

Dwr Cymru Welsh Water

Application for the provision of an independent vehicular access to undeveloped open land north of Pen Y Nant, Church Road, Minera in Wrexham.

Planning Statement

| 11 February 2019

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 241138-00

Document verification

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Contents

	Page
1 Introduction	2
1.1 Background	2
1.2 Statement Structure	2
2 Application Background	3
2.1 Site Location, Description and Surrounding Land Uses	3
3 Proposed Development	4
3.1 Rationale	4
3.2 Design	4
4 Planning Policy Framework	5
4.1 National Policy	5
4.2 Local Policy	5
5 Appraisal	8
5.1 Principle of Development	8
5.2 Design and Character	8
5.3 Access and Highways Safety	9
5.4 Ecology	9
5.5 Arboriculture	10
5.6 Drainage	10
5.7 Construction Methods	11
6 Summary	12

1 Introduction

1.1 Background

This Planning Statement has been prepared by Ove Arup and Partners Limited (Arup) on behalf of Dŵr Cymru Welsh Water (DCWW), the applicant. The purpose of this statement is to support an application for full planning permission submitted to Wrexham County Borough Council, the local planning authority (LPA).

The application site relates to a site north of Pen Y Nant adjacent to Church Road in the village of Minera. Specifically, the application site is situated at Easting (X): 326831 Northing (Y): 351992.

The application site is located within the Minera Conservation Area and due regard has been given to the preservation of its character. The proposed development would comprise the dropping of 1no. kerb and the installation of 1no. 3 metre steel gate access to the associated land parcel.

The submitted application is within proximity to an application submitted on behalf of DCWW relating to a maintenance access serving a combined sewer overflow (CSO), specifically application no. P/2017/0583 which has subsequently been approved.

The proposed development would ensure that both DCWW and Mrs J.P Williams, herein the Landowner, have independent access to their respective land holdings which could be maintained independently from each other. The proposed development would ensure the safe ingress and egress onto Church Road and would not give rise to unacceptable traffic conditions.

1.2 Statement Structure

This statement outlines the context within which the application is made, the reasoning behind the proposed development and provides a detailed assessment of the main planning considerations, together with a justification for consent being granted.

This statement is structured as follows:

- Section 2 of this report provides a description of the site location and surrounding area;
- Section 3 provides a detailed description of the proposal;
- Section 4 reviews the relevant planning policy relating to the proposal;
- Section 5 considers the key planning issues relevant to the proposal; and
- Section 6 provides a summary.

2 Application Background

2.1 Site Location, Description and Surrounding Land Uses

The application site is located 400 metres west of Minera, a small village located on the outskirts of the larger settlement of Coedpoeth which in turn is located 4 miles to the west of Wrexham. A Google Maps extract is presented below and illustrates the site's approximate location relative to surrounding land uses.

