

Cadnant Planning

**Land at Wynnstay Technology Park,
Acrefair, Ruabon, Wrexham, LL14 6EN.
DESIGN AND ACCESS STATEMENT**
NS Holdings Ltd.
May 2017
2016.044

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Contents

1. Introduction.....	1
2. Site context and area appraisal	3
3. Planning policy and guidance	7
4. Planning history and pre-application discussions	33
5. Principle of development and justification.....	35
6. Deign	41
7. Accessibility	53
8. Summary and conclusion	58

1. Introduction

- 1.1 This Design and Access Statement accompanies an outline planning application for the change of use of land for mixed use development of residential, retail and light industrial uses at Wynnstay Technology Park, Ruabon.
- 1.2 The proposal will bring the site forward for development in a way that will meet the demand for the smaller industrial units as required by the market. This is not considered a transient type of demand, but more in line with future requirements of business in Wrexham County Borough Council, and country. Larger industrial units and single user sites are oversupplied on a number of sites in and around Wrexham.
- 1.3 The application has been subject to pre-application advice from Wrexham County Borough Council (WCBC) Planning Development Control Officers, Strategic Planning Policy Unit and Economic Development Unit. There have also been discussions with the local Councillors to discuss the needs of the community and the future of the site.
- 1.4 As required by the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 the statement will address the following matters;
- (a) Explain the design principles and concepts that have been applied to the development;
 - (b) Demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
 - (c) Explain the policy or approach adopted as to access, and how policies relating to access in the development plan have been taken into account; and,
 - (d) Explain how any specific issues which might affect access to the development have been addressed.
- 1.5 This statement will set out the context of the site, review the policy context and confirm principle of development including the justification of the proposed mixed use development. The statement will then go on to set out the design concepts and principles to be employed; confirm the accessibility considerations; and summarise the indicative proposal as detailed on the submitted indicative plan and in line with Article 3 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as follows:

Design and Access Statement

“(3) Where layout is a reserved matter, the application for outline planning permission must state the approximate location of buildings, routes and open spaces included in the development proposed.

(4) Where scale is a reserved matter, the application for outline planning permission must state the upper and lower limit for the height, width and length of each building included in the development proposed.

(5) Where access is a reserved matter, the application for outline planning permission must state the area or areas where access points to the development proposed will be situated.”

- 1.6 This Design and Access Statement should be read alongside the indicative layout plan, The Transport Statement, The Arboriculture and Ecology Report, The Contamination Report, the drainage strategy and the marketing evidence.

2. Site context and area appraisal

- 2.1 The application site consists of a 1.95ha piece of land adjoining the Wynnstay Technology Park, Acrefair, Ruabon.
- 2.2 The site is within the settlement limits of Acrefair / Cefn-Mawr, with Ruabon a very short distance away to the east. The land where the site and the existing units at Wynnstay Technology Park are located is between the A539 (Llangollen Road) to the north and the B5605 to the south. A highway runs along the western boundary of the site which connects the two main highways the A539 and B805.
- 2.3 Directly adjoining the application site to the east and south are existing industrial units. Current tenants include Wrexham Mineral Cables Ltd whom are cable and wire equipment manufacturers and an egg factory. The other units have been on the market recently. These units are accessed via the existing access road which runs along the southern boundary of the site from the highway to the west.
- 2.4 To the west of the site is Plas Madoc housing estate. There are also a number of facilities and services such as the leisure centre, pharmacy, post office and primary school within this area. There is a secondary school a short distance away within the western bounds of Ruabon.
- 2.5 Figures 1 and 2 are aerial images which identify the site within these surroundings.

Figure 1: Aerial Photograph identifying the application in the context of its wider setting



Figure 2: Aerial Photograph identifying the application in the context of its immediate surroundings



- 2.6 The application site forms part of a former colliery site which was active up until the 1980's. The previously developed land has remained vacant since that use ended. The site could be contaminated due to the site history – a contamination report has been submitted as part of this application in order to quantify the risk and set out how this would be dealt with in preparing the site for the proposed development. The Preliminary Risk Assessment – Contamination Report (Tier Consult, July 2016) concludes that there is the potential for contaminants associated with 'Made Ground' present beneath the site; however, that the potential risk to the proposed development is considered to be to be low.
- 2.7 There is a mine shaft within the site (121.15m AOD) as identified from the submitted site plan. The mine was treated and capped in March 1990 by Wrexham Maelor Borough Council (WMBC). Based on the information provided to Tier Consult (report submitted), WMBC had treated and capped this shaft in accordance with British Coal recommendations. Based on the recorded geology beneath the site and the Coal Authority information, the potential for coal mining to impact upon the proposed development has been discounted due to the depth of the recorded coal deposits and the treatment of the on-site shaft. The proposed development would ensure its stability prior to engineering works being undertaken above it.

Design and Access Statement

- 2.8 The Preliminary Risk Assessment - Contamination Report recommends that conditions placed on any planning permission, following feedback from regulator authorities, are discharged prior to commencement of site work.
- 2.9 There are a number of other employment sites throughout Cefn-Mawr, Acrefair and Ruabon. A number of these sites remain vacant and the length of time that they have been on the market does suggest that there is a significant oversupply of land for these uses. This includes the marketing of the adjoining units within the Wynnstay Technology Park.
- 2.10 The application site has been vacant since its previous use as a colliery site ended. It has been marketed through numerous avenues and available as land, and to end users, for employment uses.
- 2.11 The site is bounded to the front and sides with a number of trees. The proposal has safeguarded the trees where possible and includes areas of amenity woodland. This will enhance the character and biodiversity within the site and work as visual buffers between the existing surrounding uses. The existing site is not visible from the main road which runs along its northern boundary. This is a contributing factor as to why the site is not attractive to business.

Social

- 2.12 The proposal will provide 35 dwellings including a minimum of 9 affordable dwellings together with the construction of a new access and internal road, the provision of a public open space. Additionally, through the provision of the retail unit, the site will provide for the existing and future residents.
- 2.13 The application site is located within the village settlement of Acrefair which offers some local facilities including shops, post office, and places of worship. Acrefair is in close proximity to surrounding centres including the towns of Cefn Mawr, Ruabon and Wrexham which offers a range of attractive shopping, leisure and entertainment facilities, employment opportunities, educational services as well as infrastructure such as a central train station and bus station.
- 2.14 The provision of a primary school is offered within walking distance of the site and the provision of secondary schools offered in the adjacent town of Ruabon which will serve the future residents of the proposed development and their families.

Design and Access Statement

- 2.15 In terms of accessibility, the proposed development site is accessible by all mode of transport, including public transport.

Economic

- 2.16 In terms of the economic benefits that will arise from the proposed development, in the short term the proposal will offer employment opportunities for those contracted to develop and build the scheme, but also a number of jobs to those working in the retail aspect and six light industrial units.

- 2.17 The importance of housing as an economic driver was also made clear by the Minister for Housing and Regeneration in July 2013 when he stated that:

“Building more homes will not only meet growing housing need, but also generate growth and jobs, provide work to help people out of poverty and ameliorate the effects of the bedroom tax. The private and public sectors must be enabled and supported to play a full role in building more homes. I have looked carefully at all the tools available to me, including regulations, policy and funding, and am today announcing a package of measures which together should increase the supply of new homes across Wales. The actions set out in this statement represent the first phase of action in this area and demonstrates the priority I accord to increasing the supply of housing.”

- 2.18 In addition and in the long term the proposed development will ensure that local services and facilities are sustained including the local primary and secondary schools and local facilities such as convenience stores, doctor’s surgery, dental surgery, post office, cafes, restaurants, public houses and places of worship.
- 2.19 The S106 will secure a contribution to education to provide for additional school places required by the development.

3. Planning policy and guidance

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 instructs that planning applications must be determined in accordance with the adopted plan unless material considerations indicate otherwise.
- 3.2 The adopted local plan is the Wrexham Unitary Development Plan (UDP) (2009). By now, the Wrexham UDP and evidence base which informed it is significantly 'out of date'. The plan was intended to run from preparation in 1996 to 2011, the plan was adopted in 2005.
- 3.3 There is an emerging Local Development Plan (LDP), which will be the planning policy and guidance context once adopted and will be used by the Local Planning Authority (LPA) until the year (2023), however, this plan is in very early stages of preparation and will not be adopted for at least another couple of years (current timetable for adoption March 2018 – but likely to slip).
- The relevant UDP planning policies are:
 - E1: Employment Land;
 - PS1: New Development;
 - H2: Residential Development On Unannotated Land Within Settlements;
 - H7: Affordable Housing;
 - S4: Large-Scale Retail Developments;
 - S5: New Shopping and Leisure Developments;
 - S6: Small Scale Shopping Developments;
 - S8: Shopping Development within Defined Employments Areas;
 - GDP1: General Development Principles;
 - CLF5: Open Space Requirements for New Residential Developments;
 - EC4: Hedgerows, Trees and Woodland;
 - T8: Parking;
 - T9: Walking, Cycling and Horse Riding Routes.
- 3.4 Other relevant adopted local guidance is contained within Guidance Notes:
- Guidance Note No 6 – Access to and use of buildings (2005);
 - Guidance Note No 7 – Landscape and Development (2003);
 - Guidance Note No 10 – Public Open Space in New Housing Development (2008);
 - Guidance Note No 12 – Shopfronts Design and Security (1993);
 - Guidance Note No 16 – Parking Standards (2011);

Design and Access Statement

- Guidance Note No 17 – Trees in Development (2011);
- Guidance Note No 21 – Space Around Dwellings (2007);
- Guidance Note No 23 – Development of Sites with Land Contamination (2013);
- Guidance Note No 24 – Designing Out Crime (2003);
- Guidance Note No 26 – Landscape and Industrial Developments (2003);
- Guidance Note No 27 – Developer Contributions to Schools (2010);
- Guidance Note No 28 – Affordable Housing (2013);
- Guidance Note No 29 – Employment Development and Nature Conservation (2009);
- Guidance Note No 30 – Design A Guide for Developers and Architects when Designing Residential Developments (2009);
- Guidance Note No 31 – The Welsh Language and Welsh Communities (2011);
- Guidance Note No 32 – Biodiversity & Development (2011).

3.5 Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs). PPW, the TANs, circulars and policy clarification letters comprise national planning policy. They may be material to decisions on individual planning applications and will be taken into account by the Welsh Ministers and Planning Inspectors in the determination of called-in planning applications and appeals.

3.6 Relevant national planning policy and guidance, in relation to the proposal, consist of:

- Planning Policy Wales - Edition 9 (2016) (PPW);
- Technical Advice Note 1: Joint Housing Land Availability Studies (2015) (TAN1);
- Technical Advice Note 2: Planning and Affordable Housing (2006) (TAN2);
- Technical Advice Note 5: Nature Conservation and Planning (2009) (TAN5);
- Technical Advice Note 11: Noise (1997) (TAN11);
- Technical Advice Note 12: Design (2016) (TAN 12);
- Technical Advice Note 16: Sport, Recreation and Open Space (2009) (TAN16);
- Technical Advice Note 18: Transport (2007) (TAN 18);
- Technical Advice Note 23: Economic Development (2014) (TAN 23);

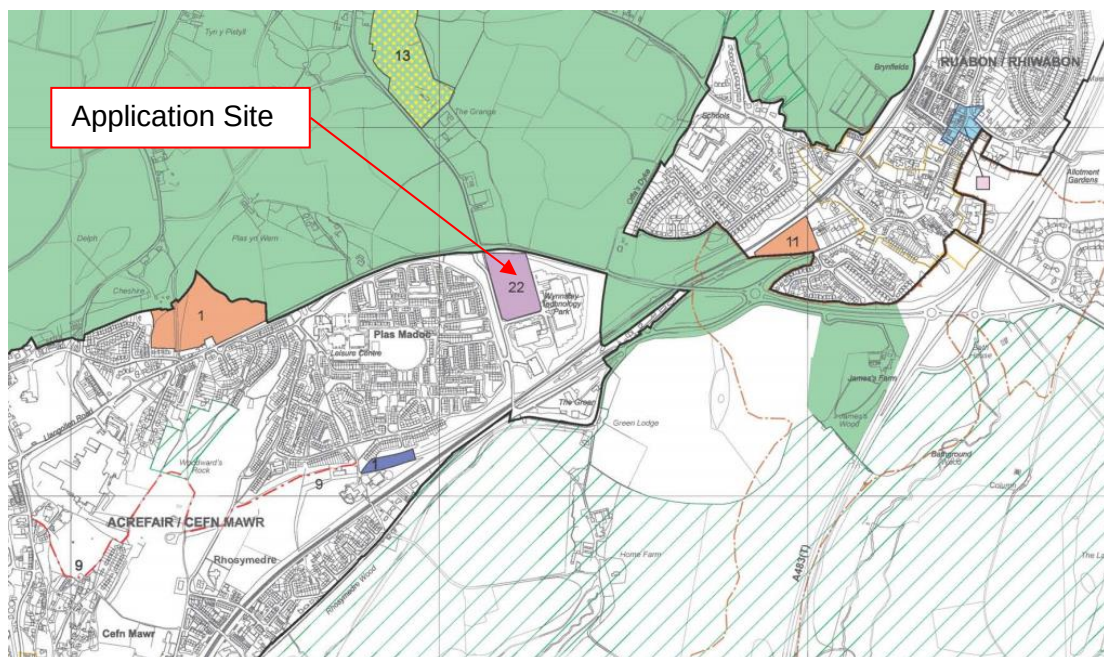
3.7 This statement is going to identify the principle policies, guidance and considerations relating to the development. This section will to identify the relevant UDP policy / guidance, and then align this with national planning policy and guidance. This will be signposted throughout this section by the use, then the policy / guidance document title.

