

Supporting Planning Statement

Commercial Redevelopment at Chapter Court, Wrexham



December 2019 v3

Real Planning

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9. Chapter Court Construction Traffic Management Plan [Real Planning – v2 December 2019]
10. Chapter Court Dust Management Report [RA Architects – October 2019]
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1. Introduction

1.1 Real Planning has been engaged by the applicant to prepare a Supporting Planning Statement to accompany and support an application for full planning permission primarily in relation to:

- Change of use to mixed use consent A1, A2, A3, D1, D2 and B1
- Provision of external entertainment areas at ground level and external 'breakout' areas at first floor level

1.2 A more detailed breakdown of the proposed development can be found in Section 3 to this Supporting Statement.



Photo 1 – Aerial view of the development area

1.3 The Supporting Planning Statement provides an introductory background to the submission and seeks to demonstrate how the proposal responds to relevant

planning policies / guidance and sets out reasons why planning permission should be granted. It includes a descriptive appraisal of the application site, its location, setting and surroundings and presents a detailed description of the proposed development. It sets out the planning history and summarises the findings of specialist studies that have been commissioned by Real Planning to consider, in detail, the constraints and opportunities that affect and influence the development of the site. In terms of any potential harm, it assesses the issues of impact on character and appearance of the local surroundings and the highway network. Finally, it also summarises the reasons why the application should be granted planning permission.



Photo 2 – Frontage of the development site onto Queen’s Square

1.4 It is clear from the assessment undertaken in this Supporting Statement that the proposal fits the context of the site and its immediate surroundings and is in compliance with national planning policy and with those Development Plan policies and local planning guidance that can be attributed weight in the decision-making process.

1.5 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, requires local planning authorities to determine planning applications in accordance with the adopted Development Plan unless material considerations indicate otherwise. Real Planning will address not only that the proposal accords with both national

and local planning policy / guidance but also these ‘other material considerations’ within this Supporting Planning Statement. Any issue that relates to the use and development of land is capable of being a material planning consideration - this includes, for example, the Welsh Government’s statements of planning policy. It is clear to Real Planning that the proposed development is not in conflict with the current Development Plan [see Section 5 to this Supporting Statement].



Photo 3 – Corner of Queen’s Square / Rhosddu Road with the bottom of Argyle Street

2. The Application Site

2.1 The application site is a large area of mixed-use properties within the centre of Wrexham Town [see Plan 1 – Location of application site] comprising of:

at ground floor level -

- Nos 5, 7 and 9 Rhosddu Road / Queen’s Square
- Nos 5, 6, 7 and 8 Queen Street
- Nos 42 and 43 Hope Street

at first floor level -

- Nos 1, 3, 5, 7, 9, 11 and 12 Rhosddu Road
- Nos 5, 6, 7, 8, 9 and 10 Queen Street
- Nos 42 and 43 Hope Street

at second floor level

- Nos 42 and 43, Hope Street



Plan 1 – Location of Application Site

2.2 The application site, primarily located within Wrexham Town Centre pedestrianised zone, is bounded to the north by the lower end of Rhosddu Road [a Classified Road] merging with Queen's Square, to the south by Hope Street [a Classified Road], to the west by Argyle Street [an Unclassified Road] and to the east by Queen Street [Classified Road]. The only route to the existing service yard

is via Rhosddu Road / Argyle Street – the current Traffic Regulation Order in place [no waiting / no loading] leading to the service yard prevents any parking or loading in this location. No vehicles are permitted onto Queen Square – bollards are in place to prevent vehicular access.



Photo 4 – Fronting Queen's Square / lower end of Rhosddu Road



Photo 5 – Fronting Hope Street

2.3 All the buildings fronting the lower end of Rhosddu Road / Queen's Square and Queen's Street are two-storey [see Photos 2 and 4 in this Statement]. The majority of buildings fronting Hope Street are a mixture of two-storey and three-storey. Nos 42 and 43, that part of the application site fronting Hope street, are three-storey [see Photo 5 above].



Photo 6 – Fronting Queen Street

2.4 The buildings fronting Queen Street are also two-storey [see Photo 6 above]. All the two-storey buildings wrapping around the northern and eastern portion of the application site [Nos 1 to 12 Rhosddu Road / Queen's Square and Nos 4 to 10 Queen's Street formed part of a redevelopment scheme built in the mid 1980s.

2.5 To the rear and accessed via Argyle Street is a large servicing yard which serves all the properties fronting the lower end of Rhosddu Road / Queen's Square, Queen Street and Hope Street [see Photos 7 and 8 overleaf].



Photo 7 and 8 – Rear Service Yard accessed off Argyle Street

3. The Proposed Development

3.1 The proposed development is a complicated mixed-use development. This Supporting Planning Statement, Design and Access Statement and other supporting documents describe the nature and content of the development proposed. As stated earlier, the application is seeking full planning permission primarily in relation to:

- **Change of use to mixed use consent A1, A2, A3, D1, D2 and B1**
- **Demolition and relocation of electrical sub station**
- **Provision of external entertainment areas at ground level and external 'breakout' areas at first floor level**

at ground floor level

- Change of use of No 5 Rhosddu Road to micro food court [Nos 7 and 9 Rhosddu Road already has flexible consent for A1, A2, A3, D1, D2 or B1 use – planning permission P/2018/0246 refers]
- Alterations to the shop fronts of Nos 5, 7 and 9 Rhosddu Road
- Alterations to the shop fronts of Nos 5, 6, 7 and 8 Queen Street
- Alterations to the shop fronts of Nos 42 and 43, Hope Street
- Change of use of service yard to external entertainment area with gabion wall and stage
- Demolition of existing electrical sub station
- Relocation of electrical sub station
- New bin storage area

at first floor level

- Change of Use of Nos 1, 3 and 5, Rhosddu Road to bar / restaurant / studio / function space [Nos 7, 9, 11 and 12, Rhosddu Road already has flexible consent for A1, A2, A3, D1, D2 or B1 use – planning permission P/2018/0246 refers]
- Change of use of Nos 5 - 10 Queen Street to bar / restaurant / studio space
- New external sitting area above existing rear single storey

3.2 A green wall will be located behind the stage area to provide a division between the courtyard and servicing area.



Photo 9 – Courtyard view to micro food court

3.3 See Plans 2 and Plan 3 below.



Plan 2 – Extract from submitted Drawing No R362-05 Proposed Site Plan - Ground Floor



Plan 3 – Extract from submitted Drawing No R362-02 Existing Site Plan - First Floor

EIA Screening

3.3 As the application proposal is for urban development on a site of more than 0.5 hectares, the proposals fall under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. Such projects only require an EIA if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. A developer can submit a planning application without an accompanying environmental statement and without making a request for a screening opinion. In such a case, the local planning authority will screen the proposed project in order to determine whether or not the scheme falls within one of the categories in Schedule 2 of the Regulations and whether an EIA is required. The local planning authority has three weeks to reach a decision.

3.4 In consideration of the information collated relating to this proposal, Real Planning expects that it will be concluded that there would be no significant environmental impacts that would justify a decision to require an Environmental Impact Assessment.