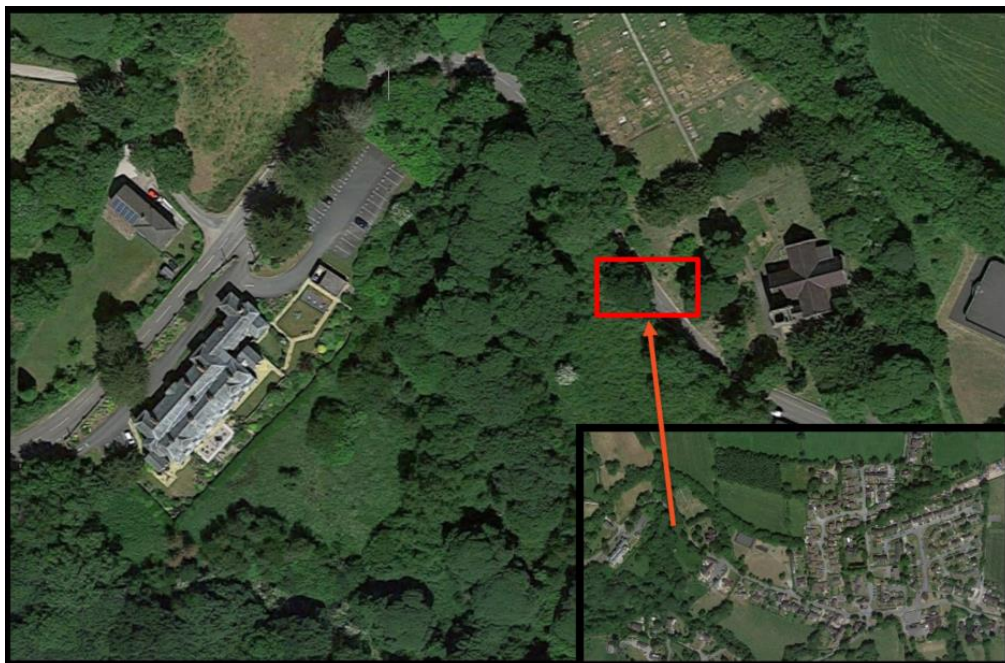
The application site is part of a wider parcel of land which comprises scrub and self-seeded woodland. The site is delineated on its northern boundary by Church Road and a linear woodland. The application site currently shares an access with Dŵr Cymru Welsh Water to the west, related to the maintenance of an operational combined sewer overflow (CSO).

The application site sits within a larger field land parcel, bounded to the north by substantial tree and shrub cover, demarcating the existing land parcel and Church Road. A small tributary feeding the River Clywedog flows in a north to south direction through the land parcel, approximately 50 metres west of the application site.

The site is characterised by agricultural field to the north, west and south and is situated within 20 metres of St Marys Church on the opposite side of Church Road to the north.

The site is located within Minera Conservation Area.

Figure 1 Aerial Map Extract, Site Location



3 Proposed Development

3.1 Rationale

Dŵr Cymru Welsh Water (DCWW) are currently progressing their AMP6 capital investment programme which is detailed in their Business Plan 2015-2020. The overall aim is to significantly improve water infrastructure at various locations throughout Wales during the plan period to sustainably increase its operational capacity.

The application site is situated to the immediate south of an access developed in 2017 under application reference P/2017/0538, which also upgraded the existing and operational combined sewer overflow. The access provided under the above application included an access utilised by DCWW (the current applicant) connecting to Church Road, Minera.

The aforementioned access would be utilised by DCWW for operations appurtenant to their role as a Statutory Undertaker. The proposed development would ensure that both DCWW and the landowner benefit from private access onto Church Road from their respective land parcels.

The proposed development would be provided upon a straight stretch of Church Road and would permit safe ingress and egress of the proposed access and the subsequent land parcel.

3.2 Design

The application site does not currently benefit from an independent access from Church Road and presently shares an access with the DCWW CSO access situated 40 metres to the north west.

The proposed development would provide a dropped kerb and 3-metre-wide gate (inward swinging) on the southern side of Church Lane (Easting: 326831 and Northing: 351992). The 3-metre-wide access would be provided between the existing tree line, as to not give rise to the unnecessary removal of trees within the Minera Conservation Area.

The proposed access would be provided upon a straight stretch of Church Lane, to provide safe ingress and egress to the associated land holding. As such, the proposed development would be designed as to not give rise to unacceptable impacts on road safety.

The ground surface between the dropped kerb fronting Church Road and the proposed 3-metre-wide gate would not be altered as to safeguard the periphery of the root protection area in which the site would be located. The proposed development would extend to an area of 3 square metres and would not require the provision of sustainable urban drainage systems.

4 Planning Policy Framework

4.1 National Policy

To the extent that development plan policies are material to an application for planning permission a decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise, as provisioned for by Section 38(6) of the Planning and Compulsory Purchase Act 2004.