Design and Access Statement

This will then conclude with a summary of the principle of the development in the next section.

- 3.8 As can be identified in Figure 3, an extract of UDP Policy Map 4, the application site is located within the settlement limit of Acrefair. Strategic policy PS1 guides that new development for housing, employment, and community services will be directed to within defined settlement limits/employment areas. The application site is identified as 'Employment Land'.

Figure 3: Extract of UDP Policy Map 4 identifying the application site in the context of the settlement and land use policies



Presumption in favour of sustainable development

PPW

- 3.9 Paragraph 4.2.2 of PPW states that; ***'The planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated, at the same time, by the decision-taker when:***

- *preparing a development plan; and*
- *in taking decisions on individual planning applications.'*

Design and Access Statement

3.10 PPW identifies that local planning authorities should therefore exercise their planning functions with the objective of contributing to the achievement of sustainable development.

3.11 Paragraph 4.7.2 of PPW sets out the strategy for sustainable settlements and states that;

‘Development plans need to provide a framework to stimulate, guide and manage change towards sustainability. They should secure a sustainable settlement pattern which meets the needs of the economy, the environment and health, while respecting local diversity and protecting the character and cultural identity of communities. In their land allocation policies and proposals, local planning authorities should:

- promote sustainable patterns of development, identifying previously developed land and buildings, and indicating locations for higher density development at hubs and interchanges and close to route corridors where accessibility on foot and by bicycle and public transport is good;*
- maintain and improve the vitality, attractiveness and viability of town, district, local and village centres (Chapter 10);*
- foster development approaches that recognise the mutual dependence between town and country, thus improving linkages between urban areas and their rural surroundings;*
- locate development so that it can be well serviced by existing infrastructure (including for energy supply, waste management and water) (Chapter 12);*
- ensure that development encourages opportunities for commercial and residential uses to derive environmental benefit from co-location (Chapter 12);*
- locate development in settlements that are resilient to the effects of climate change, by avoiding areas where environmental consequences and impacts cannot be sustainably managed. Where development takes place in areas of known risks, ensure that the development is designed for resilience over its whole lifetime (Chapter 13);*
- ensure that tackling the causes and consequences of climate change is taken into account in locating new development (see Sections 5.6 to 5.8 and 13.2 to 13.4).’*

3.12 Section 4.9 sets out the Welsh Governments preference for the re-use of land and states that;

‘4.9.1 Previously developed (or brownfield) land (see Figure 4.4) should, wherever possible, be used in preference to greenfield sites, particularly those of high agricultural

Design and Access Statement

or ecological value. The Welsh Government recognises that not all previously developed land is suitable for development. This may be, for example, because of its 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.'

3.13 Paragraph 4.9.2 goes on to state that;

'Many previously developed sites in built-up areas may be considered suitable for development because their re-use will promote sustainability objectives. This includes sites:

- in and around existing settlements where there is vacant or under-used land, commercial property or housing;*
- in suburban areas close to public transport nodes which might support more intensive use for housing or mixed use;*
- which secure land for urban extensions, and;*
- which facilitate the regeneration of existing communities.'*

Employment Land

UDP

3.14 The relevant policy context for sites allocated for 'Employment Land' is set out in policy E1 which states that;

"Sufficient land will be allocated for employment development between 2001 and 2011 at: ...22. Acrefair: Wynnstay Industrial Estate 1.4ha."

3.15 The policy does not stipulate any specific uses for the application site, except for 'employment development'. The explanatory text goes on to state that;

*(Paragraph 7.4) "The Plan seeks to identify sufficient land to meet the future new employment requirements of the County Borough for the period 1996 - 2011 on the basis of 20 hectares of land per annum. This is below the peak rate of the late 1980's, but is well above the rate for the early 1990's and therefore allows for a future upturn in the rate of development given the need to **enhance local job opportunities and to diversify the local economy**. 46.0 hectares of employment land was developed during 1996-2001 The adjusted employment requirement for the period 2001- 2011 is therefore 254.0 hectares. This is met as follows: a) land with planning permission at 1*

Design and Access Statement

April 2001 employment of 138.3 hectares as outlined in Appendix II . b) land allocations of 113.5 hectares.”

(Paragraph 7.5) “The Plan identifies sufficient fully serviced and easily accessible employment land to cater for the sustained economic development of the County Borough. All new employment development will be directed to the above locations and to sites with planning permission for employment use. The proposals strike the best balance between a variety of site size, location, and type of employment development essential to positive economic promotion. In making land available, consideration has been given to other Plan policies, especially those relating to protection of high quality agricultural land, green barriers and countryside. Over 57% of the employment allowance comprises 'brownfield' sites. The availability of land does not in itself create jobs; the allocated sites must be converted into development and job opportunities through a programme of infrastructure provision and promotion by public and private sector agencies.”

(Paragraph 7.6) “Storage and wholesale warehousing activities make an important contribution to job creation and local economic diversification. Warehousing activities generally involve the movement of goods in bulk, and often require the use of heavy vehicles. Only those allocated employment sites directly accessible to main roads and where any detrimental effects on residential amenity is minimised are suitable for wholesale warehousing. Wholesale warehousing is not suitable on the High Quality sites identified in Policy E2. The identified sites are also suitable locations for call centres where public accessibility is not required.”

PPW

- 3.16 PPW provides clarity on which uses should be acceptable as part of promoting economic development in Paragraph 7.1.1. This refers to traditional employment land uses as B1, B2 and B8 Uses and endorses that uses such as retail (A1, tourism D2 and public services A2, should be included when considering the economic strategy. Paragraph 7.1.1 states that;

*“For planning purposes the Welsh Government defines economic development as development of land and buildings for activities that generate wealth, jobs and incomes. Economic land uses include **the traditional employment land uses (offices, research and development, industry and warehousing)**, as well as uses such as*

Design and Access Statement

retail, tourism, and public services. The construction and energy sectors are also important to the economy and are sensitive to planning policies.”

3.17 Paragraph 7.1.2 states that;

“It is essential that the planning system considers, and makes provision for, the needs of the entire economy and not just those uses defined under parts B1-B8 of the Town and Country Planning Use Classes Order. Particular policies on other economic sectors are also found elsewhere in Planning Policy Wales: in relation to Retail and Town Centres (Chapter 10); Tourism, Sport and Recreation (Chapter 11) and Infrastructure and Services (Chapter 12).”

3.18 Paragraph 7.1.3 states that;

“The planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development. To this end, the planning system, including planning policies, should aim to ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses. Local planning authorities should aim to facilitate the provision of sufficient land required by the market, **except where there are good reasons to the contrary.** In addition, wherever possible local planning authorities should seek to guide and control economic development to facilitate regeneration and **promote social and environmental sustainability.** In so doing, they should aim to:

- co-ordinate development with infrastructure provision;
- support national, regional, and local economic policies and strategies;
- align jobs and services with housing, wherever possible, so as to reduce the need for travel, especially by car;
- promote the re-use of previously developed, **vacant and underused land**; and
- deliver physical regeneration and employment opportunities to disadvantaged communities.”

TAN 23

3.19 TAN 23, provides further clarification from Welsh Government with regards to the strategy to be taken in relation to economic development.

3.20 Section 4.5 relates to employment land provision. Paragraph 4.51 states that;

“LDP employment land targets should aim to ensure that planning meets the demand for land, so that economic growth is not constrained by lack of land. However, demand

Design and Access Statement

does not have to be met in the local planning authority area in which it arises. Much of the demand for employment land is footloose across administrative boundaries. Authorities should work together to steer development to the locations which are the most sustainable and efficient (both when allocating sites for the LDP and when dealing with proposals for development). Therefore demand which cannot be met sustainably in the area where it arises should be met in neighbouring areas, and planning authorities should work together to accommodate demand which is not tied to particular areas.”

- 3.21 As discussed during the introduction to this section, the UDP is by now significantly out of date, adopted in 2005, therefore, where allocations have been made, significant time has passed where take-up of the allocations should have happened. It is considered therefore that this still vacant site reflects an oversupply of employment land at this location. Section 4.5.2 stipulates that;

*“Land provision targets may be higher than anticipated demand, to allow for the chance that the assessments are too low and to ensure that no opportunities are missed. They should also allow for flexibility, competition and choice. However, **persistent oversupply of employment land may cause harm where the planned land supply exceeds demand, so that allocated employment sites remain vacant for long periods and frustrate development for other land uses.**”*

- 3.22 Paragraphs 4.5.3 – 4.5.6 relate to sites identified for employment that have no reasonable prospect of being used and the expectation that they should be de-allocated. This is particularly relevant in this instance as the proven demand now relates to much smaller units than the type of units that this site was initially envisaged and allocated for. In the lack of an up-to-date plan, this can be achieved by approving the scheme for mixed use. The full text states that;

(Paragraph 4.5.3) “In setting targets and in considering specific sites, planning authorities should assess the likelihood of these adverse effects and balance them against the economic benefits of identifying employment land.”

(Paragraph 4.5.4) “In some cases, the benefits of supplying additional land may be outweighed by the disadvantages. For example, some authorities may have large historical allocations which are in sustainable locations and already supported by infrastructure but not in demand for other uses. There may be a reasonable chance of such sites generating major economic benefits, for example by attracting large-scale

Design and Access Statement

*inward investment. It may be advisable to retain them, **perhaps unless and until they are needed for an alternative use, such as housing.***”

(Paragraph 4.5.5) ***“The qualitative features of sites identified for employment should match current and future market requirements. Sites that do not have a reasonable prospect of being taken up for an employment use should not be identified for such use.”***

(Paragraph 4.5.6) ***“Where sites identified for employment have no reasonable prospect of being used or re-used, the expectation is that they should be re-allocated or de-allocated.”***

3.23 TAN23, paragraph 4.6.9, allows the release of employment sites where one or more of the following apply:

- they have poor prospects of being re-occupied for their previous use;
- the particular market that the site is part of is oversupplied;
- the existing employment use has unacceptable adverse impacts on amenity or the environment;
- the proposed redevelopment does not compromise unduly neighbouring employment sites that are to be retained;
- other priorities, such as housing need, override more narrowly focussed economic considerations; and/or
- land of equal or better quality is made available elsewhere, even if this is not within the local planning authority boundary.

Wrexham Employment Sites Study, GVA Grimley, June 2007

3.24 The core elements of the study include a detailed assessment of the supply and demand of employment land up to 2021. The study involved a range of quantitative and qualitative methods to ensure a robust and comprehensive assessment.

3.25 Demand for employment land from the UK economy is currently benefiting from global economic growth. However, there is a clear shift in the direction of the economy with the manufacturing sector relatively underperforming as a transition to a more service based economy drives demand for office space and thus creating more ‘flatter’ market conditions for industrial space, in net additional terms. This explains the low take up of sites within WCBC.