4. Information Submitted in Support of Planning Application

4.1 In summary, the following have been submitted in support of this planning application:

- Supporting Planning Statement [Real Planning v3 December 2019]
- Existing Site Photographs
- Meeting Note – Real Planning and RA Architects with WCBC Development [Real Planning 27th June 2019]
- Meeting Note – Real Planning with WCBC Planning [Real Planning 9th July 2019]
- Responses from Wrexham Planning following Development Team Approach [Real Planning rev2 August 2019]
- Chapter Court Design and Access Statement [RA Architects – December 2019]
- Chapter Court Ecological Assessment [Ecological Design Consultants ref 0990 EDC – Chapter Court Report – v3 December 2019]
- Chapter Court Drainage Statement [PHG Consulting Engineers ref 1996 rev B January 2020]

- Chapter Court Delivery and Servicing Management Traffic Plan [Real Planning – v2 December 2019]
- Chapter Court Construction Traffic Management Plan [Real Planning – v2 December 2019]
- Chapter Court Dust Management Report [RA Architects – October 2019]
- Chapter Court Noise Survey [RBA Acoustics - January 2020]
- Drawings:
 - *Drawing No R362-00 P03 Site Location Plan*
 - *Drawing No R362-01 P03 Existing Site Plan - Ground Floor*
 - *Drawing No R362-02 P03 Existing Site Plan - First Floor*
 - *Drawing No R362-03 P02 Existing 42-43 Hope Street Floor Plans*
 - *Drawing No R362-04 P01 Existing Elevations*
 - *Drawing No R362-05 P03 Proposed Site Plan - Ground Floor*
 - *Drawing No R362-06 P03 Proposed Site Plan First Floor*
 - *Drawing No R362-07 P02 Proposed Floor Plans - Hope Street*
 - *Drawing No R362-08 P02 First Floor Plan showing amenity Distances to Residential Dwellings*
 - *Drawing No R362-09 P00 Proposed Courtyard 3D Visuals*
 - *Drawing No R362-10 P02 Proposed Elevation to Entrances of Rhosddu Road, Queen Street and Hope Street*
 - *Drawing No R362-11 P01 Proposed Bin Store-Sub Station*
 - *Drawing No R362-12 P01 Proposed 11.2m Refuse Vehicle Tracking*

5. Planning Policy

5.1 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 proposed scheme. The legal test for all planning decisions is to determine the application in accordance with the statutory Development Plan unless material considerations indicate otherwise.

5.2 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. S38(6) confirms that in determining planning applications “any determination must be made in accordance with the Development Plan unless material considerations indicate otherwise”.

5.3 The principle Development Plan for the site comprises the Wrexham Unitary Development Plan¹ whose plan policies are currently being used for development control purposes. The Plan period runs from 1996 to 2011. Although it technically expired in 2011, given its primacy [there is no appropriate replacement (see Para 5.4 below)], its adopted status and the fact (most of) its policies are considered to be (generally) up to date and in accord with Planning Policy for Wales², a degree of weight can still be attached to the relevant policies therein.

5.4 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 the Plan has not been through Examination. 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, so we consider that some weight must apply despite it not having been the subject of a binding Inspector’s Report. The current timetable suggested the Plan would be adopted during Spring 2019, although that has slipped, and it will obviously be later. Despite the Plan being submitted for Examination and this being scheduled to commence in September 2019 there is a risk it could be found to be “unsound” (for whatever reason) or for the Examination to open, pause and re-open (for whatever reason) and either of these situations could delay the Plan being adopted and the ambition of having an adopted LDP in place in the early part of 2020 being scuppered.

5.5 In consideration of the proposed development scheme the following local and national planning policies and guidance have been taken into account:-

Wrexham Unitary Development Plan: May 2006

The main Wrexham UDP policies that relate to the proposed development are briefly summarised as follows:-

- Policy PS1: New Development
- Policy PS2: Impact of New Development

¹ *Wrexham Unitary Development Plan 1996 - 2011 [Wrexham County Borough Council – Adopted February 2005]*

² *Planning Policy Wales – Welsh Government [Edition 10 December 2018]*

- Policy PS4: Settlement and Character
- Policy PS7: Shopping
- Policy PS11: Biodiversity
- Policy GDP1: Development Objectives
- Policy EC6: Biodiversity Conservation
- Policy EC7: Conservation Areas
- Policy E7: Commercial Offices
- Policy S1: Shopping Streets in Wrexham Town Centre
- Policy S3: Non-shopping Key Town Centre Uses
- Policy T8: Parking

Wrexham Supplementary Guidance

5.6 Wrexham County Borough Council also has a series of Supplementary Planning Guidance Notes which supplement the above Wrexham UDP policies, which should, therefore, be afforded considerable weight as a material consideration and are as follows:-

- Local Planning Guidance Note 1: Advertisements
- Local Planning Guidance Note 4: Conservation Areas
- Local Planning Guidance Note 6: Access to and Use of Buildings
- Local Planning Guidance Note 7: Landscape and Development
- Local Planning Guidance Note 9: Hot Food Take-Aways
- Local Planning Guidance Note 12: Shopfront Design and Security
- Local Planning Guidance Note 15: Cycling
- Local Planning Guidance Note 16: Parking Standards
- Local Planning Guidance Note 17: Trees and Development
- Local Planning Guidance Note 21: Space Around Dwellings
- Local Planning Guidance Note 24: Designing Out Crime
- Local Planning Guidance Note 30: Design
- Local Planning Guidance Note 32: Biodiversity and Development
- Wrexham Town Centre: Conservation Area Character Assessment and Management Plan

5.7 Also, of importance in considering the current proposal is:

- Wrexham Town Centre Masterplan: An evidence base for the Local Development Plan and a framework for decision making within the Masterplan area

National Planning Guidance

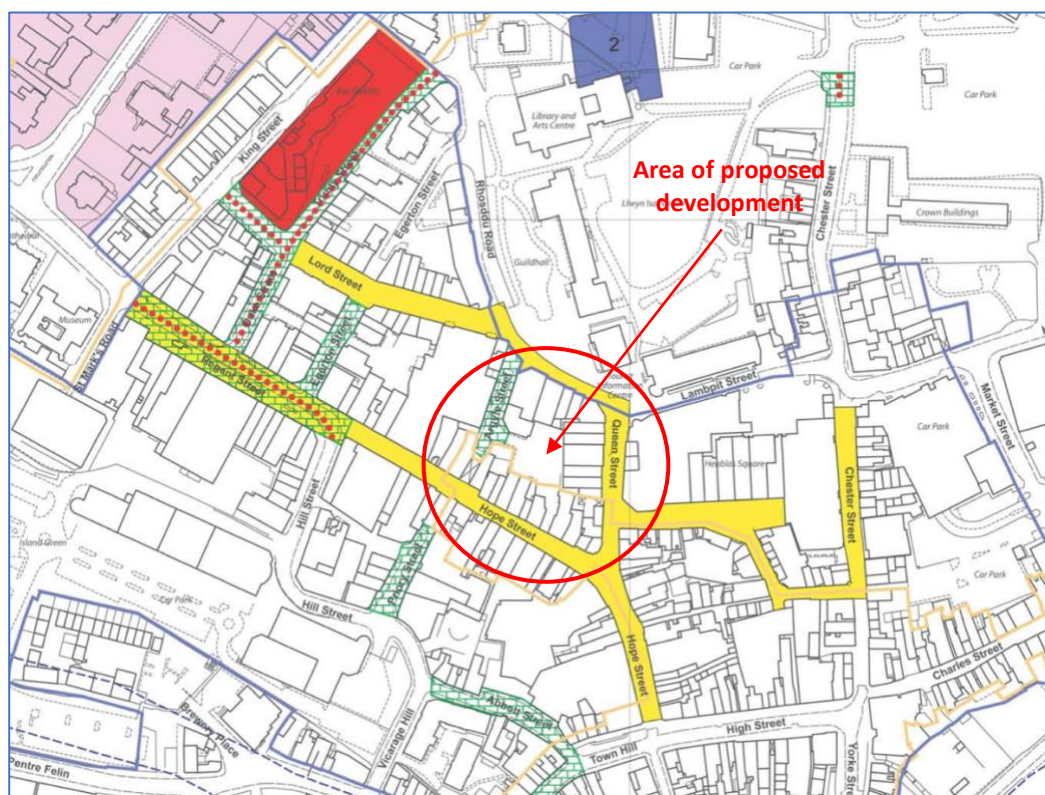
5.8 Planning Policy Wales [PPW] [Edition 10 December 2018] provides the more strategic guidance on planning policy and sets out land use policy, which is supplemented by a series of important Technical Advice Notes [TANs]. The most relevant TANs that are material in this instance comprise the following:

