

OPTIMISATION DEVELOPMENTS LIMITED

PROPOSED SUPERSTORE

LAND AT RUTHIN ROAD, WREXHAM

PLANNING STATEMENT

DECEMBER 2009

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**1. INTRODUCTION, BACKGROUND TO THE PROPOSALS AND REPORT
STRUCTURE**

Introduction

- 1.01 Peacock & Smith Ltd has been instructed to prepare a Planning Statement in connection with proposals by Optimisation Developments Limited ('ODL') for a superstore development on land to the north of the A525 Ruthin Road, Wrexham. The superstore will be operated by Wm. Morrison Supermarkets plc ('Morrisons').
- 1.02 The proposals are the subject of a full Planning Application submitted to Wrexham County Borough Council ('WCBC') by Agents Archial Architects Ltd. The application is accompanied by the following plans and drawings:
- (a) Existing Site Layout Plan – (drawing no. 07390/P01/ Rev A);
 - (b) Proposed Site Layout Plan – (drawing no. 07390/P02 Rev J);
 - (c) Proposed Ground and First Floor Plans – (drawing no. 07390/P/03 Rev B);
 - (d) Proposed Sections – (drawing no. 07390/P/04 Rev A);
 - (e) Proposed Elevations – (drawing no. 07390/P/05 Rev B);
 - (f) Proposed Plan for PFS – (drawing no. 07390/P/06);
 - (g) Proposed PFS Elevations - (drawing no. 07390/P/07); and
 - (h) Existing Topographical Survey – (drawing no. 07390/P/08).
- 1.03 The application is also supported by this Planning Statement, together with:
- (a) a Retail Assessment (also prepared by Peacock & Smith Ltd);

- (b) a Transport Assessment (prepared by TTHC – Transport, Traffic and Highway Consultancy);
- (c) a Site Investigation Report (prepared by Sirius Geotechnical and Environmental Ltd);
- (d) a Flood Risk Assessment (prepared by BCSP – Consulting Civil Structural Engineers);
- (e) a Habitat Survey and Protected Species Assessment (prepared by Smeeden Foreman Ltd – Landscape Architects, Urban Designers, Ecologists and Horticulturalists);
- (f) an Acoustic Assessment (prepared by Belair Research Ltd – Acoustic Consultants);
- (g) a Planning Application Design Statement (prepared by Archial Architects Ltd).

1.04 The application site extends to some 3.08ha. The proposals are based around a single 'built-use' concept providing a food superstore of 6,748 sq.m. gross floorspace with associated petrol filling station (PFS) and customer vehicle parking. Further details are provided at Section 2 of this report.

Background to the Proposals

1.05 In May 2007 WCBC published a Brief for Future Development of land at Ruthin Road, Wrexham, and invited tenders for the development of the site in accordance with the terms of the Brief. The site, measuring 4.70ha, is located on the north side of the A525 Ruthin Road and is bounded to the east by the Chester to Shrewsbury Railway Line, the Maelor General Hospital and adjoining commercial properties to the north and a proposed fire and ambulance station development to the west (the 'Brief Site'). The Brief indicated that the site contains two distinct zones reflecting former and existing uses:

- (a) former railway land – a level area forming the northern and eastern part of the site. This area was formerly occupied by a locomotive depot and sidings. These have all been cleared and the ground had become partially revegetated; and
- (b) a Highways Depot: This area comprises a number of single-storey office, storage and garage buildings, together with hard standing, parking and storage areas, which would need to be cleared.

An extract from the Brief showing the site is reproduced at **Appendix 1** to this Report.