Design and Access Statement

- 3.26 Wrexham's economic structure itself is starting to witness transitions as a result of wider national trends. Manufacturing remains a significant element of the economy and a number of higher value manufacturing sectors continue to register positive GVA growth. However employment forecasts project a continued shift with **service sector jobs set to increase to replace a number of manufacturing sectors.**
- 3.27 Importantly a high level of business commitment to Wrexham was identified through the Land and Property Survey and over a quarter of those businesses responding also suggested that they would have 'grown a lot' in the next five years.
- 3.28 Significantly skill levels within the County Borough remain an issue in realising continued economic growth and matching the wider changing economy. In order to project future demand for employment land three scenarios have been developed.
- 3.29 Wrexham County Borough Council completed the Employment Sites Study in August 2007. The assessment indicated that there was 114 ha of allocated employment land, with a further 96 ha of potential land suitable for allocation. Most of the available land is at Wrexham Industrial Estate. There is also a relatively good supply of readily available land in the County - some 68 ha (11 sites). Given the relatively low level of demand, this suggests a **significant oversupply of land in the County. Even accounting for constraints on some of the sites, this oversupply remains.**

Employment Land Review Final Report (October 2015) (ELR)

- 3.30 Pre-application advice from Planning Policy Officers at WCBC confirmed that the relevant sections of the ELR are Appendices 4, 10 and 13.
- 3.31 Appendix 4 of the ELR relates to employment land site Proformas and reviews the undeveloped land (or a significant redevelopment opportunity) which are allocated for employment in the UDP (primarily under Policy E1); comprise developable land within Employment Areas or have existing/recently lapsed planning consents for, traditionally, B1/B2/B8 uses. This relates solely to the application site (excluding the remainder of the Wynnstay Technology Park.
- 3.32 These Proformas are linked to the analysis in Section 6.0 of the main Joint Employment Land Review document. The employment land site Proformas are different to the Employment Area Assessments included at Appendix 10, in that the latter refers to existing development and buildings.

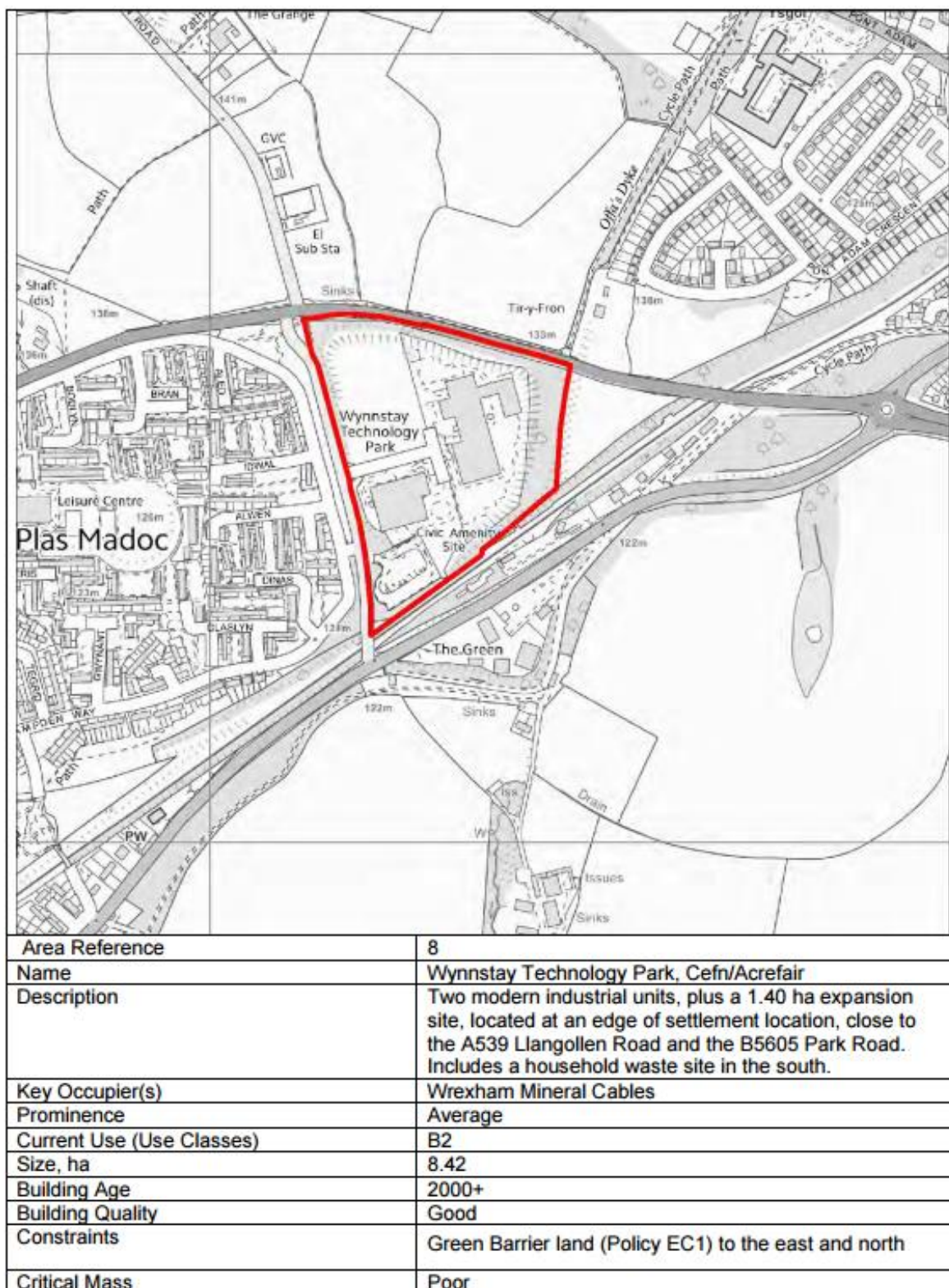
Design and Access Statement

Figure 4: Extract of table, page 50, Appendix 4 'Wrexham Site Proformas'

Site	E1.22 Wynnstay Industrial Estate, Acrefair
Owner	NS Holdings
Agent	-
Size, ha	1.40
Market Availability	Available
Planning Status	UDP Employment Allocation (Ref. 22)
Proposal	Previously proposed for housing, but a planning application was refused and dismissed at appeal.
Constraints	Trees onsite
Comments	Remaining development plot at Wynnstay Technology Park (Plot 1) No known developer/occupier interest at this time
Planning Issues	-
Likely development potential	Industrial
Potential guidance market segment uses	Established/Potential Office Location General Business/Industrial Area Heavy/Specialist Industrial Site
	Warehouse/Distribution Park Site for Specific Occupiers
Serviced	No
Availability, years	5+

Design and Access Statement

Figure 5: Extract of the Employment Area Assessments included at Appendix 10



Design and Access Statement

Opportunities for redevelopment/ expansion	Expansion constrained by the railway line to the south, housing to the west and Green Barrier and Agricultural land grade 3 to the north and east. The Green Barrier is important in this location as it prevents coalescence between Ruabon and Acrefair/Cefn Mawr. In the interests of sustainable development and ensuring mixed and balance settlements, the release of this employment land to non employment/commercial uses would not be appropriate. Remaining area of land was subject to an application for residential development which was dismissed at appeal (P/2006/0907).
Other Information	Within a settlement area
Grading and Recommendations	Critical mass: Poor Accessibility: Good Prominence: Good Environment: Good Total Grade: C Small, modern employment area with limited scope to grow. The emerging LDP should protect Wynnstay Technology Park for B Class employment.

3.33 Appendix 13, Developer Marketing Standards have been complied with as discussed in the following section, where the sites marketing history is discussed in detail, setting out the lack of demand for that site or premise.

3.34 The study looks at all contributing factors in the uptake of the employment land in WCBC and Flintshire County Council. Paragraph 10.17 states that;

“In terms of employment, manufacturing continues to dominate, accounting for 19.6 percent of employment in Wrexham and 29.4 percent in Flintshire, compared to Welsh average of 11.2 percent. This is unsurprising given the strength of key sectors and the range of national and international manufacturing companies present. Cambridge Econometrics’ forecasting suggests that local employment in manufacturing will decrease by some 3,200 jobs in Wrexham, to 2030, and 3,900 jobs in Flintshire. However, this will still leave 13.1 percent of the workforce (8,700 people) employed in manufacturing in Wrexham and 21.8 of the workforce (18,700 people) employed in manufacturing in Flintshire.”

3.35 Paragraph 10.18 goes on to state that;

“In terms of services, the professional, scientific and technical sector accounts for a high proportion of businesses in Wrexham and Flintshire. Cambridge Econometrics LEFM forecasting predicts strong growth in service sectors in both Wrexham (1,800 jobs) and Flintshire (almost 3,000 jobs). Construction is another strong sector in both

Design and Access Statement

Counties and also a sector expected to grow over the LDP periods, by 400 jobs in Wrexham and 900 jobs in Flintshire.”

- 3.36 Paragraphs 10.19 go on to set out the number of businesses operating in WCBC and FCC, and states that;

(Paragraph 10.19) “The study area is home to a large stock of businesses (9,865 VAT registered businesses in 2013). This is more than a third of the total stock of businesses in North Wales (35.5) and 8.9 percent of the Welsh national stock. As an alternate measure, Welsh Government figures suggested that in 2013 there were 9,795 businesses in Wrexham and 9,550 in Flintshire. This gives a combined total of 19,345.”

(Paragraph 10.20) “An average of 80.5 percent of companies are micro-businesses (less than 10 employees). A further 15.9 percent in Wrexham and 15.1 percent in Flintshire employ up to 49 people (small businesses). Only a tiny minority of those businesses are home based – only 2.7 percent of the economically active population worked from home in Wrexham in 2011, and only 2.9 percent worked from home in Flintshire, compared to a homeworking average of 3.3 percent across Wales. Homeworking is a characteristic of rural parts of the study area, specifically the rural west (extending to Mold) of Flintshire and the rural south west of Wrexham, extending west from Chirk and the A5 into the rural area south of Llangollen.”

- 3.37 Paragraphs 10.27-10.29 relate to the industrial market and recent recorded enquiries and demand and state that;

*(Paragraph 10.27) “Local level enquiries data was received from WCBC for the years 2009-2014. This shows that **most recorded interest was for properties at the smaller end of the size spectrum**, i.e. below 464 sqm. Some 30 percent recorded industrial/warehouse demand was for premises in the 465-929 sqm and 930-4,644 sqm size bands.”*

*(Paragraph 10.28) “Across the study area as a whole, demand is for **starter workshops of around 50 sqm and small business units** of up to 929 sqm. Larger established firms want units of 929-1,858 sqm, in locations that can support them – Wrexham Industrial Estate and Llay Industrial Estate Wrexham; Saltney, Sealand and Queensferry in Flintshire. There is an equal demand of both freehold and leasehold property, although larger businesses will usually seek to buy land and premises.”*

Design and Access Statement

(Paragraph 10.29) *“Around 62,876 sqm of industrial space is currently vacant in Wrexham – 4 percent of the total floorspace and 3.6 percent by premises numbers. If an average vacancy rate of 7-10 percent is considered reasonable in terms of giving occupiers a full choice of premises types, locations, sizes and tenures, then Wrexham has a rather low rate of overall availability.”*

3.38 The following extracts relate to the report’s conclusions and recommendations;

(Paragraph 11.7) *“It is therefore recommended that Wrexham County Borough Council use the projected growth of employment in industry sectors as the main measure of Wrexham’s future land needs for the period up to 2030. This indicates a minimum need for some 2 ha/year (or 2.33 ha/year if split exactly) – although a more optimistic approach would allow 2-3 ha/year taking account of past performance and the benchmark levels. The total need for the LDP period is therefore some 35.13 ha.”*

(Paragraph 11.8) *“However, using any of the three measures of need still indicates that there is a **substantial surplus of employment land** in the County Borough (13.75-85.49 ha when measured against the realistic supply) and thus **there is no immediate need for WCBC to identify further land allocations for B1, B2 and B8 uses**. Sites which could be deallocated (or reallocated to other uses) from the overall supply are considered further below.”*