- PPW Technical Advice Note 4: Retail and Commercial Development [2016]
- PPW Technical Advice Note 5: Nature Conservation and Planning [2009]
- PPW Technical Advice Note 7: Outdoor Advertisement Control [1996]
- PPW Technical Advice Note 11: Noise [1997]
- PPW Technical Advice Note 12: Design [2016]
- PPW Technical Advice Note 13: Tourism [1997]
- PPW Technical Advice Note 18: Transport [2007]
- PPW Technical Advice Note 20: Planning and the Welsh Language [2017]
- PPW Technical Advice Note 23: Economic Development [2014]
- PPW Technical Advice Note 24: The Historic Environment [2017]
- The Planning (Listed Buildings and Conservation Areas) (Wales) Regulations [Welsh Assembly Government – 2012]

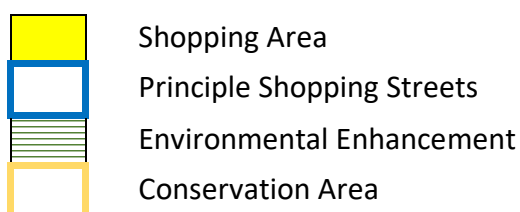
5.9 In addition, the following have been taken into account in consideration of the submitted proposal:

- Manual for Streets: Department for Transport / Communities and Local Government / Welsh Assembly Government [2007]
- Manual for Streets 2 - Department for Transport [2010]

5.10 The application site is located within the Town Centre of Wrexham as identified in the adopted Wrexham Unitary Development Plan as shown in the extract on the next page.

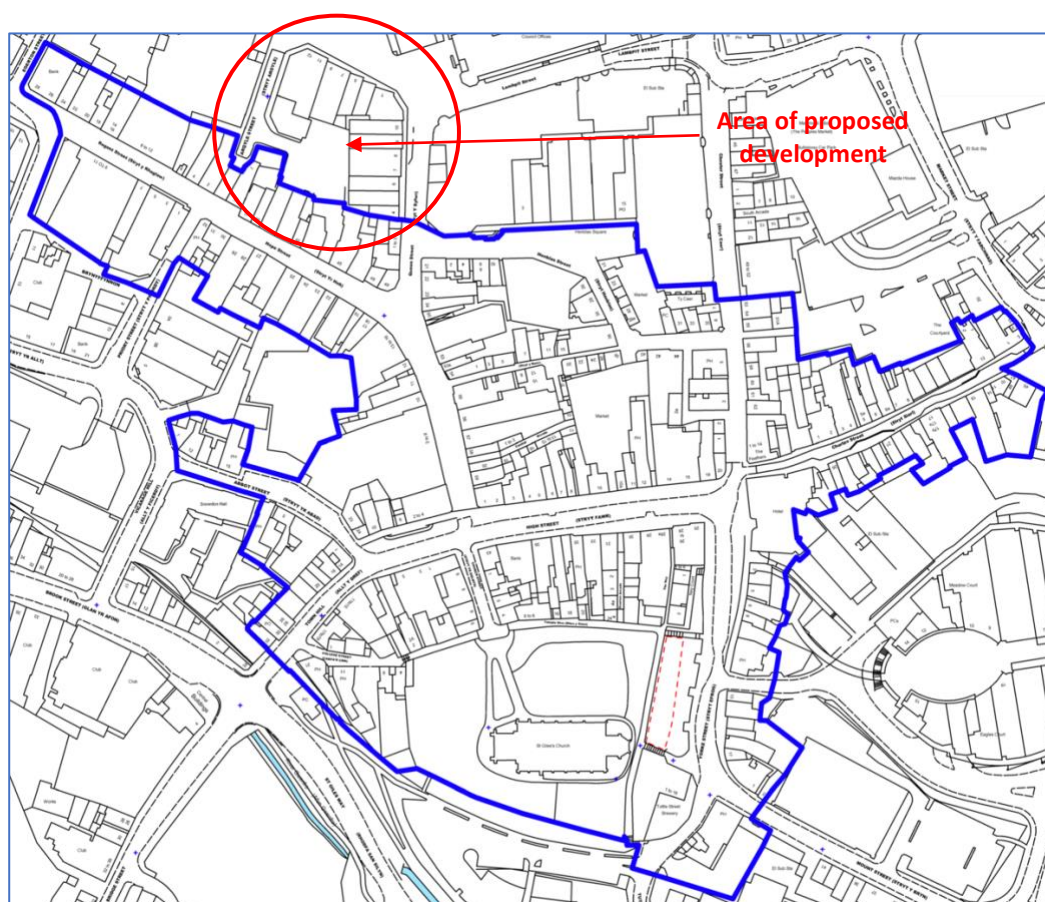


Plan 4 – Extract from Wrexham UDP Proposals map [Inset Map 2 Inset 2]



5.9 In relation to the submitted proposal, key considerations are that the bottom of Rhosddu Road / Queen's Square, Queen Street and Hope Street are all located within the Shopping Area of Wrexham Town Centre, identified as Principle Shopping Streets as shown in the Wrexham UDP. It can also be seen from the above [Plan 4] extract from the UDP proposals Map [Inset 2 Map 2] that the buildings fronting Hope Street are within the Wrexham Town Centre Conservation Area first designated in 1974 and last amended in 2007. This is also shown in Plan 5 below. It has been supplemented by the Council's Wrexham Town Centre Conservation Area Assessment and Management Plan³.

³ Wrexham Town Centre Conservation Area Assessment and Management Plan [Wrexham County Borough Council – adopted 2009]



Plan 5 – Wrexham Town Centre Conservation Area

6. Pre-Application Discussions

6.1 In May this year, a pre-application enquiry [with a request for a Development Team (DTA) approach] was submitted to Wrexham County Borough Council Planning Department. Following that request Real Planning and RA Architects attended the subsequent DTA meeting held in the Council's Planning offices in Lord Street, Wrexham. Attending the meeting from WCBC were representatives from Planning, Building Control and Highways. Also in attendance was the Wrexham Town Centre Manager. Real Planning received a detailed response from that meeting, with additional comments made by the Council's Conservation Officer and Ecology Officer together with those from the Public Protection department [a note of this meeting can be found in Appendix 2 to this Supporting Statement]. Real Planning also instigated a follow-up meeting with the 'to be' Planning Case Officer [see Appendix 3]. Following receipt of further

responses to additional queries, Real Planning summarised all the final comments in one document [see Appendix 4].