1.06 The Brief identified a number of potential development constraints as follows:

- (a) parts of the former railway land have been identified by Environment Agency Wales ('EAW') as a Zone C2 flood risk area which has no significant flood defence works, indicating that it would be a matter for the developer, working in consultation with EAW, to establish the precise area which is suitable for built development;
- (b) the site may be subject to residual contamination particularly in the centre of the railway land, indicating that prior to any development proposals being finalised investigations should be undertaken to find out the presence and significance of any contamination;
- (c) the site has been identified within the emerging Green Network Strategy as having high naturalness, with existing links to the north and north west along the disused railway line, and that the former railway provides essential habitat, breeding grounds and refuge for invertebrate, vertebrate and plant populations that form distinct communities. Accordingly, it is indicated that any development would be required to ensure retention and enhancement of links to the wider green space network, and that permitted development would be conditioned to include habitat creation, retention and buffer zones;
- (d) a single road access to be provided from Ruthin Road in the vicinity of the existing site entrance, to be shared with the proposed fire and ambulance

station development to the west; and a footpath/cycle track to be provided along the northern site boundary to provide a link between Croesnewydd Road, in the vicinity of the level crossing, and the existing footpath/cycle track that has recently been constructed on the disused railway line. Provision should be made in the layout for incorporating a service access through the site into the rear of the hospital to the north.

- 1.07 The Brief also includes a number of other development requirements and assessment criteria relating to the provision of bus stop facilities, noise, air quality, impact on surrounding area, construction works and sustainable building. Additional criteria relating to residential development are not relevant in the context of the application proposals.
- 1.08 In terms of potential development uses, the Brief noted that the site could be used for a variety of single or mixed-use purposes consistent with its location within an urban area, but only developments which would maximise the use of the site as a whole would be approved. Retail is identified as such a suitable use subject to the shopping need and sequential test requirements set out in the adopted Wrexham Unitary Development Plan (UDP).
- 1.09 Following the publication of the Development Brief, in October 2007 WCBC published the Wrexham Retail Floorspace Update¹, which confirmed that there is a demonstrative qualitative need for additional convenience floorspace in Wrexham which arises as a result of expenditure capacity of 5,019 sq.m. net up to 2011 rising to 5,201 sq.m. by 2016, and for additional comparison floorspace of 5,519 sq.m. by 2011 rising to 14,170 sq.m. by 2016.
- 1.10 Against this background, in February 2008 Morrisons submitted its bid to the Council which had regard to the provisions of the Development Brief and the 'constraints' and relevant development requirements identified therein. It was based on the concept of a single 'built-use' (a food superstore of circa 7,250 sq.m. gross floorspace, PFS and customer vehicle parking in the western part of the site) and a 'non-built' re-contoured

¹ Prepared on behalf of the Council by Drivers Jonas to provide an update of the earlier 2004 retail floorspace assessment – to inform the Council's emerging Local Development Plan and to provide a robust background against which decisions on major retail applications would be made.

landscaped amenity area with full public access in the eastern and northern parts of the site.

- 1.11 The bid scheme proposed a joint access off the A525 to provide for segregated customer and delivery vehicle movements and also for access to the amenity area and potentially the hospital to the north. This would also be capable of serving the possible future fire/ambulance station development incorporating appropriate priority mechanisms for the safe and effective operation of these facilities. The scheme also included a footpath/cycle track along the northern boundary of the site linking with and running through the then proposed adjacent amenity area to take full advantage of the environment afforded by the northern elevation of the proposed store building to incorporate appropriate personal safety measures. This connected to a second footpath/cycleway running north/south which linked to Ruthin Road
- 1.12 In March 2008 Morrisons was selected by the Council as the preferred developer for the site. The submission of the planning application follows this decision.
- 1.13 On 11 August 2008 a formal Screening Opinion was sought from the Council under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Wales Regulations 2006. The basis upon which the opinion was sought was the bid scheme. On 18 September 2008, the Council responded, stating that it was *satisfied that the development is unlikely to have impacts which would be significant in the environment*. Accordingly, it was certified that *an Environmental Impact Assessment is not required for the development*. A copy of the Screening Opinion is reproduced at **Appendix 2**.

