



11 June 2019

Mared Rees-Roberts
Wrexham County Borough Council
Planning Services
16 Lord Street
Wrexham
LL11 1LG

Dear Mared

land west of Bryn Isa, Vicarage Lane, Gresford, Wrexham, LL12 8UR

PA REF : P/2018/1063

Following the receipt of the amended Local Highway Authority (LHA) consultation response letter dated 15 May 2019 we feel the need to provide you with a final response as it is clear that the record needs setting straight on a number of points.

Two revised drawings are enclosed :

- Proposed Masterplan PL-002-Rev F
- Swept Path analysis plan : 2479-01-SK03 Rev A

Turning attention to the comments on the general development and submitted Transport Statement, we note that most of the concerns raised are already addressed in the submitted Transport Statement report, which does not seem to have been acknowledged by the LHA comments.

I will set out our rebuttal response under the same headings used by the LHA letter.

Access

The LHA consider the access solution acceptable.

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

Transport Statement

The statement used at the very start of the LHA response under the Transport Statement heading states that: *“the proposed traffic management measures are considered unacceptable and would not be supported”*. This introduces an immediate prevailing sense of negative pre-determination, which we consider is wholly unwarranted.

We feel that the language used is inflammatory, disproportionate and subjective to the point that the reader is being “led” to reach a distorted conclusion which has disregarded objective facts. For instance, how can providing the maximum betterment physically possible not be welcomed ? The statement implies that there is more we can do, but there simply isn’t and unless the Highway Authority are able to (helpfully) offer any additional positive solution then the scheme before you remains as proposed.

We strongly disagree that pedestrians from the development would have to walk a “significant distance” along Vicarage Lane without the benefit of a footway.

As the TS has previously stated, the distance is just under 80 metres, which would take a pedestrian between 44 and 57 seconds to walk along.

The TS provides significant evidential weight that this could occur safely without any issue; the same cannot be said of the response and we would invite the Highway Officer to amend their response by removing all subjectivity and concentrate upon the facts.

As noted in the submitted TS (Para 6.4.14):

“To help put the proposals in context, when the proposed off-site mitigation scheme (footway & give-way priority feature) is considered alongside the proposed foot / cycleway network fronting and within the site itself, there will be new pedestrian facilities provided along 266 metres of a 342 metre long section of Vicarage Lane (equivalent to 78% of the total distance), where currently there are no such facilities.”

We do not disagree with the LHA comments about how existing Vicarage Lane residents might wish to park outside of their home, but the fact is we are offering 11 no. resident parking spaces to be used and reserved exclusively for local residents. Some interest has already been received from locals to utilise these facilities, and there are a number of ways to ensure they will be kept exclusively available to local residents in perpetuity, details of which can be secured by planning condition.

The concerns raised about the proposed footway / give-way mitigation scheme have already been addressed in Section 6 of the TS and yet this is not acknowledged by the LHA.

Traffic Generation

The trip rates in the LHA's response are already included as a sensitivity test within Section 5 of the submitted Transport Statement.

Site Layout : Access

It was not considered necessary to include visibility splays at the junction opposite plot 22 on the submitted layout given that the junction is surrounded by POS on one side and a wide shared foot / cycleway on the other – therefore the achievability of visibility splays at this location should be self-evident. Nonetheless these are shown on the latest Masterplan drawing revision for the avoidance of doubt.

2.4m x 25m visibility splays to the junction fronting plot 21 have been added.

Site Layout : Parking Provision

No action required; LHA support.

Site Access : Turning Provision

In commenting on the submitted swept path assessment drawing (Appendix 9 of the TS), the LHA have assumed that three of the cul-de-sacs will be maintained by a private management company - It is confirmed that this is indeed the intention.

The vehicle shown on Viewport 4 is not a 7.5T van but is in fact an 11.2m long refuse vehicle, however the viewport is simply mis-labelled on the plan. In any event, the details of this cul-de-sac have since been amended and so the revised layout has been re-checked using a refuse vehicle, and correctly labelled, on the revised swept path drawing 2479-01-SK03 Rev A.

Waste Disposal

The LHA have commented that refuse / collection points should be considered in the interests of safety and to avoid falling foul of the Manual for Streets threshold to not have refuse vehicles reversing more than 12 metres. We had previously provided refuse collection points but in the light of this we have sought to move them closer to the main 'spine road' and this is shown on drawing 2479-01-SK03 Rev A.

The comments also refer to the need to ensure the collection points are of a sufficient size. We have sought clarification from the Council's waste strategy officer and we can confirm that the standard can be accommodated.

The comments refer to a need for localised widening around the bends, but it is not considered necessary to provide this because the carriageway is already between 5.4m and 7.5m with localised widening included.

Footway Provision

It is considered that there is no reason to include a 2m wide footway around the POS, this will undermine its purpose and the POS is not on a pedestrian desire line in any event. The other side of the estate road, where the proposed dwellings are situated, includes suitable footways.

The submitted site layout plan shows that the PROW to the south-east of the site will be widened to 2 metres using land offered up from within the site.

The width of the segregated foot / cycle link between plots 26 and 27 has been reduced from 5m to 3m.

Conclusion

We consider that we have satisfactorily addressed all points of concern and that there is now no longer any reason the LHA cannot endorse and support the proposals. The LHA ought to acknowledge the attempts made by the applicant to address the issue of pedestrian connectivity and the evidence we have presented as opposed to ignoring and dismissing the objective facts before them. If the only issue is the physical impossibility of making an entire 100% connection then this surely cannot result in the LHA from withholding their support for what is actually the best performing sustainable site option for new development that Gresford has to offer. It is, then for the Local Planning Authority to reach a balanced recommendation and when you consider the host of scheme benefits (affordable housing, etc) this development will deliver then the only outcome must be to positively support and endorse what is a highly sustainable and quality place-making proposal.

We would therefore request that the LHA kindly review this information and consider adjusting their position in the light of this letter and take a more objective and supportive stance. This is important because if this case ever reached an appeal situation where Highways was still an issue an Inspector would be looking to take account of how reasonable both parties had been in proceedings.

Moreover, zooming out for a moment, it is clear that recent planning appeal decisions (Marl Lane, Beech, Conwy APP/T6905/A/17/3188913 and Tan y Bont, Liberty, Wrexham APP/H6955/A/17/3182282) have clearly set a new tone as to the weight that can realistically be attributed to the dis-application of Para 6.2 of TAN 1 in relation to other technical material planning considerations and I am of the opinion that these decisions hold significant precedent weight for this proposal and the Authority would be well advised to pay close attention to the implications derived from them.

Moreover, I would also draw attention back to what the Inspector said in relation to the local highway situation regarding the appeal at Trewythen Hall on Vicarage Lane (APP/H6955/A/15/3095184) and in the light of this the applicant considers that he has demonstrably presented a case that has not only been far more forensic and exhaustive in its approach but also presented a case of positive highway related betterment.

We are keen that the proposals can now be considered at the very earliest available opportunity and look forward to hearing from you as to the method and programme for determination.

Yours sincerely



Justin Paul

BA BTP MRTPI

Cc Michael Forgrave, Gower Homes Ltd

Encs PA submission schedule spreadsheet revised v5 100619
Proposed Masterplan PL-002-Rev F
Swept Path analysis plan : 2479-01-SK03 Rev A