6.2 There is no need to repeat these responses in this statement other than to state that the result was the preparation of the following:

- Supporting Planning Statement
- Design and Access Statement
- Ecological Assessment
- Drainage Statement
- Noise Survey
- Servicing Management Traffic Plan
- Construction Traffic Management Plan
- Dust Management Report

6.3 The application, together with amended drawings and the above portfolio of supporting professional documents, are submitted in direct response to the responses received from the Pre-Application Enquiry and follow-up meetings Real Planning had with the Council. The submission will also comply with the required 'Validation Requirements'.

7. Relevant Planning History

7.1 Section 2 details that a large proportion of the application site was part of a redevelopment scheme built in the mid-1980s. The most recent planning history relating to the actual application site itself, is:

WRR/P/2018/0246 Conversion to 2 No units with flexible consent for A1, A2, A3, D1, D2 or B1 use. Granted 04/05/2018
7 to 9, Rhosddu Road, Wrexham

7.2 In considering the appropriateness of the proposed redevelopment scheme in relation to the local area together with national and local planning policies and guidance, it is important to take account of the following near-by planning approval:

WRR/P/2017/0485 Change of use of upper floors from office use to five self-contained apartments. Granted 03/08/17.
35, Hope Street, Wrexham

8. Planning Assessment

8.1 In assessing the planning merits and acceptability of this particular development proposal, it is necessary to consider the relevant policies of the Development Plan together with other material considerations which include national planning policies and guidance. Section 54(a) of the Town and Country Planning Act (1990) as amended by Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that local planning authorities should determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.



Photo 10 – First floor courtyard view towards the micro food court

8.2 The application site is located within Wrexham Town Centre as identified in the Wrexham Unitary Development Plan [see Plan 4 earlier in this Supporting Planning Statement] and shown as ‘white land’ and unallocated. Both Planning Policy Wales⁴ and the Wrexham Unitary Development Plan [UDP] allow for the obvious development within settlement limits - ‘*New development will be*

⁴ *Planning Policy Wales [PPW] - Welsh Assembly Government [Edition 10 December 2018]*

directed to within the defined limits' [Wrexham UDP Policy PS1 refers] - of Wrexham Town Centre and the existing settlements within the County. Any direct policy relevance, as shown in the UDP Proposals Map, is detailed earlier in Para 5.6 in association with Plan 4 – the Town Centre extract of the Proposals Map.

8.3 It also has to be accepted that the benefits of this proposal must be weighed against the adverse impacts and permission must not be refused unless it can genuinely be said that the adverse impacts significantly and demonstrably outweigh the benefits. This balancing exercise requires consideration of the following issues:

- conformity with relevant national and local planning policies;
- detailed site assessment;
- is the proposal sustainable;
- what are the benefits?

8.4 As stated above, Wrexham UDP Policy PS1 directs new development for housing, employment and community services to within defined settlement limits. However, development on unannotated land [see above] within settlement limits will only be permitted subject to compliance with Wrexham UDP Policy GDP1 [detailed development criteria] and a number of other more specific Wrexham UDP Policies. In considering the proposed development scheme it will need to be demonstrated in this Supporting Planning Statement that all local and national planning policies and guidance have been conformed with [these are detailed in Section 5 – Planning Policy].

8.5 This new development proposal must be considered on its own merits with the principal considerations focusing on whether the proposal meets all the planning detailed general development principles and considerations and whether it represents a sustainable form of development. PPW confirms that there is a presumption in favour of sustainable development. A thorough assessment of the application site has been undertaken. An important element of this assessment is to ensure that as much quality information as possible is provided to the Local Planning Authority to demonstrate the suitability of the proposed development in this location. It also examines site specific issues set against criteria relating to the physical characteristics, accessibility and location, environmental constraints and opportunities, infrastructure issues and site

availability. Where relevant, the site appraisals will also consider legislation and Government policy. The assessment considers the following:

- *Scale, Design, Character and Appearance*
- *Conservation*
- *Highways and Accessibility*
- *Amenity*
- *Ecology*
- *Drainage*
- *Noise*
- *Odour*
- *Benefits*

Scale, Design, Character and Appearance

8.6 The proposed design takes account of all national and local planning policies and guidance notes. Scale and use of materials are in keeping with many of the existing properties in the surrounding area. In the immediate context, it will contribute to the existing character and setting of the surrounding area. Design and appearance of the proposed scheme has been fully considered in the submitted Design and Access Statement⁵ [see Appendix 5 to this Statement]. In relation to the proposed scheme it considered the following:

- *Context*
- *Factors Affecting Development*
- *Design Objectives*
- *Character*
- *Environment Sustainability*
- *Access*
- *Movement*
- *Community Safety*

8.7 The aim of the applicants is to provide a unique prestigious commercial redevelopment on a significant site within the town centre of Wrexham. The proposed layout is shown in the submitted drawings [see Plans 2 and 3 earlier in this Statement and Proposed Site Plans – Ground Floor and First Floor].

⁵ *Chapter Court Design and Access Statement [Real Planning v2 - December 2019]*

8.8 Externally, the only changes [see the submitted drawing - Proposed Elevation to Entrances of Rhosddu Road, Queen Street and Hope Street] are alterations to the shop fronts of:

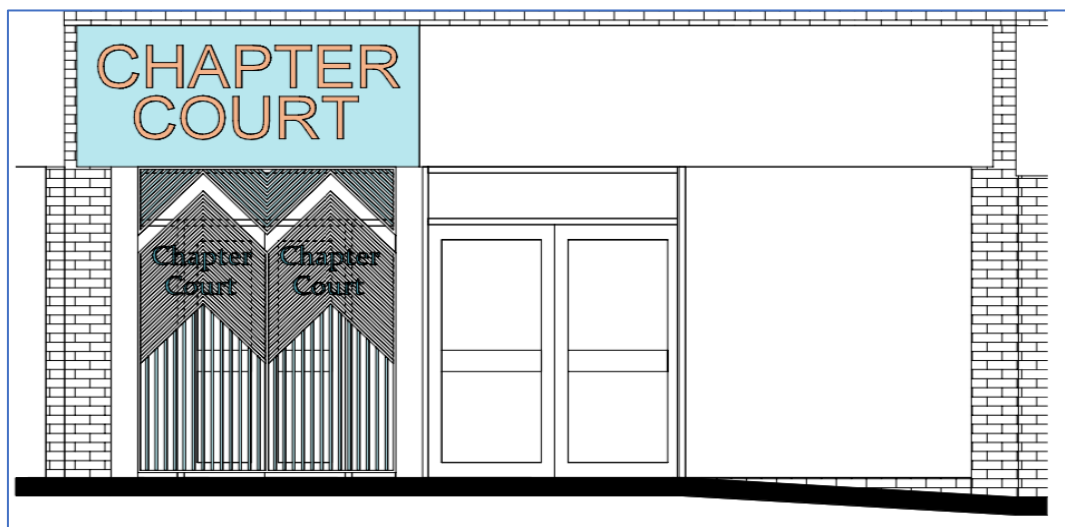
- Nos 5, 7 and 9 Rhosddu Road
- Nos 5, 6, 7 and 8 Queen Street
- Nos 42 and 43 Hope Street