Report Structure

- 1.14 This report draws on the findings of the various studies and reports identified at para. 1.03 above and relates them to the relevant planning policy context against which the application should be considered and determined. It is written in sections as follows:
- (a) **Section 2:** sets out a description of the application site and the proposed development;

- (b) **Section 3:** sets out the relevant planning policy context;
 - (c) **Section 4:** refers to the retail planning issues raised by the proposed development – drawing on the findings of the Retail Study;
 - (d) **Section 5:** refers to the transport issues – drawing on the Transport Assessment;
 - (e) **Section 6:** summarises the findings of the Site Investigation Report;
 - (f) **Section 7:** refers to the flood-risk issues raised by the EAW zoning of part of the site – drawing on the Flood Risk Assessment;
 - (g) **Section 8:** refers to the ecological issues – drawing on the Habitat Survey and Protected Species Assessment;
 - (h) **Section 9:** refers to acoustic issues – drawing on the findings of the Acoustic Assessment;
 - (i) **Section 10:** summarises the design philosophy of the proposed development – drawing on the Planning Application Design Statement;
 - (j) **Section 11:** sets out brief overall conclusions and recommendations.
- 1.15 Throughout this Report, reference is made to a number of **Appendices**. These are bound integrally with it.

2. DESCRIPTION OF THE SITE AND THE PROPOSED DEVELOPMENT

Site Location and Description

- 2.01 The site (hereafter referred to as the 'application site') lies on the northern side of the A525 Ruthin Road approximately 700 m. to the west of the western edge of Wrexham Town Centre as defined on the adopted Wrexham Unitary Development Plan (1996-2001) Town Centre Inset Proposals Map.
- 2.02 The area which is the subject of the Development Brief extends to 4.70ha, but the application site excludes an area of this land to the east and north and includes a section of the highway on Ruthin Road in order to accommodate the proposed access works. Accordingly, the application site measures 3.8 ha.
- 2.03 The application site is irregularly shaped with boundaries to the north/north east, east, south and west which divide the site from the surrounding uses as follows:
- (a) to the north/north west: principally the Wrexham Maelor General Hospital and adjoining commercial properties lying to the south of Croenewydd Road, although there are a number of residential units located along Dolydd Road which runs southwards from Croesnewydd Road dividing the hospital and commercial units;
 - (b) to the east: the Chester to Shrewsbury railway line beyond which there is an extensive residential area lying to the west of the A5152 Bradley Road, extending westwards up to the railway line, off Llys David Lord;
 - (c) to the south: Ruthin Road itself, beyond which there is a further residential area (Bryn Offa) off Centenary Road, and a social club;
 - (d) to the west: Council offices and an ambulance depot beyond which there is further commercial development.

It is clear, therefore, that the application site lies within the existing built-up-area/settlement limit of Wrexham.

- 2.04 Ruthin Road is a major route into Wrexham Town Centre from the A483 to the west. In the vicinity of the site, Ruthin Road is a wide single carriageway road with a ghost island central reservation. It has the benefit of street lighting and has footways on both sides. Ruthin Road is also a bus route and there are bus stops in the vicinity of the existing site access which is via a staggered ghost island priority junction.
- 2.05 As is noted in the Development Brief, the application site contains two distinct zones reflecting former and existing uses – the former railway land and the highways depot, details of which are provided at para. 1.05 above. From this it is clear that the site comprises Previously Developed Land (PDL).

Description of the Proposed Development

- 2.06 The proposed development comprises two main components, the choice and location of which have been influenced by the various opportunities and constraints encapsulated within the provisions of the Development Brief and Retail Floorspace Update (paras. 1.06-1.08 above); together with a number of other broad planning policy criteria including the sustainability, accessibility and inclusivity of the scheme; design and biodiversity opportunities; and minimising and managing environmental risk and pollution.
- 2.07 The two main components of the application scheme comprise:
- (a) the proposed means of access (including a footway and cycleway to the north); and
 - (b) the superstore, associated PFS and customer car parking.

Means of Access

- 2.08 The proposed means of access consists of a signal controlled T junction with Ruthin Road. This would provide a shared access arrangement with the possible future fire/ambulance station development, the proposed amenity area and potentially to the hospital to the north. The benefit of a signal controlled arrangement with Ruthin Road

is that it could be fitted with "Hurry-Call" or "All-red" facilities to enable emerging vehicles to receive priority when leaving the site, with traffic on Ruthin Road being held via the safety of a red signal aspect.