(Paragraph 11.13) *“As noted in Section 9.0, detailed comparison between the research findings and Welsh Government household and population growth figures is not possible within this study. It is therefore recommended that the two local authorities undertake further research to bridge the gap between Welsh Government statistics and this study, to produce more comprehensive linked figures between the **employment land requirements and how these relate to the population and household projections**.”*

(Paragraph 11.23) *“More specifically, non-B Class uses should only be allowed on existing sites if an applicant can demonstrate **exceptional circumstances and that the proposals will not have a significant adverse impact on surrounding local uses**. The use for employment purposes other than B Class uses may be appropriate but only if it can be shown that the use provides on-site support facilities or demonstrates an economic enhancement over and above B Class uses. Such development should however not prejudice the efficient and effective uses of the remainder of the employment area.”*

Design and Access Statement

(Paragraph 11.24) *“Retail uses should not generally be supported on employment sites. Exceptionally, uses which have trade links with employment uses or are un-neighbourly in character (such as car showrooms, tyre and exhaust centres, or trade counters) may be permitted on employment sites which have good access to a range of sustainable transport options.”*

(Paragraph 11.25) *“Where non-B Class uses are proposed for, or within, those sites then the two Councils should require the applicants to demonstrate that:*

- *the site/premises are no longer suitable or reasonably capable of being redeveloped for employment purposes, and*
- *the site/premises has been proactively marketed for employment purposes for a reasonable period of time (a minimum of twelve months) at a reasonable market rate (i.e. rent or capital value) as supported through a documented formal marketing strategy and campaign; or,*
- *there will be a significant community benefit which outweighs the impact of losing the employment site/premises.”*

(Paragraph 11.27) *“On land within existing employment areas, outside of the main employment sites, a more flexible approach could be taken to help facilitate a broad range of economic development. In some cases, the size, location and characteristics of a site may mean that a more intensive mixed-use development could provide greater benefit to the local community, in terms of addressing local needs, than if the site was retained solely in employment use. However, the Councils should look to ensure that any proposal for mixed-use redevelopment, incorporating both employment and nonemployment uses, must retain an equivalent amount of jobs on the site. Where a site is vacant or underused then consideration should be given to its potential for job creation rather than the existing number of jobs. The Councils should also ensure that any such use (for example a noise sensitive use such as residential) does not prejudice the future operation of adjacent or adjoining employment uses.”*

Residential

UDP

3.39 Policy H2 relates to residential development of unannotated land within settlements and states that;

“Residential development on unannotated land within settlement limits will be permitted subject to compliance with Policy GDP1.”

Design and Access Statement

3.40 The explanatory text states that (6.9);

“Although the Plan provides an adequate supply of undeveloped sites, consideration will be given to proposals for the development of unannotated land within settlement limits compatible with the character and form of the built up area. Such development contributes to the economic use of land, avoids pressure on the countryside, and serves to remove the detrimental effect of neglected land in residential areas. However, development should not prejudice either the existing amenity enjoyed by adjacent residents or potential opportunities for redevelopment.”

3.41 Attractive tree-lined, and/or low density residential areas (e.g. the Chester Road/Maes-y-Dre Road/Penymaes Avenue/Park Avenue neighbourhood in Wrexham, or the Wynnstay Lane/Stancliffe Avenue/Pistyll Hill/Hoseley Lane locality in Marford), must not be spoilt by insensitive developments which increase densities; constitute over-development; result in the loss of private or public open space; or detract from the general character of the area.

Affordable Housing

3.42 Policy H7 relates to affordable housing and states that;

“Where there is a proven lack of affordable housing to meet local needs, the Council will negotiate with developers to provide an element of affordable housing in new proposals of 25 or more homes. The initial benefit of discounted prices will be retained for subsequent and future occupants through the scheme's management by a suitable local housing body with the aid of legal agreements.”

PPW

3.43 Chapter 9 of PPW provides guidance in relation to residential development. Paragraph 9.1.1 identifies the Welsh Government's approach to housing as follows;

‘A home is a vital part of people's lives; it affects their health and well-being, quality of life and the opportunities open to them. The Welsh Government's approach, set out in the National Housing Strategy¹, is to:

- provide more housing of the right type and offer more choice;*
- improve homes and communities, including the energy efficiency of new and existing homes; and*

Design and Access Statement

- *improve housing-related services and support, particularly for vulnerable people and people from minority groups.*

The Welsh Government will seek to ensure that:

- *previously developed land (see definition at Figure 4.3) is used in preference to greenfield sites;*
- *new housing and residential environments are well designed^{2 3}, meeting national standards for the sustainability of new homes⁴ and making a significant contribution to promoting community regeneration and improving the quality of life; and that,*
- *the overall result of new housing development in villages, towns or edge of settlement is a mix of affordable and market housing that retains and, where practical, enhances important landscape and wildlife features in the development.'*

3.44 Paragraph 9.1.2 goes on to state;

"Local planning authorities should promote sustainable residential environments, avoid large housing areas of monotonous character and make appropriate provision for affordable housing. (Affordable housing is defined in 9.2.14.) Local planning authorities should promote:

- *mixed tenure communities;*
- *development that is easily accessible by public transport, cycling and walking, although in rural areas required development might not be able to achieve all accessibility criteria in all circumstances;*
- *mixed use development so communities have good access to employment, retail and other services;*
- *attractive landscapes around dwellings, with usable open space and regard for biodiversity, nature conservation and flood risk;*
- *greater emphasis on quality, good design and the creation of places to live that are safe and attractive;*
- *the most efficient use of land;*
- *well designed living environments, where appropriate at increased densities;*
- *construction of housing with low environmental impact (see 4.12); reducing the carbon emissions generated by maximising energy efficiency and minimising the use of energy from fossil fuel sources, using local renewable and low carbon energy sources where appropriate^{3 4}; and*

Design and Access Statement

- ‘barrier free’ housing developments, for example built to Lifetime Homes standards.”

3.45 Paragraph 9.2.3 stipulates that;

*“Local planning authorities must **ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing** judged against the general objectives and the scale and location of development provided for in the development plan. This means that sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development, so as to create and support sustainable communities where people want to live. There must be sufficient sites suitable for the full range of housing types. For land to be regarded as genuinely available it must be a site included in a Joint Housing Land Availability Study¹¹. The Welsh Government will monitor development plans and their implementation to ensure that sufficient housing land is brought forward for development in each local planning authority and that economic development and related job opportunities are not unreasonably constrained.”*

3.46 Paragraph 9.2.6 states that;

“Local planning authorities should address the scope and potential for rehabilitation, conversion, clearance and redevelopment when considering suitable sites for housing development. Maximising the use of suitable previously developed land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites. In particular, local authorities should consider the contribution to the overall provision of land for housing that can be made by reclaimable or reclaimed urban land and by disused or underused buildings. Sites which are no longer likely to be needed for office or industrial purposes may also be appropriate locations for housing.”

3.47 Paragraph 9.2.14 and 9.2.15 sets out the strategy for affordable housing and states that;

“A community's need for affordable housing¹⁴ is a material planning consideration which must be taken into account in formulating development plan policies. Affordable housing for the purposes of the land use planning system is housing where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers. However, it is recognised that some schemes may provide for staircasing to full ownership. Where

Design and Access Statement

this is the case there must be secure arrangements in place to ensure the recycling of capital receipts to provide replacement affordable housing. Affordable housing includes social rented housing owned by local authorities and registered social landlords and intermediate housing where prices or rents are above those of social rent but below market housing prices or rents. All other types of housing are referred to as 'market housing', that is private housing for sale or rent where the price is set in the open market and occupation is not subject to control by the local planning authority. Local Housing Market Assessments provide the evidence base supporting policies to deliver affordable housing through the land use planning system.

Affordable housing also makes an essential contribution to community regeneration and social inclusion. It is desirable in planning terms that new housing development in both rural and urban areas incorporates a reasonable mix and balance of house types and sizes so as to cater for a range of housing needs and contribute to the development of sustainable communities. For affordable housing it is important that authorities have an appreciation of the demand for different dwelling sizes and types of housing (i.e. intermediate and social rented) in relation to supply, so that they are well informed in negotiating the required appropriate mix of dwellings for new developments."

TAN 1

3.48 In the absence of an up-to-date Unitary Development Plan (UDP) (The Wrexham UDP period was 1996 – 2011), and adopted Local Development Plan (LDP), in accordance with latest Welsh Government Guidance on Joint Housing Land Availability Studies (JHLAS), TAN1, January 2015, there is no requirement for a Local Authority to produce a JHLAS and the authority is considered to have a **zero land supply**.

3.49 The method for calculating housing land supply is clearly set out in national guidance - TAN 1: JHLAS. Paragraph 5.2 of TAN 1 states:

"To meet the requirement for a 5-year housing land supply the quantity of land agreed to be genuinely available must be compared with the remaining housing requirement in the adopted LDP - the residual method."

3.50 The Chief Planning Officers clarifies this stance in a letter and states that;

"In line with this, the residual methodology based on the housing requirements in an adopted LDP (or adopted UDP) will be the only methodology allowed for calculating

Design and Access Statement

housing land supply. The use of the past build rates methodology, which was based on the past performance of the building industry, will not be accepted.” [our emphasis].

3.51 Given that Wrexham cannot demonstrate a 5-year housing land supply, significant weight should be given to the need to increase the supply of housing, when dealing with planning applications.

3.52 TAN1, paragraph 6.2 states that;

“The housing land supply figure should also be treated as a material consideration in determining planning applications for housing. Where the current study shows a land supply below the 5-year requirement or where the local planning authority has been unable to undertake a study (see 8.2 below), the need to increase supply should be given considerable weight when dealing with planning applications provided that the development would otherwise comply with development plan and national planning policies.”

3.53 The assessment of this proposal needs to give significant weight to increasing the supply of housing in light of the lack of housing land supply in Wrexham and lack of an up to date local plan.

3.54 Appeal Decision APP/A6835/A/14/2220730 Paragraph 49, where the Inspector concluded that;

“Although the proposal does not comply with development plan and one aspect of national planning policy, I am of the view that the need to increase supply should still be given significant weight in the overall balance.”

3.55 In that case, Flintshire County Council, were only able to demonstrate a 4.5-year housing land supply. Yet again, the Inspector gave significant weight to need to increase supply in the overall balance. Based on this and the lack of demand for the site following years of marketing, it is considered that the site should be released for this mixed-use scheme which offers significant benefits for the local area.

Retail

UDP

3.56 Policy S8 relates to shopping development within Defined Employment Areas and states that;

Design and Access Statement

“The development of land allocated for employment use, for retail and other uses, will only be permitted where it can be demonstrated that the loss of the employment land would not result in limiting the range and quality of available employment sites.”

- 3.57 Policy S4 relates to large-scale retail development, which is defined in the explanatory text as one of more than 2500 square metres gross floor space and states that;

“Large-scale retail development will be located within the Shopping Area of Wrexham Town Centre and within District Shopping Centres. Where possible, development should use vacant, underused or derelict land, or buildings suitable for conversion, in order to sustain and enhance the attractiveness, vitality and viability of Wrexham Town Centres and District Shopping Centres. Development should integrate well with existing shopping areas.

Where a need is identified for large-scale retail development and it is demonstrated that there is no site available with Wrexham Town Centre Shopping Area or within District Shopping Centres, then a sequential approach to site selection will be taken. The next preference will be for sites on the edge of the Wrexham Town Centre or District Shopping Centres; then if there are no suitable sites here (edge-of-centre), out-of-centre sites will be considered. In considering both edge-of-centre and out-of-centre sites, development should:

a) where possible, use vacant, underused or derelict land, or buildings suitable for conversion; and

b) be accessible by a choice of transport, and does not give rise to serious traffic congestion or road safety problems on local highways that cannot be addressed.”

- 3.58 The proposed floorspace of the retail unit is significantly below this threshold, and is proposed to have 370m². Policy S6 relates to small scale shopping developments and states that;

“Small scale shopping developments will be allowed within settlement limits provided that:-

a) the development is safely accessible for customers on foot;

b) the development does not harm residential amenity and / or does not give rise to traffic problems e.g. onstreet parking that cannot be addressed;

Design and Access Statement

c) the sales floor area of each development does not exceed 300 square metres.”