Plan 6 – Proposed front elevation to Rhosddu Road / Queen's Square



Plan 7 – Proposed front elevation to Queen Street



Plan 8 – Proposed front elevation to Hope street

Conservation

8.9 The majority of the development falls outside the Conservation Area but it is acknowledged that it will impact directly upon how it is used as well as physical effects upon the key approaches from Argyle Street and Queen Street. The buildings fronting Hope Street are within the Wrexham Town Centre Conservation Area [as detailed in Para 5.9] and care has been taken to respect the symmetry of the façade. The alterations have been discussed with the Council's Conservation Officer and it has been confirmed that the changes to the shop fronts [see the submitted drawing - Proposed Elevation to Entrances of Rhosddu Road, Queen Street and Hope Street and Plan 8 above] are acceptable and will enhance the Conservation Area in accord with the relevant national⁶ and local⁷⁸⁹ planning guidance.

8.10 Planning Policy Wales emphasises that *'good design should promote the efficient use of resources, including land' and 'the visual appearance of the proposed development, its scale and its relationship to its surroundings and context are material planning considerations.'* Paragraph 5.11 of TAN 12¹⁰ – Design is explicit on the merits of good design in that all development proposals should *'create places with the needs of people in mind, which are distinctive and respect local character'* and *'focus on the quality of places and living environments for pedestrians rather than the movement and parking of vehicles'*.

8.11 This Planning Statement together with the accompanying Design and Access Statement, demonstrates that the proposed scheme is in accord with these sentiments and, in particular, has taken account of Wrexham UDP Policies, in particular Policy GDP1, Local Planning Guidance Note No 30¹¹, Planning Policy Wales TAN 12 – Design relating to appropriate layout and design considerations and the other relevant Supplementary Guidance Notes detailed in paras 10.4 and 10.5. The Design and Access Statement concludes:

⁶ PPW Technical Advice Note 24: The Historic Environment [Welsh Government]

⁷ Local Planning Guidance Note 4: Conservation Areas [Wrexham County Borough Council]

⁸ Local Planning Guidance Note 19: Wrexham Town Character Areas [Wrexham County Borough Council]

⁹ Wrexham Town Centre: Conservation Area Character Assessment and Management Plan [Wrexham County Borough Council]

¹⁰ Planning Policy Wales Technical Advice Note 12: Design [Planning Policy Wales - Welsh Assembly Government]

¹¹ Local Planning Guidance Note 30: Design [Wrexham County Borough Council]

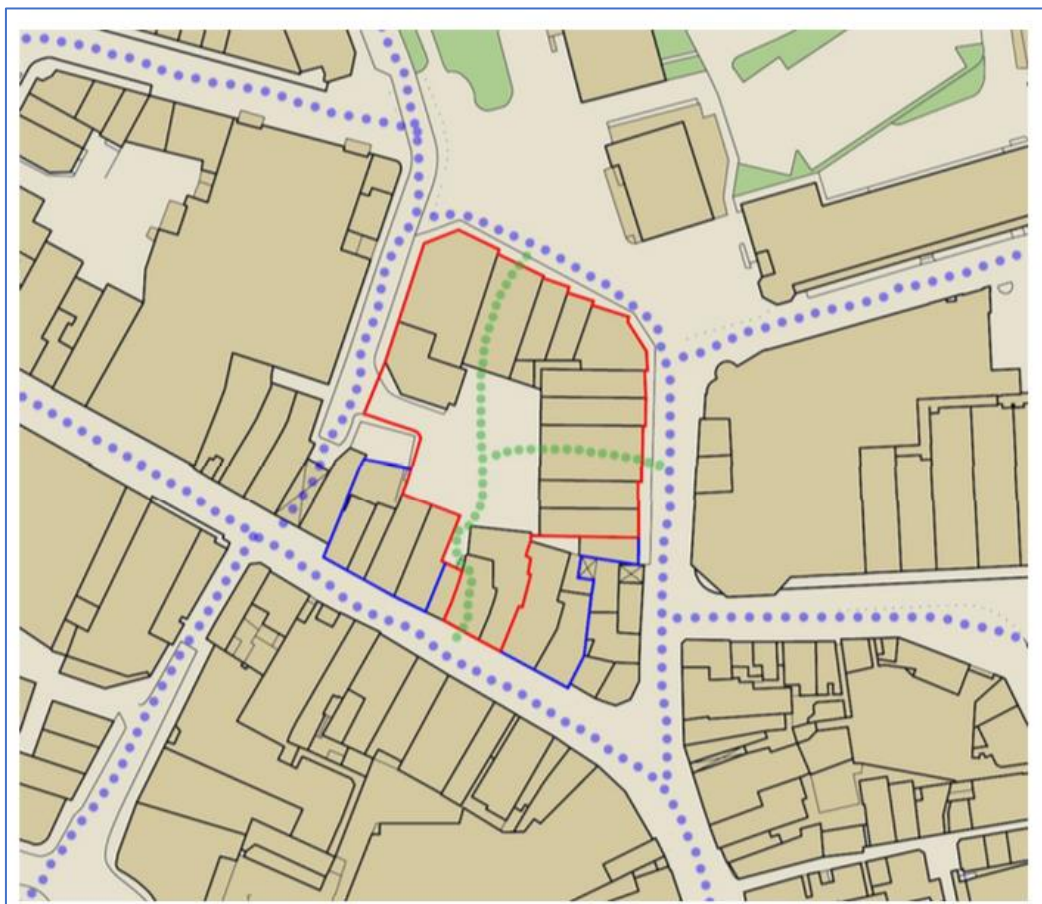
- every effort has been made to make the proposed development blend in the existing surroundings and street scene whilst still maintaining a level of individuality.
- environmental needs have been considered in terms of sustainable features, energy efficiency, layout and transport with a clear commitment to reduce carbon emissions.
- demonstrates that the project is fully in line with national and local planning policy, and the supporting documentation demonstrates the technical acceptability of the scheme.

Highways and Accessibility

8.12 The effects of the proposed development on the highway network and the issue of accessibility have been assessed. The primary issues relate to pedestrian and vehicular [deliveries and servicing] access to the site together with ensuring that there is no adverse impact upon the local area from construction traffic.

Pedestrian Access

8.13 As stated above, there are to be three main pedestrian access points off Rhosddu Road / Queen's Square, Queen Street and Hope Street [see Plans 2 and 3 earlier in this Statement and the submitted Ground Floor Proposed Site Plan]. These streets are also within the 'Pedestrian Zone'. Visitors / shoppers will be able to access a rear external entertainment area by walking through either the micro food court [series of small units] of Queen's Square, the micro retail court [series of small units] off Queen Street or through No 43 Hope street.



Plan 6 – Improved pedestrian routes shown green

8.14 The first floor uses - restaurants / bars / function areas / studios and external sitting area – are accessed via a lift and / or two sets of stairs [again see Plans 2 and 3 earlier in this statement and the submitted Ground Floor Proposed Site Plan].