- 2.09 The proposals incorporate fully controlled pedestrian/cycle crossing facilities, which connect directly with the proposed footpath/cycle track linking through the site.
- 2.10 Further details of the proposed means of access and the accessibility of the site by a choice of means of transport are set out in the Transport Assessment, the findings of which are summarised at Section 5 of this Report.

Superstore, PFS and Car Park

- 2.11 The proposed superstore will be operated by Morrisons, which is not presently represented in Wrexham. Morrisons was founded in 1899 and in the 1960's was at the forefront of the supermarket development. Morrisons became a public company in 1967 and in 2001 joined the FTSE. In March 2004 the Company completed the takeover of Safeway Stores plc ('Safeway') and is now the fourth largest supermarket chain in the UK, employing over 117,000 people with an annual turnover of £13 billion (financial year ending January 2008). Following the takeover of Safeway and the disposal of a number of former Safeway stores, Morrisons operates 420 stores throughout the UK.
- 2.12 Full details of the Morrisons trading profile are set out in the Retail Study. The key aspect of this are:
- (a) Morrisons retail policy include a high quality shopping environment in well designed buildings constructed and equipped to a high specification, a highly competitive price structure in every store, more than 20,000 different products and displayed in-store, a strong emphasis on the sale of groceries and fresh foods, wide aisle and circulation areas, full facilities for disabled shoppers, a high level of personal service from staffed counters, simplified payment at checkout, and recruitment of staff locally and the provision of a comprehensive programme of training and career enhancement;

- (b) the corollary to the emphasis on the sale of groceries is that Morrisons has a significantly smaller comparison goods range than a number of the Company's competitors such as Tesco and Asda. The nature of comparison goods sales is limited principally to the smaller-scale comparison goods frequently purchased in conjunction with convenience shopping trips. This has two main advantages: first, it allows the Company's stores to concentrate on the sale of fresh food and groceries; and second, Morrisons stores tend to compete less directly with the conventional ranges of comparison goods traditionally sold from town centres than the Company's competitors. In this respect Morrisons stores complement rather than compete with comparison shopping provision in town centres.
- 2.13 The proposed superstore building is located in the north western quadrant of the site to take advantage of the existing topography in relation to those parts of the site which are potentially susceptible to flooding (ie. notwithstanding that retail development comprises 'less vulnerable development' in flood terms², the proposed superstore building is located on high ground which is not susceptible to potential flooding). The PFS is located to the south of the store building on part of, but screened by proposed landscaping from, the Ruthin Road site frontage.
- 2.14 The store is orientated with its principal elevation facing Ruthin Road with its main entrance at the south eastern corner of the building facing the car park. While the store building is located close the proposed shared access road to the west, it is sufficiently distant from it to accommodate a significant landscape strip between the road and the service area, to help screen the latter.
- 2.15 The store building is also positioned to allow substantial space between its northern façade and the northern boundary of the application site, to accommodate an attractive footway/cycleway linking land to the west (including the recently completed hospital parking area) with that to the north, west and south.
- 2.16 The proposed superstore will have a gross floorspace of 6,748 sq.m. and a net floorspace of 3,340 sq.m. of which 2,505 sq.m. (75%) will be given over to the sale of convenience goods and 835 sq.m. (25%) to the sale of comparison goods. The store

² Technical Advice Note (TAN) 15 "Development and Flood Risk" (July 2004): Figure 2.

will accommodate the popular Morrisons trademark 'Market Street' concept and will provide in addition a full range of customer facilities including customer café with 160 seats, customer toilets and baby change facilities, a first aid post, ATMs, kiosk, dry cleaners and pharmacy.

- 2.17 The proposed superstore will provide employment for 300 jobs (220 full-time and 80 part-time).
- 2.18 The customer car park lies to the east/south east of the superstore building, and although parts may be potentially susceptible to flooding, car parking is regarded as a 'less vulnerable' form of development³. A total of 510 customer car parking spaces are proposed, together with 10 trolley bays. Customer car parking will include 31 wider bays for disabled shoppers and 12 wider bays for parents and toddlers – all located in close proximity to the store entrance.
- 2.19 Further details of the site layout philosophy of the proposed superstore are set out in the Planning Application Design Statement, the findings of which are summarised at Section 10 of this Report.

