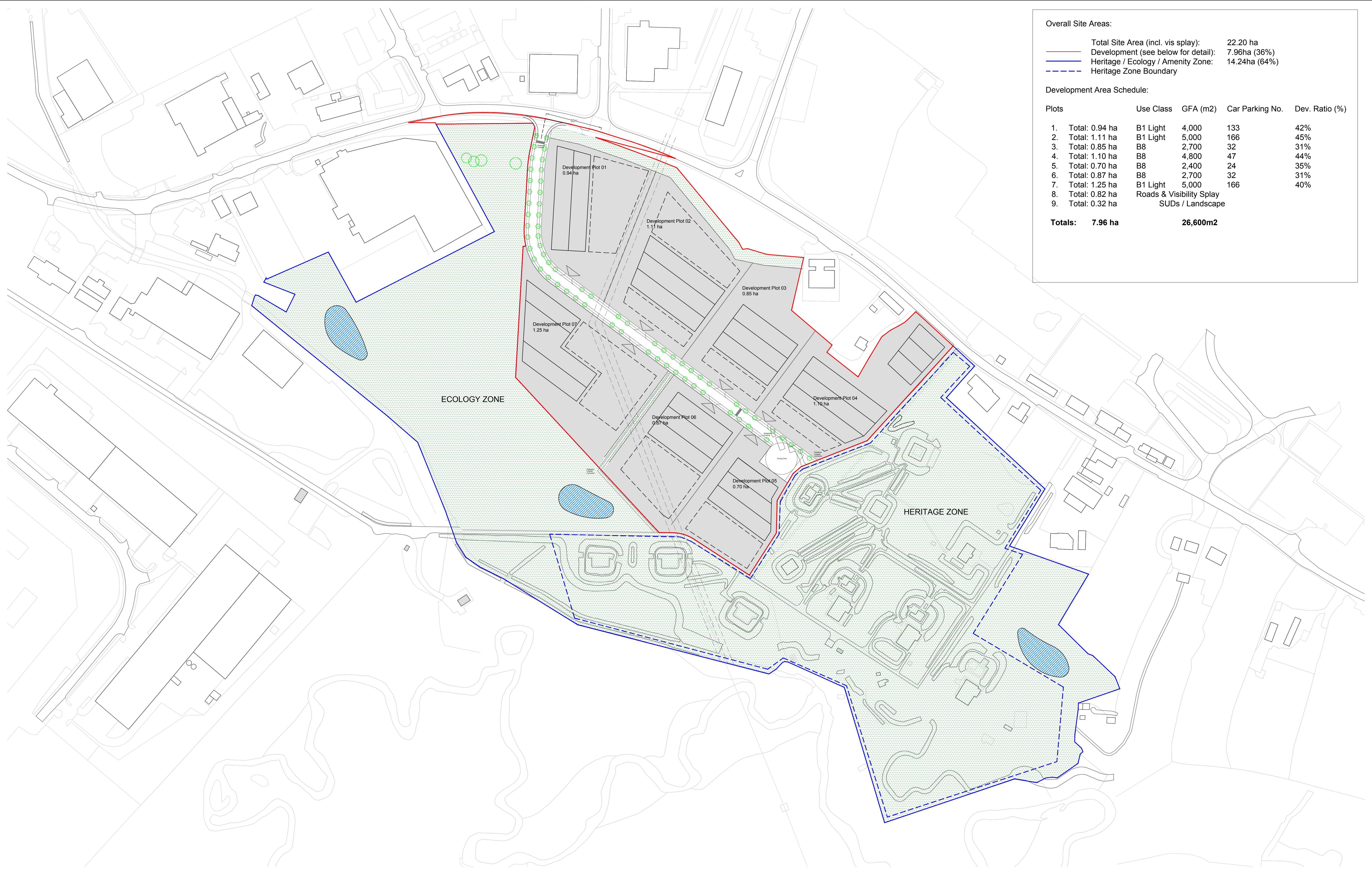
Freeholder Signatory : Cefn Park Developments Ltd (CPDL)