8.15 The site and the internal accessibility arrangements of the proposal will be compliant to design guidance and any duty under the Equality Act 2010 [which incorporates the Disability Discrimination Act 1995]. Such accessibility will be assessed in accordance with local planning guidance¹² and the updated Part M to the Welsh Building Regulations – Access to and Use of Buildings / Dwellings.

¹² Local Planning Guidance Note 6 – Access to and the Use of Buildings [Wrexham County Borough Council]

Delivery and Servicing Access

8.16 The main vehicular access to the site is via the lower end of Rhosddu Road turning through Argyle Street and then into the service yard although access to many of the units is also available from Queen Street and some from Hope Street. Argyle Street is effectively a cul-de-sac with a turning head historically providing access to the delivery yard. Access to Argyle Street is from Rhosddu Road. Both roads are within a pedestrianised zone subject to traffic regulation orders restricting vehicular access to loading vehicles and taxis. Queen Street is accessed via Lambpit Street and is also a pedestrianised zone with vehicular access subject to limited time accessibility before 11.30 am and after 5 00pm. Hope Street is subject to similar time restrictions.

8.17 The above demonstrates the complexity of ensuring a safe and workable vehicular access to the site for the purposes of making deliveries or servicing. Therefore, in acknowledgement of this and with regard to the response received from Wrexham's Highway Department, an assessment of the 'delivery and servicing access' to the site has been undertaken in accord with national¹³¹⁴ and local¹⁵ planning guidance. The submitted Delivery and Servicing Management Plan¹⁶ proposes how the following are dealt with:

- *Commercial Deliveries*
- *Staff Parking*
- *Refuse*
- *Vehicle Types*
- *Risk Assessment of Servicing Area*
- *Accommodating Special Deliveries*

8.18 The attached swept path analysis shown in the submitted details [see Drawing No R362-12 Proposed 11.2m Refuse Vehicle Tracking and extract in Plan 7 below] demonstrates that a refuse wagon can still turn into the site and reverse on to Argyle Street using the existing turning head facility.

¹³ *Planning Policy Wales TAN 18: Transport [Planning Policy Wales - Welsh Assembly Government]*

¹⁴ *Manual for Streets: Department for Transport / Communities and Local Government / Welsh Assembly Government [2007]*

¹⁵ *Local Planning Guidance Note 16 – Parking Standards [Wrexham County Borough Council]*

¹⁶ *Chapter Court Delivery and Servicing Management Plan [Real Planning v2 - December 2019]*



Plan 7 – Vehicle tracking for 11.2 refuse vehicle

8.19 In conclusion, the Delivery and Service Management Plan demonstrates that the site can be serviced safely within designated areas in order to ensure that traffic flows and pedestrians on the surrounding highway network are unaffected by the operation of the site.

Construction Site Traffic

8.20 It is recognised in the redeveloping of Chapter Court that there is a need to minimise the contact wherever possible between public and construction site traffic; reduce the number of construction deliveries where practicable; stage construction deliveries such that the volume of traffic is kept as even as possible avoiding highway peaks and, finally, controlling the likely vehicular movements with regard to the construction of the project. Avoiding hazards and controlling the risks arising from the use of the vehicles in construction work is essential. An assessment of how construction traffic will be managed has been undertaken again in accord with both national and local planning guidance. The submitted Construction Traffic Management Plan¹⁷ considers the traffic impacts that could arise during construction of the proposed development and outlines the principles to manage site operations with the view to minimising any transport and traffic-related issues during the construction period.

8.21 In the first instance, all site deliveries will be directed via Rhosddu Road and Argyle Street to gain access to / from the site and avoid vehicles trafficking on

¹⁷ Chapter Court Construction Traffic Management Plan [Real Planning v2 - December 2019]

Hope Street or Queen Street unless alternatively agreed with the local highway authority Wrexham County Borough Council (WCBC) Traffic Management Officer. The Construction Traffic Management Plan proposes how the following are dealt with:

- *Delivery Vehicles / Laying Up*
- *Site Administration*
- *Vehicle Routing*
- *Main Site Access & Loading / Unloading Area*
- *Vehicle Type and Number*
- *Wheel Washing and Dust Suppression*
- *Project / Site Manager's Checklist*
- *Deliveries*
- *Construction Staff Trips*
- *Construction Traffic Methodology*

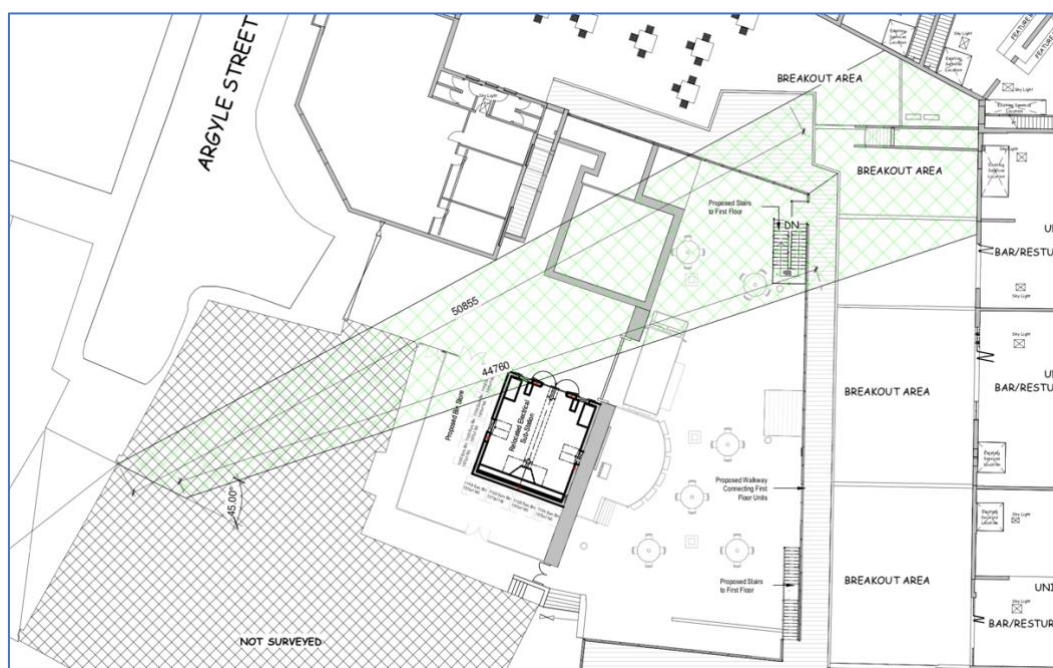
8.22 This Management Plan sets out a variety of mitigation measures during construction which may be implemented to minimise the impact of the construction traffic on the environment and local communities, including best practice techniques. It will be promoted to all employees and subcontractors coordinated by the Construction Site Project Manager. Most importantly, it is noted that the developer will work closely at all times with WCBC Traffic Management Officer to ensure that all and any deliveries are approved and are undertaken in full accordance with their recommendations.