3. PLANNING POLICY CONTEXT

- 3.01 Planning Policy Wales (PPW) 2002 notes that applications for planning permission, or for the renewal of planning permission, should be determined in accordance with the approved or adopted Unitary Development Plan ('UDP') unless material considerations indicate otherwise. Such material considerations could include current circumstances, policies in an emerging UDP, and planning policies of the Assembly Government and the UK Government. All applications should be considered in relation to up to date policies.
- 3.02 PPW confirms that factors to be taken into account in making planning decisions (ie. material considerations) must be genuine planning matters, that is they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability. Material considerations must also be fairly and reasonably related to the development concerned and include the number, size, layout, design and appearance of buildings. The means of access, landscaping, service availability and impact on the neighbourhood and on the environment. The effects of a development on, for example, health, public safety and crime can also be material considerations, as, in principle can public concerns in relation to such effects. The planning system does not, however, exist to protect the private interests of one person against the activities of another. Proposals should be considered in terms of their effect on the amenity and existing use of land and buildings in the public interest.
- 3.03 In this case the adopted UDP comprises the Wrexham Unitary Development Plan 1996-2011 (February 2005).
- 3.04 WCBC is in the course of preparing its Local Development Plan ('LDP') which will guide the development and use of land in the County Borough up to 2021, and when adopted will replace the UDP. The LDP Draft Preferred Strategy was published for consultation in October 2007, but the LDP is not expected to be adopted until November 2010. The Preferred Strategy contains a number of Strategic Policies which are material considerations, but at present since the LDP is unadopted it does not carry the weight for development control purposes of the adopted UDP afforded via the provisions of PPW.

- 3.05 Bearing in mind the various issues raised by the application proposals, the other material policy considerations of relevance in this case comprise certain aspects of the Wales Spatial Plan 2008 Update, the salient elements of the advice set out elsewhere in PPW and other aspects of national planning policy comprising Ministerial Interim Planning Policy Statement (MIPPS) 20/2005 – ‘Retailing and Town Centres’ (November 2005); Technical Advice Note (TAN) 4 – ‘Retailing and Town Centres’ (November 1996); TAN 18 – ‘Transport’ (March 2007); TAN 15 – ‘Development and Flood Risk’ (July 2004); TAN 5 – ‘Nature Conservation and Planning’ (1996); TAN 11 – ‘Noise’ (1987); and TAN 12 – ‘Design’ (2002).

Adopted Wrexham UDP 1996-2011 (February 2005)

- 3.06 The application site is shown unallocated on the adopted UDP Proposals Map. It lies within the Settlement Limit to which **Policy PS1** applies, and 700 metres to the west of the western edge of Wrexham Town Centre as defined on the Proposals Map Town Centre Inset.

Planning Strategy and Strategic Policies

- 3.07 Written Statement (‘WS’) para. 3.1 notes that the UDP planning strategy applies the sustainable development principles contained in national planning policy guidance. Para. 3.4 indicates that Wrexham is the principal town in the County Borough. It is the hub of the local transport network and is where most of the main *retailing*, employment, leisure and public services are concentrated. *It is, therefore, the location most suited to significant additional development.*
- 3.08 The strategic policies of relevance in this case are:
- (a) **Policy PS1:** *New development for housing, employment, and community services will be directed within defined settlement limits/employment areas;*
 - (b) **Policy PS3:** *Development should use previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of Greenfield land, wherever possible...;*

- (c) **Policy PS4:** *Development should maintain the existing settlement pattern and character and be integrated with the existing transport network to help reduce the need to travel and encourage the use of alternatives to the car;*
- (d) **Policy PS7:** *The priority areas for new shopping and commercial office development will be the defined Wrexham Town Centre and district centre shopping areas;*
- (e) **Policy PS8:** *The transport network will be developed by providing an integrated range of travel options to and from principal residential, commercial, employment and education centres by making the best use of the existing road and rail network ... and by the encouragement of public transport, cycling and walking;*
- (f) **Policy PS11:** *Encouragement will be given to proposals which improve the biodiversity value of sites.*