Land at : The Oaks, Oak Road, Wrexham Industrial Estate, Wrexham, LL13 9RG

v.1 : 22 November 2019

TYPE OF AGREEMENT	Unilateral Undertaking pursuant to S106 of the Town & Country Planning Act.
THE LAND	Relating to the development site edged RED and “Habitat” land hatched GREEN and edged BLUE as identified on the plan provided (ref. Parameters Plan – Land Studio – 003 Rev H dated 19 November 2019).
THE OBJECTIVE	The aim and objective is twofold: - for the ecological mitigation areas identified being secured for the benefit of biodiversity habitat restoration, protection, management, maintenance and enhancement. The aim will be to maintain or restore identified ecological features to specified target levels. Once a target has been achieved it will need to be maintained, otherwise it could decline in conservation status or condition. - to secure the future heritage value of the former WW2 ROF assets located within the identified heritage mitigation zone. An outline Heritage Management Strategy will be produced in consultation with CADW, CPAT and the Local Wrexham Conservation Officer. This is likely to result in a scheme that may involve revealing these assets (sic. removal of vegetation growth) and installing heritage interpretation displays may be involved
TERM	The term will be for a period of 25 years to cover the period of the Habitat Management Strategy. The term will commence once more than 25% of the proposed site area has been developed whereupon the whole area will be transferred into the Habitat and Heritage Management Plans as set out and guided by the over-arching Habitat and Heritage Management Strategy. N.B. if Clause 10 (below) is enacted then the term and other provisions for term extension and any obligations identified below fall away.
TERM EXTENSION	The term of the undertaking shall be extended subject to mutual agreement at the 25 th anniversary review meeting. There will be provision for the parties to act reasonably in agreeing any extension and, in the absence of agreement, the matter will be referred to an independent expert for determination.
CPDL OBLIGATIONS	- CLAUSE 1 : To ensure that the “Habitat” land identified (shaded green on the plan) is subject of the Outline Habitat Management Plan (document ref. KE1950.01 Version 1 dated 20 May 2019) and any further/subsequent revisions thereof. - CLAUSE 2 : The programme for Habitat Management is likely to involve the freeholder appointing a specialist contractor to implement the Outline Habitat Management Plans and its overarching Strategy and may necessitate the freeholders funding of a third-party agency / body (e.g. North Wales Wildlife Trust); with this in mind the freeholder may consider granting a licence to occupy. - CLAUSE 3 : The freeholder will allow access to the “Habitat” land, on reasonable notice, to the Council or the appointed Wildlife Management Trust to undertake surveys and assessments including intrusive inspections subject to making good any damage caused to the reasonable satisfaction of the landowner and signing a licence, which will require adequate insurances to be in place. - CLAUSE 4 : The freeholder will not undertake any works to the “Habitat” land other than for maintenance purposes and to comply with any statutory requirements and in accordance with Clause 8. - CLAUSE 5 : The freeholder shall be permitted to sell the “Habitat” land subject to the terms remaining in place and its obligations thereto to any successor in title including relinquishment of future development rights as specified and in accordance with Clause 8. - CLAUSE 6 : The freeholder will, for the period of the term, ensure the ongoing management of the “Habitat” land in accordance with the Habitat Management Strategy and Outline Habitat Management Plans which provide for the following: - Initial habitat preparation, creation and restoration - Ongoing management and maintenance - Wardening and surveillance monitoring - Production of an annual report with provision for an annual review meeting - A contingency to allow for any modifications to the habitat management plan and/or ad-hoc remediation works

- CLAUSE 7 : The suitability of the contractor would be agreed with the Council prior to their appointment to ensure they are appropriately qualified and licensed; such agreement not to be unreasonably withheld or delayed.
- CLAUSE 8 : The Unilateral Undertaking will include a restrictive covenant prevents the development of B1, B2 and B8 development on the "Habitat" land (allowing for utility service infrastructure upgrades and replacement), thus ensuring habitat protection is provided in perpetuity regardless of any extant Habitat Management Strategy and Plan that might be in place at the time.
- CLAUSE 9 : 12 months prior to the expiry of the 25th anniversary of the term the Management Strategy will be reviewed with regards how future maintenance will be managed and procured and a meeting to agree what happens next will take place between the freeholder, the Wrexham County Borough Council and NRW and any licensee's appointed by the freeholder.
- CLAUSE 10 : The ownership of the "Habitat" land will remain intact and not split into parcels if the adjacent development plots happen to be sold by the freeholder. However, the "Habitat" and "Heritage" land may be gifted to a 3rd party body.



REVISIONS					REVISIONS				
Rev.	Description	Date	By	Chk'd	Rev.	Description	Date	By	Chk'd
A	Areas revised to incl. Heritage & new jct.	22.03.19	SR	SR	G	Heritage Area amended	16.10.19	SR	SR
B	Road alignment, Ecology increase, GFA added	26.03.19	SR	SR	H	Parking numbers to plot 5 amended.	19.11.19	SR	SR
C	Areas and site boundaries revised	28.03.19	SR	SR					
D	Plots 4 & 5 combined, plot 5 access removed	23.04.19	SR	SR					
E	Internal access road minor amends.	03.05.19	SR	SR					
F	Footpath connections added, notes added	16.05.19	SR	SR					

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PRELIMINARY client: CEFN PARK DEVELOPMENT LTD project: THE OAKS drawing title: PROPOSED SITE PARAMETERS PLAN

APPENDIX L

Letter of intent :

heritage

management

Archie Graham Palmer
Director
Cefn Park Developments
Cefn Park
Wrexham
LL13 9TT

Our ref: KLN/226740/19.11.22

Friday 22 November 2019

Via e-mail

Dear Archie,

Re: Letter of Intent to provide a Heritage Management Plan for The Oaks, Wrexham Industrial Estate

This is a letter of intent for Wessex Archaeology to provide a Heritage Management Plan for The Oaks, Wrexham Industrial Estate (centred on S 3870 4920) and is subject to confirmation of costs and commission.

The intent is based on the following conditions:

- The extent of the formally designated (scheduled area) being established by Cadw
- Outline planning permission for the proposed development being granted by the local planning authority.

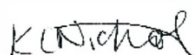
The Heritage Management Plan would contain (as a minimum):

1. Purpose of the plan
2. Methodology
3. Description and history of the site
4. Description of mechanical and chemical processes relating to ROF Marchwiell
5. Statement of significance and current condition
6. Management issues
7. Aims
8. Management objectives (including access and interpretation)
9. Specific objectives related to condition
10. Identification of key elements where an integrated approach with the Habitat Management Plan creates good practice and mutual benefit
11. Work programmes
12. Monitoring and review of plan
13. Conclusions
14. Appendices, maps and gazetteer of documents relating to the site

This list is not exhaustive and would be updated and finalised following consideration and agreement with comments from representatives of the local planning authority and Cadw.

This letter of intent is subject to the scope of the Heritage Management Plan being finalised and associated costings and any further work being agreed with the client.

Yours sincerely



Kirsty Nichol

Project Manager
k.nichol@wessexarch.co.uk