- 3.59 Although the store would be above this threshold, the store is considered to meet the specified criterion, and it is considered appropriate in this area to sustain the local community at Plas Madoc Estate and these additional dwellings. The store will create jobs, be easily accessible from the main road and support the area as a sustainable place to live, work and shop.
- 3.60 Policy S5 could guide new shopping and leisure development to the defined district centres of Borrass Park, Cefn Mawr, Chirk, Coedpoeth, Gresford, Gwersyllt, Holt, Penybryn, Ruabon and Rhos, provided that it is appropriate in scale in relation to the function of the centre and is of a type which will complement and enhance the existing centre. It is considered that the area would benefit from retail facilities in order to serve the existing settlement, which is separate from the needs of Cefn Mawr. It is therefore not considered that there will be an adverse impact upon the District Shopping Centre.

PPW

- 3.61 Paragraph 10.1.4 states that;

“Corner shops in urban areas, village shops in rural areas, and public houses and other individual outlets with a retail function which are not part of established centres, can play a vital economic and social role and their loss can be damaging to a local community. Their role needs to be taken into account in preparing development plans and in development management, bearing in mind also the policies for diversification of the local economy set out in Section 4.6 and Chapter 7.”

- 3.62 Paragraph 10.2.10 sets out the normal testing which should be used when deciding whether to identify sites for retail and leisure developments and states that;

“Authorities should in the first instance consider whether there is a need for additional provision for these uses. Such need may be quantitative so as to address a provable unmet demand for the provision concerned. Precedence should be given to establishing quantitative need for both convenience and comparison floorspace, particularly as a basis for development plan allocations before qualitative factors are brought into play. Qualitative assessment should cover both positive and negative implications. Where the current provision appears to be adequate in quantity, the need for further allocations must be fully justified in the plan. This may be the case if new provision can be located where it:

Design and Access Statement

- *supports the objectives and strategy of an up-to-date development plan or the policies in this guidance;*
- *is highly accessible by walking, cycling or public transport;*
- *contributes to a substantial reduction in car journeys;*
- *contributes to the co-location of facilities in existing town, district, local or village centres;*
- *significantly contributes to the vitality, attractiveness and viability of such a centre; or where it alleviates a lack of convenience provision in a disadvantaged area.*

If there is no need for further development for retail or leisure uses, there will be no need to identify additional sites.”

3.63 This assessment can be applied to development management decisions.

3.64 Paragraph 10.2.12 states that;

“Local planning authorities should take a positive approach, in partnership with the private sector, in identifying additional sites which accord with this approach. In allocating sites for different types of retail developments they should take account of such factors as floorspace, quality, convenience, attractiveness and traffic. They should not however prescribe rigid floorspace limits, whether for town centres or other development, that would unreasonably inhibit the retail industry from responding to changing demand and opportunity. As proposals for development may come forward after the development plan has been adopted, and may be brought forward irrespective of whether the plan provides allocations, plans should also include a criteria-based policy in line with this guidance against which such proposals can be judged.”

3.65 Paragraph 10.3.1 states that;

“When determining a planning application for retail, leisure or other uses best located in a town centre, including redevelopment, extensions or the variation of conditions, local planning authorities should take into account:

- *compatibility with any community strategy or up-to-date development plan strategy;*
- *need for the development/extension, unless the proposal is for a site within a defined centre or one allocated in an up-to-date development plan;*
- *the sequential approach to site selection;*
- *impact on existing centres;*
- *net gains in floorspace where redevelopment is involved, and whether or not it is like-for-like in terms of comparison or convenience;*
- *rate of take-up of allocations in any adopted development plan;*
- *accessibility by a variety of modes of travel;*
- *improvements to public transport;*

Design and Access Statement

- *impact on overall travel patterns; and*
- *best use of land close to any transport hub, in terms of density and mixed use.”*

3.66 Paragraph 10.3.3 identifies quantitative need and material considerations in assessing the need for retail development and states that;

“Where need is a consideration, precedence should be accorded to establishing quantitative need. It will be for the decision-maker to determine and justify the weight to be given to any qualitative assessment, as outlined in paragraph 10.2.10. Regeneration and additional employment benefits are not considered qualitative need factors in retail policy terms, though they may be material considerations in making a decision on a planning application.”

3.67 Paragraph 10.3.4 goes on to state that;

“Developers should be able to demonstrate that all potential town centre options, and then edge of centre options, have been thoroughly assessed using the sequential approach before out-of-centre sites are considered for key town centre uses. The onus of proof that more central sites have been thoroughly assessed rests with the developer and, in the case of appeal Welsh Ministers will need to be convinced that this assessment has been undertaken. This approach also requires flexibility and realism from local planning authorities, developers and retailer.”

3.68 Paragraph 10.3.7 relates to sustainability and states that;

“The commitments to accessible shopping and to sustaining existing centres mean that local planning authorities should seek to retain an adequate level of provision for food shopping, together with post offices and pharmacies, in existing town, district and local centres and in villages.”

3.69 Paragraph 10.3.8 relates to the protection of existing facilities and states that;

“Out-of-centre food supermarkets should not be allowed if their provision is likely to lead to the loss of general food retailing in the centre of smaller towns. Where the inclusion of post offices and pharmacies in out-of-centre retail developments would be likely to lead to the loss of existing provision they should be discouraged by imposing appropriate conditions.”

3.70 Paragraph 10.3.18 warns against allowing retail on allocated sites and stated that;

Design and Access Statement

“Planning applications for retail development should not normally be permitted on land designated for other uses. This advice applies especially to land allocated for industry, employment and housing, where retail development can be shown to have the effect of limiting the range and quality of sites that would be available for such uses.”

4. Planning history and pre-application discussions

Planning History

- 4.1 There has been a previous application and appeal on the site in 2007 for the proposed erection of 80 No. houses and apartments with parking. This was dismissed at the time based on conflict with the UDP policy E1 and the medium to long term likelihood to harm economic prospects for the area's regeneration. Additionally, relating to the affordable housing aspect, living conditions and design of the units proposed as part of that scheme.

Pre-application discussions

Present from WCBC:

David Sharp WCBC Principal BC Surveyor, David Williams WCBC Planning Control Manager, Maureen Lee WCBC Housing Project Manager, Nicola Corbishley WCBC Planning Policy Manager, Peter Douthwaite WCBC Highway Development Engineer

Planning Policy

- The LDP Preferred Strategy, including strategic allocations will be published and subject to consultation in February 2016.
- The site is allocated as employment land in the Wrexham UDP but as part of the background work on the LDP a review of all employment land has been carried out. That shows over-provision and a need for smaller start-up employment units.
- A case for a mixed use development of housing and employment could be supported.
- In terms of housing Wrexham is categorised as having zero housing land availability as per TAN 1 as they don't have an up to date development plan. In the previously published study they had a 3.4-year supply - a shortfall against the required 5 years.

Affordable Housing

- On housing developments target is for 25% affordable units is sought with expected discounts of 20-30% off open market values.
- In this case the need is predominantly for 2-3 bed starter homes and also for 1 bed apartments due the impact of the bedroom tax.
- The 25% target is negotiable subject to viability and various means can be adopted to deliver the affordable requirement - including a lower proportion of "gifted" units.
- The Council has funds available to purchase affordable housing and this could extend to purchase of open market housing.

Design and Access Statement

- The Council will work positively with the developer to help deliver the affordable housing element and could introduce an RSL Partner (Housing Association).

Development Control

- Overall was positive to the mixed use scheme.
- Mr Dave Williams suggested the housing density could be higher and development could be 3 storey in parts - but improved treatment of street frontages was required. Trees could be thinned out along the site frontage but preferably not on the A539 frontage.
- Need improved connectivity within the site and with Plas Madoc with an active' frontage to the Wynnstay Bank looking across to Plas-Madoc estate and improved integration of Public Open Space, which would be preferable in a central position to provide better access to all.
- Application needs to be informed/supported by arboriculture assessment and desk-top contamination assessment. Ecology - could be conditioned.
- Provide housing units to end of cul-de-sacs to provide closure to the design of the road.
- Provide details of boundary treatments to the industrial units and housing units such as a mound and/or landscaping to provide attenuation to the two zones.
- Access off the main road along the site could be in the form of footpaths rather than road, with some thinning of trees to this area to increase connection to Plas-Madoc estate.
- Maybe look at communal parking to the rear of housing properties to avoid the houses to be screened with parking to the front.
- Look at other options for the A1-A3 site such as a joint pharmacy / surgery, this will be market led.

Flood risk

- TAN Flood Maps no issue with flood risk.

Highways

- No particular problem, the Council but would prefer to see junction to A1/A3 moved further away from A539 (based on previous scheme).
- Junction of A539 will need to be subject to assessment. However, there are no apparent or known capacity issues.
- With refuse vehicles the preference would be to look at a loop road layout if possible
- Clarify vehicle usage/deliveries to industrial zone i.e. HGV or van requirements for turning /access.
- Assess footpath requirement along Wynnstay Bank, cycle path not required, but footpath needs to be 1800mm wide.

5. Principle of development and justification

- 5.1 This application for a mixed-use development which responds to the needs of the local community now and in the future. The main objective of the proposal is to provide a form of sustainable development where people can live, work and socialise in an attractive area supported by sustainable transport methods in line with a presumption in favour of sustainable development. This will be achieved through the following:
- The scheme will still provide employment opportunities which align with market demand;
 - The scheme will help meet the shortfall in housing land supply;
 - The scheme will provide retail space to serve the residential units as well as meet the needs of the large adjoining residential area;
 - The scheme will provide smaller employment units which respond the markets needs and current/ future trends.
- 5.2 As detailed in the foregoing section which outlines the adopted planning policy and guidance relating to the proposal, this application is contrary to planning policy E1 relating to Employment Land. In the UDP, this site was allocated as 'Employment Land'. Since the adoption of the plan in 2005, this use has never come forward despite continuous marketing efforts.
- 5.3 By now, the Wrexham UDP and evidence base which informed it is significantly 'out of date'. The plan was intended to run from preparation in 1996 to 2011.
- 5.4 The application site has been vacant since its previous use as a colliery site ended in the early 1980s which is prior to its allocation within the UDP. The site has been marketed through various avenues and has been available since 2005 for end users or as employment land.
- 5.5 There are a number of other employment sites throughout Cefn-Mawr, Acrefair and Ruabon. A number of these sites remain vacant and the length of time that they have been on the market does suggest that there is a significant oversupply of land for these uses in the local area as well as WCBC wide.
- 5.6 The main assessment of the proposal is the effect of the proposed development on the delivery of employment uses. As identified from the Wrexham Employment Sites Study, GVA Grimley, (June 2007) and the Employment Land Review Final Report (October 2015) (ELR), the demand for sites has significantly changed, and the current and future demand is for small business units, starter business units rather than large. The reports confirmed that there is a substantial surplus of employment land in the County Borough.

Design and Access Statement

- 5.7 There is no immediate need for WCBC to identify further land allocations for B1, B2 and B8 uses. It was recognised in the reports that there needed to be a separate assessment on household projections, however, that more land would need to be contributed to housing growth prior to them requiring any significant amount of further employment land.
- 5.8 The report advises that non-B Class uses should only be allowed on existing sites if an applicant can demonstrate exceptional circumstances and that the proposals will not have a significant adverse impact on surrounding local uses.
- 5.9 The new Local Development Plan for Wrexham was submitted in September 2011, but due to fundamental concerns raised by the Inspector, the hearing was suspended and the Local Development Plan withdrawn on 16 March 2012. Some of the issues raised by the Inspector related to employment, for example:
- 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.
 - 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.
 - 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.
 - 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.
- 5.10 The LDP further accepted, the site is located within the settlement limit and is in a highly sustainable location; accessible by both public and private transport as well as on foot from Acrefair and Ruabon.
- 5.11 As can be seen from the indicative site layout plan, the scheme presents six light industrial units (140m²). These would be in line with the demand for smaller units for start-up business and could respond the market demand, encouraging growth in the business sector. These also provide a stepping stone between the heavier uncontrolled B1, B2 and B8 uses on the remainder of the site, and the part proposed for residential.

Design and Access Statement

- 5.12 The scheme provides ten units, 25% affordable housing, supplying 9 3 bedroom houses. Housing need waiting list for the area is:

Plas Madoc Acrefair: 1 bed – 110; 2 bed – 74; 3 bed – 28; 4 bed – 2.