General Development Principles

- 3.09 WS para. 4.1 notes that in addition to the specific land use or locational policies of the Plan, all development proposals must satisfy certain general requirements, the regulation of which is a key function of the planning system, eg. drainage/liability to flood, stability, natural hazard, energy efficiency, materials and design etc.
- 3.10 Against this background **Policy GDP1** sets out development objectives. It states:

"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 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 (EG. 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.
- (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”.

Shopping Policy

- 3.11 WS para. 8.3 sets out the capacity for additional convenience and comparison floorspace based on the findings of a Retail Floorspace Assessment undertaken in 2001, noting that while there was capacity for additional comparison floorspace of 13,800 sq.m. by 2006: there was likely to be very little growth in convenience expenditure over the plan period and that there was no current capacity in this sector, so that no new sites should be identified in the UDP for convenience floorspace.
- 3.12 As noted at Section 1 (para. 1.08) above, however, the Council's most recent (October 2007) Retail Floorspace Update confirms that there is a demonstrative qualitative need for additional convenience floorspace of 5,019 sq.m. net up to 2011,

rising to 5,201 sq.m. by 2016, and for additional comparison floorspace of 5,519 sq.m. by 2011 rising to 14,170 sq.m. by 2016.

- 3.13 Further details are set out in the Retail Study, but it is clear that on the basis of the 2007 Update there is a quantitative requirement for further convenience floorspace in the County Borough.
- 3.14 Against this background, **Policy S4**, which refers to large-scale retail development states:

“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 CENTRE 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”.

Transport Policy

- 3.15 WS para. 10.1 notes that the movement of people and goods cannot be considered in isolation from other aspects of land use development; and that an efficient passenger and freight transport network with a strong element of integration with existing and future areas of development will be essential to secure both a high quality environment and a successful economy. Para. 10.2 indicates that Wrexham is the focus of a network of bus and rail services serving the County Borough and regional routes which feed into the national public transport system. It is noted that (at the

time the Plan was prepared) 33% of local household have no car and rely entirely on public transport to reach employment, shopping, education, leisure, etc facilities.

- 3.16 **Policy T6** refers to the Primary and Core Highways Network (the A525 is categorised as part of the Core Network). Inter-alia, the Policy provides that:

“THE DESIGN OF ROAD IMPROVEMENT SCHEMES; THE IMPLEMENTATION OF TRAFFIC MANAGEMENT PROPOSALS; AND THE CONTROL OF DEVELOPMENT ADJACENT TO THE PRIMARY AND CORE HIGHWAY NETWORK WILL HAVE REGARD TO THE NEED TO ENSURE THE FREE AND SAFE FLOW OF TRAFFIC. ROUTES FORMING THE PRIMARY AND CORE NETWORK WILL TAKE PRECEDENCE OVER OTHER ROUTES AND THERE WILL BE LIMITATIONS ON ACCESS, PARKING, CROSSING AND TURNING MOVEMENTS...”

- 3.17 **Policy T8** refers to parking. It states:

“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,
- 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.”

WS para. 10.10 refers to the Council’s standards on car parking and further policies set out in the Local Transport Plan. Further details are provided in the Transport Assessment.

- 3.18 **Policy T9** refers to walking, cycling and horse riding routes. It states:

“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”.