8.23 In summary, the proposal would not detrimentally impact on the local highway network and the development can be designed to achieve all current highway planning policy criteria. ***There can, therefore, be no overriding objections to the proposal on highway grounds.***

Amenity

8.24 The amenity of occupiers of any existing neighbouring properties is an important consideration. The nearest residential property to the proposal is detailed in Section 7 – Relevant Planning History, relating to the following property:

- *35, Hope Street, Wrexham [five apartments]*



Plan 6 – Amenity distances to the rear of No35, Hope Street

8.25 The rear elevation and, therefore, windows, albeit at a 45-degree angle, overlook the service yard and the rear of the development proposal. This has been taken account of in considering the proposal and the Drawing No R362-08 First Floor Plan details the amenity distances to the rear of No 35, Hope Street [see extract from that drawing in Plan 6 below]. It shows that the rear elevation ranges from over 50m and 44m from the nearest part of the proposal. This demonstrates that the proposed development will have no adverse impact upon occupiers of nearby residential properties and accords with the Council's local planning guidance¹⁸ in that they:

" should benefit from a satisfactory degree of privacy and daylight. The residents of existing houses should also not be unduly affected by the development."

8.26 In summary, the proposal will have no detrimental impact upon the amenity of neighbouring dwellings or other land uses in accordance with UDP Policies and Supplementary Guidance, respectively.

¹⁸ Local Planning Guidance Note 21 – Space around Dwellings [Wrexham County Borough Council]

Ecology

8.27 The Ecologist classes the site as a 'brownfield site', consisting of a linear two-storey development of multiple occupancy, with brick cavity work and pitched roof, formed around a central courtyard of recent construction. In relation to the current building fabric the primary work involves 'punching' through some of the external walls to create openings. National¹⁹ and local planning guidance²⁰ seeks to ensure that any works are undertaken such as not to endanger any legally protected species and their nesting or roosting sites. The planning process requires that ecological surveys are undertaken to highlight any potential conflict regarding protected species [bats and birds], and what, if any, mitigation / compensation measures are required.

8.28 An Ecological Assessment²¹ (see Appendix 5) has been undertaken in accord with national planning guidance which establishes that there is no evidence of bat or bird activity in the existing dwelling or associated buildings all of which are to be demolished. The ecological assessment concluded that:

"No major impacts on species or habitats have been identified during the assessment process. It is, therefore, the surveyor's opinion that the proposed development proposals are considered to have no long-term impacts, the development will, therefore, have no long-term impact on the favourable conservation status of locally recorded protected species, or their ecological functionality, if the works are carried out in accordance with the recommendations given within this report."

8.29 The Ecological Assessment includes detailed recommendations relating to bats, birds and reptiles which need to be applied during both any demolition and construction phases of the proposed development. Conditions can be attached to ensure that this will be the case and that the proposal is undertaken in accordance with local and national guidance.

¹⁹ Planning Policy Wales TAN 5: Nature Conservation and Planning [Planning Policy Wales - Welsh Assembly Government]

²⁰ Local Planning Guidance Note 32 - Biodiversity and Development

²¹ Ecological Assessment [Ecological Design Consultants ref 0990 EDC – Chapter Court Report – v3 December 2019]

Drainage

8.30 In response to Pre-Application advice, a Drainage Report²² has been prepared by PHG Consulting Engineers in support of the proposed development in relation to the disposal of foul, surface water, land drainage, highway drainage and the water conservation policy required to protect third party land from the effects of increased run-off from the developed site.

Sustainable Drainage

8.31 It is recognised that, since January 2019, all new developments of more than 1 house or where the construction area is of 100m² or more will require sustainable drainage to manage on-site surface water designed and built in accordance with mandatory standards for sustainable drainage published by the Welsh Government. Real Planning has had discussions with Wrexham Council's Senior Flood Management Officer who has agreed that the site will predominantly be using the existing surface water drainage arrangements and, therefore, has confirmed by email dated 6th November 2019 that 'there will be no requirement for SAB approval'.

Surface Water Management Proposal

8.32 Since no changes will be made to the roof, the existing runoff destination of the outer side of the roof discharging into the combined sewers can be maintained. The internal roof area and car park should be managed by infiltration as it is at present. Use of the existing soakaway will not be suitable due to the proximity of proposed structures (less than 5 m off the soakaway). Therefore, new shallow infiltration system will be proposed, comprising permeable block paving system with attenuation within the sub-base. The permeable paving will occupy the area of 477 m² as shown in the submitted Drainage Strategy [see Figure 5].

Foul Drainage Strategy

8.33 The proposed system is gravity-based with the foul water network remaining connected to the combined sewer to the west as in the submitted Drainage Strategy [see Figure 6].

²² Chapter Court Drainage Report [PHG Consulting Engineers – January 2020]

Noise

8.32 Noise, in relation to the construction phase of development and the operational phase have been identified by the Council's Public Protection Department through the Pre-Application discussions as issues that need addressing. A Noise Report²³ has been prepared by RBA Acoustics in support of the proposed development in relation to establishing background noise levels. As already discussed with Council officers through the pre-Application Enquiry process, this will enable the local planning authority, advised by Public Protection, to attach a standard 'compliant' noise condition.

"The rating level of any noise generated by reason of this development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels have been determined at the nearest noise sensitive premises, and measurements and assessment in accordance with BS4142:1997 Method of Rating and Assessing Industrial Noise Affecting Mixed Residential and Industrial areas and detailed in the submitted Noise Report [RBA Acoustics]."

8.33 The aim is to prevent an increase in the background noise level at the site boundary, and to prevent structure-borne noise and vibration transmission to adjoining premises. This condition will relate to the control of noise from any air handling plant associated with kitchen extraction machinery and / or any machinery used in the implementation of the approved development [construction work]. The 2018 planning decision relating to Nos 7 and 9 Rhosddu Road [P/2018/0246] attached a similar condition but referred only to noise generated by air-handling plant.

8.34 In addition to the above suggested planning condition it is also standard practice to attach either a further 'compliant' condition or more likely a 'Note to Applicant' relating to hours of construction, as follows:

"All works, ancillary operations and the use of plant and machinery which are audible at the site boundary shall be carried out only between 07:30 hours to 19:30 hours Monday to Friday, between 08:00 hours to 14:00 hours on Saturdays and at no time on Sundays and Bank Holidays."

²³ Chapter Court Noise Report [RBA Acoustics – January 2020]

8.35 In relation to noise generated from the 'to be' approved operational uses, being a town centre location, it is expected that there will be noise generated from accepted uses like restaurants, bars, function venues and retail outlets. Noise from customers is normally controlled by specifying hours of use, which will generally be set as the same as similar businesses in the area. Best practice advises that a submission outlining the intended hours of operation should be included with the application. Consequently, it is considered that the best way to control any adverse impact upon the amenity of adjoining occupiers, later in the evening, in addition to the suggested noise condition detailed in Para 8.33 above, is to control the hours of opening relating to approved uses, by attaching the following suggested 'compliant' condition:

"The A3, D1 and D2 uses hereby permitted shall not operate outside of the hours of 07:00 - 23:00 (Sunday-Wednesday) and 07:00 - 00:30 (Thursdays, Fridays and Saturdays) unless otherwise agreed in writing."

Odour

8.36 The Council's Public Protection Department also highlighted the requirement to ensure that adequate measures are approved and installed to control the dispersal of cooking smells. The aim is to prevent odour nuisances to neighbours when equipment is operating under normal circumstances. It is not known yet exactly what the take-up will be in relation to the final operating users. Different equipment dealing with extraction and odour smells will be dependent upon what the intending user will be. Therefore, as again similar to the above mentioned 2018 approval, the following 'pre-occupation' planning condition will be attached to the permission:

"No part of the premises shall be used for a purpose falling within Class A3 of the Town and Country Planning (Use Classes) Order 1987 (or any Order revoking, re-enacting that Order with or without modification), until an extraction system, which contains a functioning fumes / odour filtration mechanism has been installed in accordance with the details that shall first have been submitted to and approved in writing by the Local Planning Authority. The equipment installed shall thereafter be permanently retained and operated and maintained in accordance with the manufacturer's instructions."