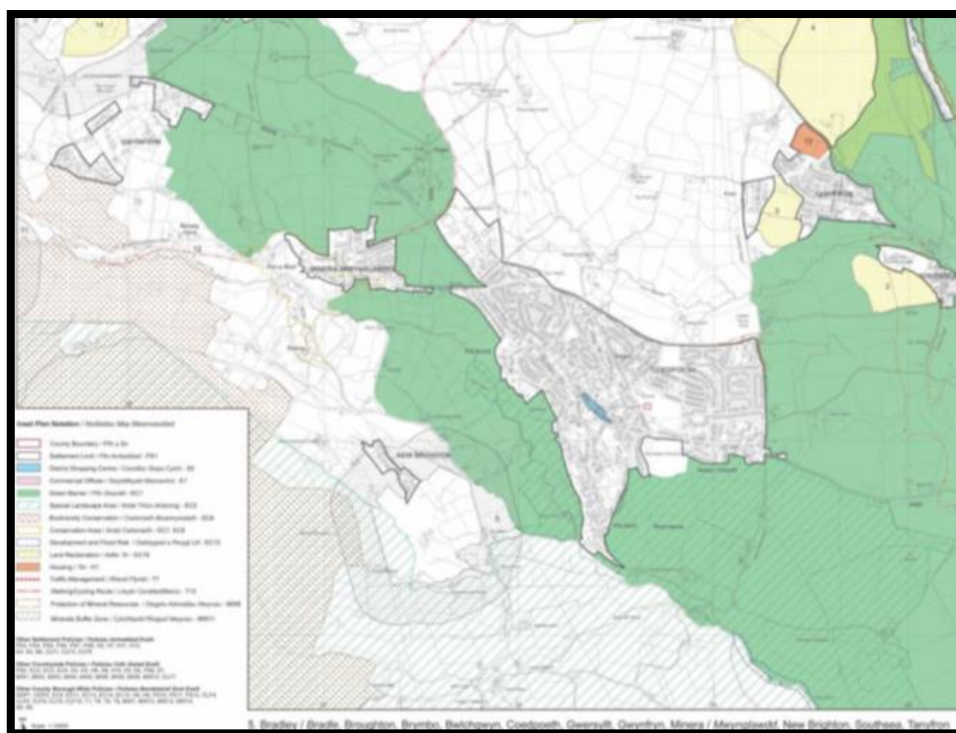
With the scale of development and scope of impacts in mind it is considered the development plan is sufficient to determine the application without the need to refer to national policy or guidance.

4.2 Local Policy

In this case, the application should be determined in accordance with the Wrexham County Borough Council Unitary Development Plan (UDP) 1996 - 2011 adopted by the authority on 14th February 2005. An extract of the UDP Proposals Map is presented below with a circle marking the approximate location of the application site.

The site is not allocated but is designated as being within the Minera Conservation Area. Due to the small-scale nature of the development it is considered that the proposal does not impact on, nor is it impacted by neighbouring allocations or designations and these are not addressed by this statement.

Figure 2 Unitary Development Plan Proposals Map Extract



4.2.1 Local Policy Framework

Policy PS2 - Development must not have a material detrimental effect on countryside landscape/townscape character, open space, or the quality of the natural environment.

Policy GDP1 – New development should be designed to address:

- Compatibility of character;
- Ensure safe and convenient pedestrian and vehicular access to and from development sites,
- Security;
- Flooding;
- Environmental safeguarding; and
- Sustainability.

Policy EC4 – New development should pay due regard to the conservation and management of hedgerows, trees, orchards, woodland, wildlife and other natural landscape features.

Policy EC6 – New development should pay due regard to biodiversity conservation.

Policy EC7 – New development within or adjacent to conservation areas will need to preserve and where appropriate enhance those elements of the conservation area that contribute to its character.

Policy EC13 – New development which would result in an unacceptable adverse impact on the water environment due to additional surface water run-off will not be permitted.