Hydrology Policy

- 3.19 WS para. 5.15 notes that development proposals within areas of flood risk are not only at risk of flooding, but may also exacerbate existing, or create new flooding problems on other land or property through reduction in floodplain storage capacity or by impeding flood flows. Flood alleviation measures can only reduce the risk. Accordingly, the WS indicates that development within land at an *unacceptable* risk of flooding will not be permitted, and where detailed information in respect of flood risk is not available, developers will be required to carry out detailed technical investigations to evaluate the extent of the flood risk and ensure that no *unacceptable* development, including the raising of land, occurs within the flood risk area identified.
- 3.20 WS 5.19 refers to the disposal of surface water. It notes that wherever practicable, surface water should be disposed of as close to the source as possible; and that consideration should be given to the use of 'softer' engineering solutions referred to as Sustainable Urban Drainage Systems (SUDS) – a concept that focuses decisions about drainage design, construction, and maintenance on the quality of the receiving environment and people.
- 3.21 Against this background, **Policy EC12** refers to development and flood risk, and **Policy EC13** refers to surface water run-off. Respectively, they state:

"POLICY EC12 DEVELOPMENT (INCLUDING THE RAISING OF LAND) WITHIN DEFINED FLOOD PLAINS WILL ONLY BE PERMITTED IF IT:-

- A) WOULD NOT BE SUBJECT TO AN UNACCEPTABLE RISK OF FLOODING ON-SITE' AND/OR**
- B) DOES NOT RESULT IN AN UNACCEPTABLE RISK OF FLOODING ON OR OFF-SITE; AND/OR**
- C) DOES NOT ADVERSELY AFFECT FLOOD MANAGEMENT OR MAINTENANCE SCHEMES"**

"POLICY EC13 DEVELOPMENT WHICH WOULD RESULT IN AN UNACCEPTABLE ADVERSE IMPACT ON THE WATER ENVIRONMENT DUE TO ADDITIONAL SURFACE WATER RUN-OFF WILL NOT BE PERMITTED."

Ecology/Biodiversity Policy

- 3.22 A common definition of 'biodiversity' is the full variety of living organisms and the interaction between them.
- 3.23 WS para. 5.8 refers to biodiversity conservation. Whilst the majority of its provisions relate to designated sites (statutory or local) – and the application site bears no such designation – it is relevant to note that **Policy EC6** seeks (inter alia) to *improve the biodiversity value of sites and enhance their natural conservation interests*.

Other Material Policy Considerations

- 3.24 Those of relevance in this case are identified at paras. 3.04 and 3.05 above.

The Wales Spatial Plan 2008 Update

- 3.25 The Wales Spatial Plan Update provides a framework for the future spatial development of Wales. Wrexham County Borough comprises part of the North East Wales area, the strategy for which is to:
- (a) strengthen key hubs (including the Wrexham-Deeside-Chester hub) as a focus for investment in future employment, housing, *retail*, leisure and services;
 - (b) develop sustainable accessibility between hubs, coastal and border towns and rural parts of the region;
 - (c) improve the quality and diversity of the economy;
 - (d) develop the skills and education of the current and potential workforce; and
 - (e) promote sustainable development.

Planning Policy Wales (May 2002)

Introduction

- 3.26 PPW sets out the land use planning policies of the Welsh Assembly Government. It is supplemented by a series of Technical Advice Notes (TANs). Procedural advice is given in National Assembly for Wales/Welsh Office Circulars. PPW, the TANS and Circulars together comprise national planning policy which should be taken into account in the formulation of development plans and which may be material to decisions on individual planning applications.
- 3.27 The basic principles governing the operation of the planning system in Wales as set out in PPW is summarised at para. 3.01 and 3.02 above.

Planning for Sustainability

- 3.28 The key aspects of the Assembly Government's commitment to sustainable development which are relevant in the specific context of the application proposals and are deliverable via planning policies and proposals are to promote high quality, sustainable development and encourage the re-use of suitable PDL; encourage the location of development where the use of the private car will be minimised; seek to minimise the risks posed to development on or adjacent to unstable or contaminated land and land liable to flooding; contribute to the protection and improvement of the environment by, inter alia, protecting local ecosystems; promote access to employment and shopping facilities and the maximisation of opportunities for community development, social inclusion and social welfare; and promote good design and energy efficiency.

Planning for Retailing and Town Centres

- 3.29 Chapter 10 of PPW sets out the Assembly Government's policies for Retailing and Town Centres (sections 10.1 to 10.3). These have been replaced by MIPPS 02/2005 which cancels sections 10.1 – 10.3. (see paras. 3.41 to 3.48 below).