Benefits

8.37 There are clear benefits to the submitted proposal. Until now, the area has been somewhat neglected by previous owners. Not only was the fabric of the buildings deteriorating through lack of adequate investment but there was a continuous cycle of letting without much vision, continuing with the same policy of - lease shop unit, shop unit becomes empty, then lease shop again. The current proposal is seeking to break that cycle through heavy investment in the scheme and imaginative thinking with regard to the end use and making this location a significant and exciting destination for people of Wrexham and surrounding areas to want to visit. An example of the current owner's commitment to Wrexham is that, working with the Council, they have funded a Town Centre Warden.

8.38 The Welsh Government's objectives for retail and commercial centres²⁴ are to:

- promote viable urban and rural retail and commercial centres as the most sustainable locations to live, work, shop, socialise and conduct business.
- sustain and enhance retail and commercial centres' vibrancy, viability and attractiveness.
- improve access to, and within, retail and commercial centres by all modes of transport especially walking, cycling and public transport.



Photo 11 – View from Queen's Square

²⁴ PPW Technical Advice Note 4: Retail and Commercial Development [Welsh Government 2016]

8.39 Within the local area, Wrexham town centre is seen as the focal point for shopping, leisure and tourism, local services and business/employment opportunities. The Welsh Government promotes a ‘town centres first’ policy approach through policy and decision making. Wrexham town centre, therefore, is the first-choice location in assessing the most appropriate place for a wide variety of developments utilising its high level of accessibility by a range of transport options making it a sustainable location. The submitted proposal seeks to build on this recognition acknowledging that a wide range of uses are located within the town centre including retail, office, residential, leisure, tourism and community functions.

8.40 The current proposal is looking at providing a different and exciting mixture of uses [see Para 3.1 to this Supporting Statement]. It will reinforce local demand and provide additional vibrancy during the day and in the evening. It recognises and reacts to the sentiments identified in PPW Technical Advice Note 4:

“Not all retail and commercial centres have been able to respond to changes in the sector as quickly or as effectively as others to ensure their vibrancy in the longer term. Welsh Government policy objectives, through planning and other initiatives seek to ensure that viable centres have a positive future; through flexible planning policies and targeted investment in physical regeneration which form part of a comprehensive strategy or plan for their area.”

8.41 Also, in accord with advice set out in Planning Policy Wales TAN 4, Wrexham County Borough Council has produced a Masterplan²⁵ for Wrexham town centre which sets out the future development and management framework for Wrexham town centre. Its purpose is to ensure that Wrexham builds on its many strengths, so that alongside recent investment there is a catalyst for future growth that ensures the town centre is a vibrant and viable place. It sets out a vision for the town centre as follows:

“Wrexham will be an attractive, distinctive and accessible 21st century town centre where people want to live, learn, work, visit and invest.”

²⁵ Wrexham Town Centre: Conservation Area Character Assessment and Management Plan – Wrexham County Borough Council

8.42 Again, Real Planning considers that the submitted proposal is completely in accord with this vision. It also clearly meets the relevant objectives set out in the Masterplan. It will:

- *Improve the identity of the town centre*
- *Improve the visitor experience*
- *Improve town centre accessibility*
- *Improve the economy*

8.43 It will also support the identified themes by being:

- *a Place to shop;*
- *a Place to visit;*
- *a Place to live;*
- *a Place to work;*
- *attractive and distinctive; and*
- *an accessible town.*

8.44 The Masterplan identifies there are streets which were formally serving the function of primary streets that no longer do so with long term vacancies in prime retail areas of the town centre that are in need of regeneration. Consequently, the identified aim is:

‘for Wrexham to build on its strong sub-regional position as a major shopping destination, diversifying the offer and developing complementary leisure, restaurant, cultural and arts attractions in an attractive environment.’

8.45 The proposal also meets the Masterplan’s identified shopping actions and interventions, by:

- *attracting a more rounded mix of shops, leisure/arts/cultural uses and restaurants that support the retail attractions.*
- *developing niche, specialist offers, including higher quality independents.*

8.46 It is recognised that it is not good to see vacant properties sterilised by owners holding them for retailers that may never come. As stated earlier, the proposal comprises a diversity of uses with the resultant benefit of not only being in accord with all of the above-mentioned policies and guidance but also by supporting the vitality and vibrancy of the town centre and, therefore, adding to the footfall of the town centre during the daytime and evening.

9. Conclusion

9.1 An important policy message and ‘direction of travel’ from the Welsh Government is the reference to a *‘presumption in favour of sustainable development’* being central to future planning policy with the approach being to create sustainable, mixed and inclusive communities. Section 54(a) of the Town and Country Planning Act (1990) as amended by Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that ***local planning authorities should determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.***

9.2 The proposal is an acceptable form of development within the town centre of Wrexham as confirmed, in principle, by the Council during the Pre-Application Enquiry process. This Planning Statement, together with the suite of supporting documents has been produced, again with advice through the Pre-Application Enquiry process, to assess the *‘material considerations’*. Together they clearly demonstrate that the proposal would not be visually detrimental to the existing site or its local surroundings and that the important issues of scale, setting and use of materials have been carefully considered. In fact, it has been identified that the proposal significantly adds to the character and appearance of the area while at the same time enhancing the Conservation Area. The substantial, supporting information also demonstrates how the site can be environmentally and sensitively developed with no adverse impact upon the local highway network, amenity, ecology and drainage, while any issues resulting from noise and odour can be adequately controlled.

9.3 As stated earlier, the proposal comprises a diversity of uses with significant benefits to the area as previously discussed [see Paras 8.38 to 8.47 to this Statement]. In particular, the proposal will significantly add vitality and vibrancy to the town centre and, therefore, help to establish Wrexham as a *‘place to visit’* and a *‘place to shop’*.

9.4 For all the reasons set out above it is, therefore, considered that the development proposal, founded on a robust and credible assessment, complies with the relevant national planning policy / guidance and the Council’s policies

contained within the Wrexham Unitary Development Plan together with Local Planning Guidance Notes and that there are no material considerations that indicate that the application should not be considered favourably. In light of the above, this application is commended to the Council.

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8. Local Planning Guidance Note 4: Conservation Areas – Wrexham County Borough Council
9. Local Planning Guidance Note 6: Access To and Use of Buildings – Wrexham County Borough Council
10. Local Planning Guidance Note 7: Landscape and Development – Wrexham County Borough Council
11. Local Planning Guidance Note 9: Hot Food Take Aways – Wrexham County Borough Council
12. Local Planning Guidance Note 12: Shopfront Design and Security – Wrexham County Borough Council
13. Local Planning Guidance Note 15: Cycling – Wrexham County Borough Council
14. Local Planning Guidance Note 16: Parking Standards - Wrexham County Borough Council
15. Local Planning Guidance Note 21: Space around Dwellings – Wrexham County Borough Council
16. Local Planning Guidance Note 24: Designing Out Crime – Wrexham County Borough Council
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