Supplementary Planning Guidance

Minera Conservation Area Character Assessment was adopted in December 2012 and describes the conservation area as follows:

‘Minera sits some 7km to the west of Wrexham occupying an elevated upland position at the head of the Clywedog Valley, overlooked to the south by the prominent north-facing limestone scarp of Esclusham Mountain. The upland topography, open and exposed ground and lack of tree cover create distinctive scenery and provide Minera with far-reaching views down the Clywedog Valley and towards Wrexham Town Centre.

The Conservation Area focuses upon the historic settlement which is dispersed and scattered on both sides of the Clywedog Valley. Development of the area has been greatly influenced by the historic exploitation of minerals and stones during the Industrial Revolution of the late 18th and 19th Centuries, the remnants of which remain hidden within the surrounding landscape.

The recent extension to the Clwydian Range Area of Outstanding Natural Beauty (AONB) has included the eastern slope of the Esclusham Mountain with part of the western section of the Conservation Area also included within the AONB boundary, this designation reinforcing the significance of the landscape to the character of Minera Conservation Area.

The Minera Conservation Area was first designated in July 1975 and its boundary amended and enlarged in May 1981 and July 2002 to take in more of the areas historic buildings and remnants of former industrial activity and the sections of the surrounding landscape which strengthen the character of the area.'

5 Appraisal

Key questions to consider in the determination of the application, in accordance with the identified planning policy framework, are:

- Is the development acceptable in land use terms?
- How does the development affect the character of the conservation area?
- Does the use of the access affect highway safety?
- Does vegetation clearance impact on ecology?
- How does the development impact on trees and hedgerows?
- Does the development incorporate a sustainable drainage solution?
- Are construction methods satisfactory?

5.1 Principle of Development

At present, access to the application site is gained via a joint access shared with DCWW, granted in 2017 under application ref. PP-05454138. The proposed development would ensure that both DCWW and the existing landowner benefit from independent access to their respective landholdings. By virtue of various existing accesses onto Church Road and that granted under application PP-05454138, the principle of development is considered to be established and therefore acceptable.

5.2 Design and Character

Given the location of the application site, it is important to consider the effect of the design and character of the proposed development upon the Minera Conservation Area. The objective when considering development within the conservation area is to determine whether its character is preserved or enhanced.

The application site does not currently benefit from an independent access onto Church Road to the north. The proposed development seeks permission for 1no. gate which would measure 3 metres in width and the dropping of a kerb. To gain access to the existing land holding, the proposed access would require the removal of shrubs upon the northern field boundary, however, no felling of trees would be required. It is therefore considered that that the proposed development would preserve the character of the Minera Conservation Area and would not give rise to undue harm.

As a result, the new access would not result in an unacceptable impact upon the design and character of the conservation area and would remain in accordance with policy EC7.

5.3 Access and Highways Safety

The proposed development would provide an independent access to a land parcel situated to the south of Church Road and would be for private use only. As such, the proposed access would form a junction with negligible movements and would not generate a level of traffic that would impact on the road network.

The proposed access would be located on a straight stretch of Church Road with sufficient levels of visibility to ensure safe ingress and egress. The access arrangements would not jeopardise any pedestrian walkways and sufficient visibility would ensure pedestrian safety. As such, the proposed development is considered to be in accordance with policy GDP1 of the Wrexham County Borough Council Unitary Development Plan (UDP) 1996 – 2011.

The proposed development seeks to provide 1no. 3 metre steel gate access, posts and 1no. dropped kerb adjacent to the highway of Church Road. The application does not seek to provide hardstanding, which would be provided at a later date. The proposal, therefore, would not give rise to detrimental drainage issues such as standing water flowing onto the highway. The proposed development therefore accords with GDP1 of the Wrexham County Borough Council Unitary Development Plan (UDP) 1996 – 2011.

5.4 Ecology

An Ecological Appraisal Report appurtenant to application ref. P/2017/0538 has been submitted in support to this application. By virtue of the aforementioned applications proximity to the application site, the information provided is considered relevant and representative of local ecological conditions. A site-specific Arboriculture Report has been submitted in support of this application. It should therefore be assumed that information appurtenant to arboriculture within the submitted ecological appraisal report has been superseded.