Plas Madoc Cefn: 1 bed – 94; 2 bed – 70; 3 bed – 26; 4 bed – 3.

Plas Madoc - Plas Madoc Estate: 1 bed – 79; 2 bed – 43; 3 bed – 15.

Plas Madoc – Ruabon: 1 bed – 177; 2 bed – 82; 3 bed – 28; 4 bed – 6.

- 5.13 The proposed housing provision will help meet this significant housing shortage and demand. Discussions are underway with the Council and other RSL's in order to ensure that the reserved matters reflect their specific needs.
- 5.14 The retail aspect of the scheme provides A1 or A3 floorspace to serve the existing community of Plas Madoc Estate and the new proposed dwellings, as well as further integrating the site into the community. This additional use will support the existing and proposed employment uses on the site creating a high number of jobs. It is not considered that this will detract from any district centres as it can exist separately in this sustainable location.
- 5.15 As discussed in the foregoing sections, the application site forms part of a former colliery site up until the 1980's. The previously developed land has remained vacant since that use ended. The site could be contaminated due to the site history. Additionally, there is a mine shaft within the site as identified from the submitted site plan. The mine is capped and the detailed plans for the development would take account of this and developers would ensure its stability prior to engineering works being undertaken above it. On the layout plan, this area has been identified as parking area.
- 5.16 The cost of remediating the contamination needs to be taken into account as a material consideration in terms of viability. As this has consistently been one of the sites constraints, we consider that this will have been a contributing factor as to why the site is not attractive to commercial development as this significantly impacts upon the land costs. This will also have an impact, and make it difficult for potential developers to get funding or finance from lenders with these risks and low return.
- 5.17 In line with the foregoing it is considered that the proposal should be brought forward as an exception to the policy E1: Employment Land. It is considered that there is

Design and Access Statement

sufficient evidence to approve this mixed use development on this site, with the numerous benefits it will bring, including compliance with policy H2 for Residential Development On Unannotated Land Within Settlements and TAN1, working to meet the need and lack of a 5-year-housing land supply, and H7 providing Affordable Housing.

- 5.18 This scheme also complies with policies S8, GPD1, CLF5, EC4, T8 and T9.
- 5.19 It is considered that the proposal meets the criteria set out in paragraph 4.6.9, Technical Advice Note (TAN) 23 Economic Development, which allows the release of employment sites where one or more of the guidance's criterion apply. The following criterion are relevant to this proposal and this is discussed in great detail below:
- The particular market that the site is part of is oversupplied;
- 5.20 As discussed above, it is considered that there is an oversupply of employment land and as evidenced by the marketing details, there has been no uptake of this site since the UDP was adopted. It is therefore considered that with the other sites available within the local area, the low prospects of this site being occupied in its entirety for the specified employment uses are low. By approving a mixed-use scheme, this would provide a viable scheme to bring forward the 6 x140m² units which the market demand requires.
- the proposed redevelopment does not compromise unduly neighbouring employment sites that are to be retained;
- 5.21 The proposed housing scheme would not compromise existing employment uses within Wynnstay Technology Park and the proposed employment uses that form part of the application would exist without conflict.
- 5.22 It is accepted that although the adjoining units have conditions which stipulate that they must not cause any nuisance to nearby occupiers, that they have existing uses as industrial uses and therefore control of these uses is not an option. The amenity of residents on the proposed development site would have to ensure satisfactory living conditions for future occupiers through design.
- 5.23 The site is bounded by trees and a number more trees are proposed to be planted on site in order to increase the buffers between this site and the adjoining sites. The residential properties will all make use of acoustic glazing to ensure that there is no detrimental impact upon the residential amenity of the future occupiers.

Design and Access Statement

- 5.24 As outlined in TAN11, the layout and use of natural and built barriers have been a key concept in achieving a site where noise generation from the surrounding uses does not impact upon the residential amenity of the proposed dwellings. This will also been employed in the design of the houses, including measures such as specially glazed windows and insulation on the more sensitive parts of the site.
- 5.25 The B1 uses have been positioned at the south end of the site to act as a buffer between the existing industrial uses and the residential uses. This will mean that uses that do have a lower potential for nuisance will act as a stepping stone between industrial and residential. The B1 uses also use the existing access which runs along the southern boundary of the site. This will separate the site so that the retail unit and residential traffic will be the only traffic using the new proposed access; directing the heavier traffic down the existing access.
- 5.26 The employment uses have a separate access to prevent any conflict between pedestrians, cars of goods vehicles. There is good visibility along the highway and two lanes therefore it is considered that safe and convenient access for all uses can be achieved.
- 5.27 There are other houses in similar proximity to the industrial uses which have never resulted in any conflict.
- Other local priorities override more narrowly focussed economic considerations
- 5.28 Other priorities, such as housing need, override more narrowly focussed economic consideration._The 2014 Wrexham County Borough Council Joint Housing Land Availability Study (JHLAS) calculated, based on the past completions method set out in TAN 1, that WCBC had a housing land supply of 3.1 years. However, more recent figures for housing land supply are not available as the Housing Land Monitoring Statement (2015) states that in the absence of an up-to-date UDP or adopted Local Development Plan (LDP), in accordance with latest Welsh Government Guidance on JHLAS, TAN1, January 2015, that there is no requirement for a Local Authority to produce a JHLAS and that the authority is considered to have a **zero land supply**.
- 5.29 Given that Wrexham cannot demonstrate a 5-year housing land supply, significant weight should be given to the need to increase the supply of housing, when dealing with planning applications.
- 5.30 Appeal Decision APP/A6835/A/14/2220730 Paragraph 49, where the Inspector concluded that;

Design and Access Statement

“Although the proposal does not comply with development plan and one aspect of national planning policy, I am of the view that the need to increase supply should still be given significant weight in the overall balance.”

- 5.31 In that case, Flintshire County Council, were only able to demonstrate a 4.5-year housing land supply. Yet again, the Inspector gave significant weight to need to increase supply in the overall balance. Based on this and the lack of demand for the site following years of marketing, it is considered that the site should be released for this mixed-use scheme which offers significant benefits for the local area.
- 5.32 By releasing the site as a mixed use scheme, the proposal will provide for the supply of housing to contribute toward the lack of a 5-year housing land supply, but also provide a highly needed retail facility for the area, as well as provide towards the identified employment/ business needs, of smaller units.

6. Deign

- 6.1 The following section identifies the national and local planning policy that has influenced the location and design of the proposed development.

National planning policy

- 6.2 PPW and TAN 12 'Design' are the principal national planning policy and guidance documents which set out the context for the consideration and evaluation of the design of all types of development.
- 6.3 The main thrust of the documents is to promote sustainable development by ensuring that the planning system provides for an adequate and continuous supply of land, available and suitable for development to meet society's needs in a way that is consistent with overall sustainability principles.

PPW

- 6.4 PPW seeks to promote resource-efficient settlements that minimise land-take and urban sprawl, locates development so as to minimise the demand for travel, ensure that all communities have good quality housing for their needs in safe neighbourhoods, promote access to employment, shopping, education, health, community, leisure and sports facilities and open space.

- 6.5 It is identified in paragraph 4.11.1 of PPW that;

'Design is taken to mean the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics, and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings'.

- 6.6 Paragraph 4.11.4 goes on to identify that;

'Good design is also inclusive design. The principles of inclusive design are that it places people at the heart of the design process, acknowledges diversity and difference, offers choice where a single design solution cannot accommodate all users, provides for flexibility in use, and, provides buildings and environments that are convenient and enjoyable to use for everyone'.

TAN 11

- 6.7 TAN 11 provides guidance on measures to mitigate the impact of noise and sets out that (Paragraph 11);

“Measures introduced to control the source of, or limit exposure to, noise should be proportionate and reasonable, and may include:

- i. engineering: reduction of noise at point of generation (e.g. using quiet machines and/or quiet methods of working); containment of noise generated (e.g. insulating buildings which house machinery and/or providing purpose-built barriers around sites); **protection of surrounding noise-sensitive buildings (e.g. improving sound insulation in these buildings and/or screening them by purpose-built barriers);***
- ii. lay-out: **adequate distance between noise source and noise-sensitive building or area; screening by natural barriers, other buildings, or non-critical rooms in a building;***
- iii. administrative: limiting operating time of noise source; restricting activities allowed on the site; specifying an acceptable noise limit.*

TAN 12

- 6.8 The guidance in TAN 12 has been considered in formulating the proposal and in reporting on the Design and Access issues.

- 6.9 Paragraph 2.2 states that;

“The Welsh Government is strongly committed to achieving the delivery of good design in the built and natural environment which is fit for purpose and delivers environmental sustainability, economic development and social inclusion, at every scale throughout Wales – from householder extensions to new mixed use communities.”

- 6.10 Paragraph 5.5.1 of TAN 12 identifies that an understanding of landscape quality, including its historic character, is fundamental to the design process.

- 6.11 Paragraph 5.7.3 states that;

*“Evidence shows that careful integration of compatible **mixed uses can help urban areas become more competitive, viable and sustainable.** In design terms, a mix of*

Design and Access Statement

uses adds diversity to the townscape and the activity generated adds vitality. Good design and construction techniques are essential to ensure that practical issues such as noise abatement and privacy are addressed but also to ensure that mixed uses relate well to one another physically and offer opportunities for visual interest and originality”

Local planning policy

6.12 Policy GDP1 relates to General Development Principles and states that;

“All new development should:-

- a) Ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.*
- b) Take account of personal and community safety and security in the design and layout of development and public / private spaces.*
- c) Make the best use of design techniques, siting and orientation in order to conserve energy and water resources. d) Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality.*
- e) Ensure that built development is located where it has convenient access to public transport facilities, and is well related to pedestrian and cycle routes wherever possible.*
- f) Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying, and associated noise, odour or vibration arising from development.*
- g) Secure public services (e.g. gas, water, electricity) to development at minimum public cost.*
- h) Safeguard sites and areas of nature conservation and wildlife interest, and to provide new habitats where there is an unavoidable loss of existing habitats and areas of wildlife interest.*

Design and Access Statement

i) Ensure that development does not result in, or is subject to, flooding, soil erosion, landslides or contamination, either on or off the site.

j) Have regard to the need to safeguard those areas that possess a strong Welsh cultural and/or linguistic identity from development that could harm this identity.

k) Secure the development of sustainable communities, through the promotion of the economic, social and environmental well-being of the area.

6.13 Policy CLF5 relates to open space requirements from new residential developments and states that;

“New development of ten dwellings or more must provide informal public open space within the site at a minimum level of 0.4 hectare per 50 dwellings, be conveniently located for users, and usable for playing field(s) and/or equipped children's play area(s) and open amenity area(s). In exceptional circumstances, the application of these standards may be varied, in the case of small urban infill housing development, where the developer enters into a legal agreement for financial contributions towards the cost of public open space provision where:-

a) the site is unsuitable for public open space provision; or

b) the development would not place significant additional pressure on public open space facilities in the vicinity of the site.”

6.14 Policy EC4 relates to hedgerows, trees and woodland and states that;

“Development proposals should provide for the conservation and management of hedgerows, trees, orchards, woodland, wildlife and other natural landscape and water features, and include new planting in order to enhance the character of the landscape and townscape. Development which results in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted.”