The Ecological Appraisal Report addresses the following topic areas:

- Desk Study
- Extended Phase 1 Habitat Survey
- Hedgerow Survey
- Tree survey
- Bat Surveys
- Otter survey
- Water vole survey
- Badger survey
- Field survey limitations
- Assessment Methodology

By virtue of the small-scale nature of the proposed development, it is considered that the proposed access would not give rise to any unacceptable impacts upon ecology and is in accordance with policies EC4, EC6 and EC13 of the Wrexham County Borough Council Unitary Development Plan (UDP) 1996 – 2011.

5.5 Arboriculture

An Arboriculture Report including; a tree schedule, constraints plan and decision process was commissioned by Dŵr Cymru Welsh Water in support of this application.

The arboriculture report concluded that there were 17 individual trees and 4 tree groups within proximity of the immediate site area. The report concluded that there were no Category A trees of high quality, however, 7 trees of moderate quality (Category B) were identified. 7 trees and 4 tree groups were assessed as Category C trees of low quality and one tree was identified as Category U.

The proposed development would seek to provide an independent site access north of tree T18 (Oak), identified as a Category B tree. The development would be situated outside the Tree Crown areas of T17 and T18, as indicated in the submitted report. The proposed access would be 3 metres wide and would not be provided with hard standing materials in order to protect the roots from undue compaction and inaccessibility of nutrients. The access would be sited upon the periphery of the root protection area (RPA) of T18 as to limit undue harm to trees within the Minera Conservation Area. Given the peripheral location and limited traffic movements which are anticipated, it is considered that the proposed development would be inconsequential and not give rise to unacceptable impacts on trees.

The proposed development has been relocated to the north to safeguard the viability of tree T18 (Oak) and limit the potential impact upon the RPA. As such, it is considered that the proposed development accords with policy EC4 of the Wrexham County Borough Council Unitary Development Plan (UDP) 1996 – 2011.

5.6 Drainage

As stated, the proposed access would be adjacent to the highway and would not provide any hardstanding or surface materials. Due to the site sloping towards Church Road, highway drainage would run onto adjacent land and would not give rise to unacceptable impacts on road safety. The proposed development would not provide ground surface materials and as such would have little impact upon drainage. The development is considered to be in accordance with policy EC13 of the Wrexham County Borough Council Unitary Development Plan (UDP) 1996 – 2011.

The proposed development would extend to an area of approximately 3 square metres and would therefore not trigger the requirements for sustainable urban drainage systems as set out in Schedule 3 of the Flood and Water Management Act 2010 (FWMA).

5.7 Construction Methods

The proposed works would be carried out in accordance with best practice construction methods and a Construction Management Plan will be used by the contractor in order to achieve safe ingress and egress at the application site; manage noise, light and air emissions as well as preventing pollution of soils and the water environment.

In order to safeguard the viability of root systems relating to trees T17 and T18, indicated within the submitted Arboriculture Report, posts will be installed at a minimum depth and omit the use of compaction equipment which could cause harm to the root protection area.

6 Summary

This statement has been prepared in support of an application for the independent access to the undeveloped open land north of Pen Y Nant, adjacent to Church Road in Minera, Wrexham.

Due regard has been given to the existing site and the planning policy context. Of particular consideration is Policy EC4 and EC7 which seeks to protect trees/hedgerows and the character and of the conservation area.

By virtue of the application's relative location to adjacent trees and the extent of works provided, it is considered that the development has adequately considered its impact upon the conservation area. It is considered that there will be no material change in the character of the conservation area or impact upon trees.

All other material considerations relating to safe access, drainage and ecology as set out in development plan policies have been addressed within this statement and found to be acceptable.

Subsequently, it is considered that planning consent should be granted for the proposed development.