Principles and concepts of design

6.15 The main principle is to create a mixed use development which allows the uses to live in harmony with no constraints upon the existing and proposed employment uses nor upon the proposed residential amenity of the future residents. This will be achieved in the following ways:

Design and Access Statement

- Ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality;
- Ensure community safety and security in the design and layout of development and public / private spaces;
- Make the best use of design techniques, siting and orientation in order to conserve energy and water resources;
- Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality;
- Ensure convenient access to public transport facilities, and clear and well defined links to pedestrian and cycle routes;
- Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying, and associated noise, odour or vibration arising from development;
- Safeguard sites and areas of nature conservation and wildlife interest, and to provide new habitats where there is an unavoidable loss of existing habitats and areas of wildlife interest;
- Secure the development of sustainable communities, through the promotion of the economic, social and environmental well-being of the area;
- Use of materials and features which relate to the local area;
- Manage trees in a way that adds character to the site but also integrates the site to the wider settlement of Plas Madoc;

The Proposal

- 6.16 The proposal is an outline application (all matters reserved) to change the use of land to be a mixed use site. The indicative layout plan details how this would be laid out on site including the approximate location of buildings, routes and open spaces.
- 6.17 The proposed uses, maximum and minimum; upper and lower limit for the heights, widths and lengths, of each building has been indicated below; including their number and floorspace:
- the erection of six light industrial units (Use B1) (circa 140m² floor space per unit) (Max. ridge height 6.7m, Min. ridge height 5.7m; Max. eaves height 5.5m, Min. eaves height 4.5m; Max. width 9.5m, Min. width 8.5m; Max. length 16m, Min. length 15m).
 - the erection of a retail unit (Use A1/ A3) (circa 370m² floor space);

Design and Access Statement

- (Max. ridge height 4.5m, Min. ridge height 3.5m; Max. eaves height 3.5m, Min. eaves height 2.5m; Max. width 14.5m, Min. width 13.5m; Max. length 27.5m, Min. length 26.5m).
 - the erection of nine 4 bedroom, three storey, houses (GIA circa 146sqm per unit = circa 1,315sqm total);
 - (Max. ridge height 11.3m, Min. ridge height 10.3m; Max. eaves height 8.3m, Min. eaves height 7.3m; Max. width 6.3m, Min. width 5.3m; Max. length 10.3m, Min. length 9.3m).
 - erection of twenty-six 3 bedroom, two storey houses (GIA circa 97.5qm per unit = circa 2,730sqm)
 - (Max. ridge height 8.6m, Min. ridge height 7.6m; Max. eaves height 5.6m, Min. eaves height 4.6m; Max. width 6.3m, Min. width 6.3m; Max. length 10.3m, Min. length 9.3m).
 - the provision of 3,300m² of amenity woodland area; and,
 - the provision of 1,085m² of Public Open Space.
- 6.18 The housing will incorporate 25% on-site affordable housing contribution for local needs (9, 3 bedroom, two storey houses). These have been designed in line with Registered Social Landlord (RSL) housing specifications and standards.
- 6.19 Housing has been positioned in a way that creates a visual and physical link between the site and the Plas Madoc Estate to the west. The access is very open and the view into the site from this point is of residential properties and trees.
- 6.20 The materials and design features of the buildings will be submitted as part of the reserved matters application. However, it can be confirmed that these will complement the character of other residential properties and other buildings in the area and enhance the character of the local area.
- 6.21 The siting of the retail unit in the north-western corner has been placed on an angle in order to encourage views into the site beyond the retail unit to create a visual relationship between the site and the main road, as well as the adjoining Plas Madoc Estate.
- 6.22 All of the houses would have two parking spaces each and private external amenity area to the front and rear of the houses. Trees have been positioned throughout the site to enhance the biodiversity on site and to add to the character of the layout.
- 6.23 A line of staggered trees has been proposed along the limits of the residential area where they meet the B1 units in order to create distinction between residential and the business uses. This will work to prevent visual impact or connection between both sites as well as work as a noise buffer.

Design and Access Statement

- 6.24 Tree planting has also been incorporated along the eastern boundary in order to create a buffer between the site and the egg factory.
- 6.25 The site has been carefully designed in order to prevent dead end Cul de Sacs, with each one leading onto building frontages trees or parking areas.

Noise

- 6.26 Much consideration has been taken in forming the proposals relating to the residential amenity of existing dwellings in Plas Madoc housing estate and also the proposed new dwellings on site.
- 6.27 Noise generated by any employment use, given that the end users are not yet known, need to be taken into account when guiding this mixture of uses onto this site.
- 6.28 It is accepted that although the adjoining units have conditions which stipulate that they must not cause any nuisance to nearby occupiers, that they have existing uses as industrial uses and therefore control of these uses is not an option. The amenity of residents on the proposed development site would have to ensure satisfactory living conditions for future occupiers through design.
- 6.29 The site is bounded by trees and a number more trees are proposed to be planted on site in order to increase the buffers between this site and the adjoining sites. The residential properties will all make use of acoustic glazing to ensure that there is no detrimental impact upon the residential amenity of the future occupiers.
- 6.30 As outlined in TAN11, the layout and use of natural and built barriers have been a key concept in achieving a site where noise generation from the surrounding uses does not impact upon the residential amenity of the proposed dwellings. This will also been employed in the design of the houses, including measures such as specially glazed windows and insulation on the more sensitive parts of the site.
- 6.31 The B1 uses have been positioned at the south end of the site to act as a buffer between the existing industrial uses and the residential uses. This will mean that uses that do have a lower potential for nuisance will act as a stepping stone between industrial and residential. The B1 uses also use the existing access which runs along the southern boundary of the site. This will separate the site so that the retail unit and residential traffic will be the only traffic using the new proposed access; directing the heavier traffic down the existing access.

Biodiversity

- 6.32 All works to trees will be done under the supervision of an ecologist, whereby the ecologist will fully inspect and survey the tree prior to any work commencing. This will adhere to normal bat and bird seasons, practice and guidance.
- 6.33 The immediate site was subjected to a thorough Extended Phase 1 survey and was found to be of moderate to low ecological value. However, as the main ecological value is associated with the wooded area and only a small section of this is to be removed, the impact of the proposed development is therefore considered to be of negligible.
- 6.34 The ecological survey recommends a number of enhancements which would be incorporated into the detailed design.
- 6.35 A preliminary arboricultural assessment was undertaken in response to the proposed development. With exception of the new entrance point the proposed development is considered to be outside the RPA of retained trees and as such is not considered to be detrimental.
- 6.36 The new entrance point will require the removal of a section of the boundary group G2 which is comprised of self-set Sycamore and Elm. The report does not consider that these trees are arboriculturally significant and they believe that their loss can be more than adequately compensated by improving the rest of the boundary group.
- 6.37 As part of the overall landscape improvements it is proposed to selectively thin the boundary group to increase light, improve the potential for woodland stratification and address issues associated with the existing wooded area of antisocial behaviour and fly tipping. Provided development were to proceed in accordance with the recommendations and method statements contained within the arboricultural assessment, the development can proceed without detriment to the retained trees.

Dingy Skipper Butterflies

- 6.38 The Dingy Skipper butterfly (*Erynnis tages*) has a moth like appearance and is a declining species that occurs in discrete colonies in sunny sheltered unfertilised grassland where its main foodplant Bird's-foot Trefoil (*Lotus corniculatus*) grows in abundance.
- 6.39 The Dingy Skipper is identified in Section 42 as a species of principal importance under the NERC Act in Wales and is identified as a UK BAP: Priority Species.

Design and Access Statement

- 6.40 The Dingy Skipper occurs in a wide range of open, sunny habitats including chalk downland, woodland rides and clearings, coastal habitats such as dunes and undercliffs, old quarries, railway lines and waste ground. Eggs are laid on young growth of Bird's-foot-trefoil (*Lotus corniculatus*) and occasionally Horseshoe Vetch (*Hippocrepis comosa*).
- 6.41 Caterpillar foodplants include a variety of plants from the Rosaceae family is used, mainly Agrimony (*Agrimonia eupatoria*), Creeping Cinquefoil (*Potentilla reptans*) and Wild Strawberry (*Fragaria vesca*). It may also use Barren Strawberry (*P. sterilis*), Tormentil (*P. erecta*), Salad Burnet (*Sanguisorba minor*), Bramble (*Rubus fruticosus*), Dog-rose (*Rosa canina*), and Wood Avens (*Geum urbanum*).
- 6.42 Suitable conditions occur where the foodplants grow in a sparse sward, often with patches of bare ground in a sunny, sheltered situation. Taller vegetation is also required for shelter and roosting.
- 6.43 Waste ground is an important habitat over much of the English midlands: including disused mineral workings, spoil heaps, mines, railway lines, storage depots and even rubbish tips.
- 6.44 The Butterfly Conservation Organisations 'Dingy Skipper Action Plan' identifies that Waste ground is the butterfly's main habitat over much of the English Midlands.
- 6.45 In the context of the proposed development preserving the entire habitat is not practicable however, it is proposed to set aside areas within and on the edges of the site to preserve habitat patches.
- 6.46 It is important that the areas identified for preservation are not disturbed since they will contain many of the Caterpillar food plants, plants vital for the lifecycle of the butterfly and to some extent a site-specific seedbank.
- 6.47 The Dingy Skipper colony which was recorded is likely to be part of a metapopulation and while (Guitierrez et al 1999) identified that large patches of suitable habitat that are close together are more likely to be occupied than small, isolated habitat patches, the Butterfly Conservation Organisations 'Dingy Skipper Action Plan' identified that the conservation of the species may depend on maintain networks of suitably managed habitat patches over a larger area enabling extinctions which may be expected to occur in such small populations, may be balanced by recolonizations.

Design and Access Statement

- 6.48 The site surrounding include woodland, grassland, residential and industrial areas, maintaining components of the brownfield habitat which exists on site will form part of this network of site.
- 6.49 A large area has been identified for habitat preservation on the site layout plan, and will be maintained on a regular basis, the habitat is specific and includes bare earth areas which if left will soon become colonised reducing the viability of the area.

Environmental Sustainability

- 6.50 In terms of environmental sustainability, consideration has been given to the effect of the proposed development on the environment.
- 6.51 In considering the principles of the energy hierarchy, reducing energy demand and maximising energy efficiency, a reduction in carbon emissions that are required by Building Regulations shall be achieved by the proposed dwellings.
- 6.52 More specifically in terms of siting, the proposed buildings will be positioned to maximise natural daylight to minimise on energy demand.

Movement to, from and within the development

- 6.53 Matters relating to access to and from the proposed development are dealt with in detail in section 7 of the statement.
- 6.54 In terms of design, the proposed site layout will be carefully designed to ensure that all of the site's future users can effectively access the site. The development entails the construction of a new access and internal road to serve the proposed dwellings. Ample parking, turning and circulation space is available for vehicles within the application site.
- 6.55 Section 7 of the statement provides further details on inclusive access as well as details of how accessible the site is by public transport.

Character

- 6.56 The proposed development will be distinctively designed whilst sympathetically reflecting the character of the area with the needs of people in mind, providing ample living and garden area and parking provisions. The retail and B1 units will be positioned in a way that creates a link between the site and the wider area but also to integrate

Design and Access Statement

well with the existing site. A key concept of the scheme has been to connect the site to the adjoining residential area. It is considered that this will be achieved through links and views into and out of the site.

- 6.57 It is not considered that the proposal will disrupt the rhythm and grain of development within the vicinity of the site as the proposed development has been designed to complement the design of other residential development in the vicinity of Plas Madoc and Ruabon.
- 6.58 The materials proposed as part of the proposal will be submitted at reserved matters, however it can be confirmed that they will be similar to the materials used in the vicinity of the site (including the retail and industrial unit design).
- 6.59 It is considered that the scale of the proposed properties reflect the size and scale of adjacent properties. In the vicinity of the site there are a variety of properties comprising of detached, semi-detached, single storey, two storey and three storey properties. The height of the retail unit will be scaled so that it is not overbearing at this prominent location nor will it prevent views into the site. The B1 units will be lower than the houses so that they are not overbearing and allow good levels of light into the site.
- 6.60 The proposal will not cause any detriment to any adjoining use or neighbours as the proposed development has been carefully designed to overcome any issues of overlooking with the positioning and size of fenestration being carefully considered.
- 6.61 In terms of landscaping, a lawned garden will be provided to the rear of the each of the properties. New boundary treatments are proposed between plots to offer privacy and around the perimeter of the site.
- 6.62 It is considered that the overall appearance of the proposed development is considered to be consistent with other residential developments and mixed use areas within the local area. Careful consideration has been given to ensure that the proposed development integrates into its surroundings and as such the proposal respects and improves on the character. The site can comfortably accommodate the proposal without appearing cramped or overdeveloped.

Community Safety

- 6.63 The proposed development will be designed with the safety and well-being of future users being a key consideration as well as the need to protect and enhance the safety

Design and Access Statement

of the surrounding community. The proposal will be designed to allow for natural surveillance whilst promoting a sense of ownership and responsibility. Also the proposal entails the provision of a public open space which will provide a safe environment for children to play.

- 6.64 The mixed use aspect of the proposal will ensure that there are people on site at all times, improving the security of the adjoining employment uses by natural surveillance.
- 6.65 It is not considered that the proposed development will have any detrimental effect on community safety or on the amenity of residents of the surrounding residential properties.

7. Accessibility

National planning policy and strategies

- 7.1 PPW advises that all Local Authorities should consider the issue of accessibility for all, including the needs of those with visual and hearing impairments and those with limited mobility such as wheelchair users, elderly people and people with young children.
- 7.2 Paragraph 4.4.2 of PPW advises that development should be located in locations that minimise the demand for travel, especially by private car.
- 7.3 The advice in TAN 18: Transport has also been taken into consideration. The main aim of TAN 18 is ensuring that new development is located where there is, or will be, good access by public transport, walking and cycling thereby minimising the need for travel and fostering social inclusion.
- 7.4 Paragraph 2.4 of TAN 18 identifies that the inter-relationship between land use planning and transport is complex and varied. The development of land is dependant, in part, upon transport infrastructure and services to function efficiently. By influencing the location, scale, density and mix of land uses and new development, land use planning can help reduce the need to travel and length of journeys, whilst making it easier for people to walk, cycle or use public transport.
- 7.5 TAN 18 also considers people with disabilities. TAN 18 identifies that it is important to consider their needs in terms of parking, in particular ensuring that adequate numbers of suitably designed parking spaces are provided in appropriate locations.

Local planning policy and guidance

- 7.6 Policy T8 relates to parking and states that;

“Development granted planning permission will be required to provide vehicle parking spaces either on site or nearby, in accordance with the Council's current parking standards. Special regard will be paid to the following factors, as appropriate:-

- a) the availability of public transport nearby,*
- b) proximity to public car parking,*
- c) proximity to local services and facilities,*

Design and Access Statement

d) road safety hazards and amenity considerations arising from on-street parking in the vicinity of the site.

Where implementation difficulties arise in making parking provision on-site or nearby, the Council will require a developer to make financial contributions for measures to assist public transport, or walking and cycling as appropriate."

7.7 The explanatory text (Paragraph 10.10) goes on to state that;

"The Council's guidance on parking standards, which is updated from time to time, ensures that development does not adversely affect road safety or local amenity. Occasionally, however, full compliance with these standards may neither be practicable nor appropriate (e.g. where there may be insurmountable access, amenity, space or layout constraints) particularly where key urban regeneration or building conservation objectives are denied. Such circumstances are likely to apply in Wrexham town centre and the larger district shopping centres. If there is no space available on the site, suitable parking provision will need to be made elsewhere in the area. The Council operates a policy of allowing a developer to buy parking spaces for non-operational parking or to finance public transport improvements or measures for walking and cycling in lieu of on site provision. Such arrangements can be advantageous to both developer, in saving valuable space on site, and to the general public, which in the long term will benefit from increased public car parking provision, particularly targeted at short stay spaces to protect the vitality and viability of the Wrexham town centre, or improved public transport facilities and services. Supplementary policies on car parking are set out in the Parking Strategy contained in the Council's Local Transport Plan 2001-2006 (see Appendix III). The Council recognises that the management of car parking may be used in the future as a means to encourage the use of public transport, footpaths and cycleways, where this is appropriate."

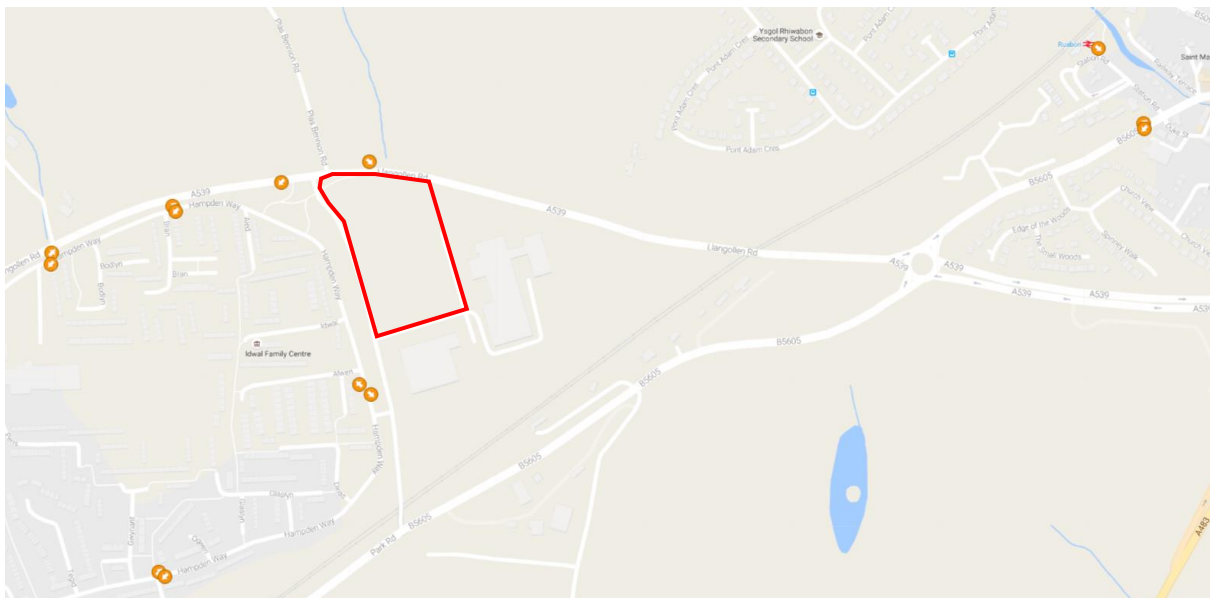
7.8 Policy T9 relates to walking, cycling and horse riding routes and states that;

"Development proposals will be required to provide walking and cycling routes, where feasible and appropriate, that link with existing or proposed walking and cycling routes, and integrate with the public transport system. Opportunities for horse riding along these routes will be secured where appropriate"

Assessment

- 7.9 The land where the site and the Wynnstay Technology Park is located is between the A539 (Llangollen Road) to the north and the B5605 to the south. A highway runs along the western boundary of the site which connects the two main highways A534 and B805.
- 7.10 There are very good road links to the A483 Trunk Road.
- 7.11 There are bus stops directly adjoining the site along Llangollen Road and a 100m walk to the south-west of the site. There are frequent buses (up to every ten minutes) serving these sites. The following services call at these bus stops:
- 2 Wrexham to Oswestry;
 - 2C Wrexham to Cefnmawr;
 - 5 Wrexham Bus Station to Oswestry;
 - T3 Wrexham to Barmouth.

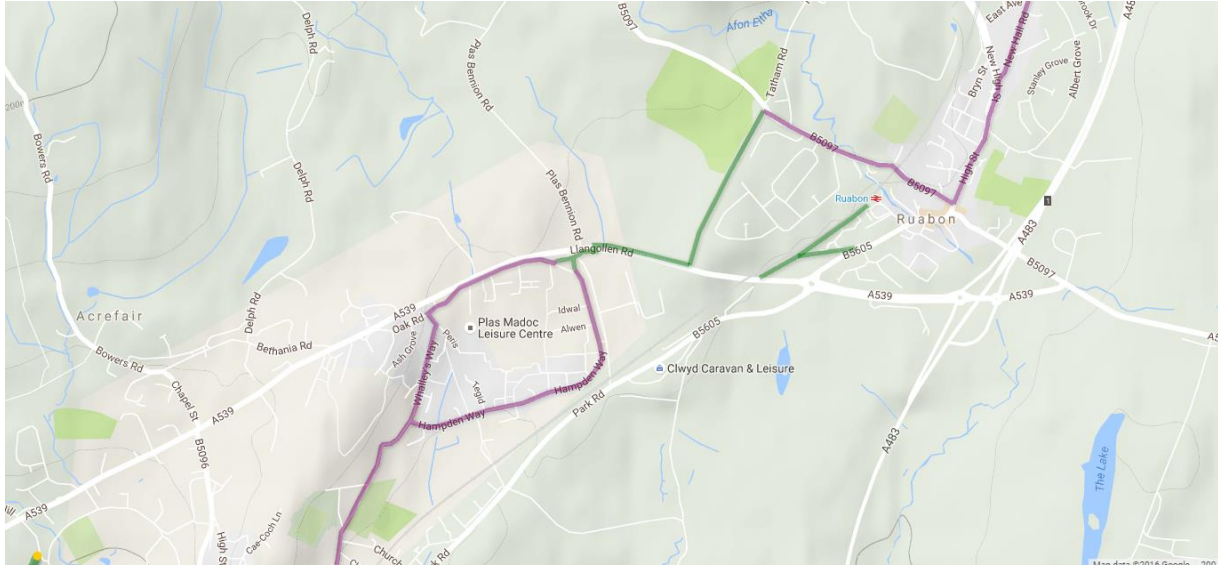
Figure 6: Traveline Cymru Bus Stop Locator



- 7.12 As identified in Figure 7, the application site also connects onto cycle routes which are accessible and connected onto the 'National Cycle Network' and into the centre of Wrexham (www.sustrans.org.uk). This makes the site highly accessible by both public transport and cycling.

Figure 7: extract of Sustrans cycle routes map

Design and Access Statement



- 7.13 There are two accesses to be provided into the site, both have been identified on the submitted layout plan.
- 7.14 The access serving the light industrial units would gain access from the existing industrial access road which serves the existing units at the Wynnstey Technology Park.
- 7.15 The other access which would serve the residential and retail part of the site would gain its access from the road which comes off the A539, this has been identified on the submitted site layout plan. In order to create this access, some sycamore and Elm trees would need to be removed, however, the arboricultural assessment confirms that this is acceptable in principle.
- 7.16 The Transport Statement concluded that overall the proposed development of the site for limited intensity mixed use residential / employment / local retail land use would not result in a material level of new traffic demand over the wider highway network and that the scheme proposals represent an appropriate and sustainable use of this allocated development land.

How access will be maintained

- 7.17 The application site is located within an accessible location, accessible by modes of private and public transport as well as by cycle or on foot. The proposed site layout has been carefully designed to ensure that all of the site's future users can access the site safely and conveniently.

Design and Access Statement

- 7.18 The road network already has provision for pedestrian and cycling uses.
- 7.19 Ample circulation space will be provided within all buildings in order to provide access for all including turning and manoeuvring space.
- 7.20 Access to the site will be maintained through use of formal planning conditions and through ensuring that all access routes to and from the site are maintained and kept clear of any obstructions.
- 7.21 This proposal is considered to achieve sustainable transport where it does not rely on the private car.
- 7.22 The proposal therefore conforms to national planning guidance in relation to locating development in sustainable and accessible locations. Further to this, the site and proposal encourages and provides provision for the use of sustainable modes of transport.

8. Summary and conclusion

- 8.1 This Design and Access Statement sets out the proposal (all matters reserved) to change the use of land to be a mixed use site. The indicative layout plan details how this would be laid out on site including the approximate location of buildings, routes and open spaces.
- 8.2 This statement has set out the context of the site, reviewed the policy context and confirmed the principle of the proposal, including the justification of the proposed mixed use development. The statement has discussed the design concepts and principles to be employed; confirmed the accessibility considerations; and, summarised the indicative proposal as detailed on the submitted indicative plan.
- 8.3 This Design and Access Statement should be read alongside The Transport Statement, The Arboriculture Report, The Ecology Report and The Contamination Report.
- 8.4 The main objective of the proposal is to provide a form of sustainable development where people can live, work, shop and socialise in an attractive area supported by sustainable transport methods in line with a presumption in favour of sustainable development. This will be achieved through the following:
- The site will still provide employment opportunities which align with market demand;
 - The site will help meet the shortfall in housing land supply;
 - The site will provide retail space to serve the residential units as well as meet the needs of the large adjoining residential area.
- 8.5 This statement has discussed in detail the economic factors which make this proposal acceptable in principle as well as the lack of housing supply within the area and high need for affordable housing. By providing an aspect of retail on the site, this will help meet the needs of the existing Wynnstey Technology Park, the adjoining Plas Madoc Estate and the future residents and employees, as well as creating a number of jobs.
- 8.6 In view of the foregoing we consider that the proposal should be supported.

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