Transport

- 3.30 The Assembly Government aims to extend choice in transport and secure accessibility in a way which supports sustainable development by encouraging the establishment of an integrated transport system which is safe, efficient, clean and fair.
- 3.31 PPW notes that land use planning can help to achieve the Assembly Government's objectives for transport through (inter alia):
- (a) reducing the need to travel, especially by private car, by locating development where there is good access by public transport, walking and cycling;
 - (b) locating development near other related uses to encourage multi-purpose trips and reduce the length of journeys;
 - (c) improve accessibility by walking, cycling and public transport;
 - (d) ensuring that transport is accessible to all, taking into account the needs of disabled and other less mobile people.
- 3.32 In respect of development control, PPW notes that when determining a planning application for development that has transport implications, LPAs should take into account:
- (a) impacts on travel demand;
 - (b) the level and nature of public transport provision;
 - (c) accessibility by a range of different transport modes;
 - (d) the willingness of the developer to promote travel by public transport, walking or cycling, or to provide infrastructure or measures to manage traffic, to overcome transport objections to the proposed development;

- (e) the environmental impact of both transport infrastructure and the traffic generated;
 - (f) the effects on the safety and convenience of other users of the transport network.
- 3.33 Similarly, the Assembly Government's policy is that Transport Assessment ('TAs') should be conducted for major development to appraise travel demand and impact. They can also provide a basis for negotiation on scheme details, including the level of parking and measures to improve public transport access, walking and cycling. TAs also provide an important basis for the preparation of Travel Plans.
- 3.34 Where necessary, PPW indicates that planning conditions may legitimately be imposed on the grant of planning permission to secure on and off-site transport measures and improvements in public transport, cycling and walking, where such measures would be likely to influence travel patterns to the site concerned.

Minimising and Managing Environmental Risks and Pollution

Contaminated Land

- 3.35 The key aspects of the Assembly Government's policy for dealing with unstable and contaminated land set out in PPW are:
- (a) the planning system should guide development to lessen the risk from land instability and contamination. The aim is not to prevent the development of such land (though in some cases that may be the appropriate response). Rather it is to ensure that development is suitable and that the physical constraints of the land are taken into account at all stages of the planning process;
 - (b) a new regime for contaminated land has been introduced under the provisions of Part 11A of the Environmental Protection Act 2001;

- (c) planning decisions in relation to contaminated land need to take into account:
 - (i) the potential hazard that contamination could do both to the development itself, its occupants and the local environment; and
 - (ii) the results of specialist investigation and consent by the developer to determine the contamination and remediation.

Flood Risk and Climate Change

3.36 The key aspects of the Assembly Government's policy for addressing flood risk and climate change as set out in PPW are:

- (a) special attention needs to be given to minimising and managing the risks associated with climate change;
- (b) flood risk, whether inland or from the sea, is a material consideration in land use planning;
- (c) LPAs should recognise when assessing development proposals located within areas of flood hazard that the development is still at risk from flooding which may threaten human life and cause substantial damage to property, even when mitigation measures are proposed;
- (d) in view of flood hazard there should be a move towards avoidance rather than mitigation. Climate change is likely to increase the risks;
- (e) development proposals in areas defined as being of high flood hazard should only be considered;
 - (i) where new development could be justified, even though it is likely to be at risk; and

- (ii) where any development proposal would not result in the intensification of existing development which may itself be at risk or would increase the potential adverse impacts of a flood event;
- (f) surface water run-off should be controlled as near the source as possible by the use of SUDS to ensure that development does not:
 - (i) increase the risk of flooding elsewhere by loss of flood storage or flood flow route; or
 - (ii) increase the provision of surface water run-off.

Reducing Noise

3.37 The key aspects of the Assembly Government's policy for reducing noise as set out in PPW are:

- (a) noise can affect people's health and well being and have a direct impact on wildlife and local amenity. Noise levels provide an indicator of local environment quality. The objective of a policy for noise is to minimise emissions and reduce ambient noise levels to an acceptable standard;
- (b) in relation to development control, noise can be a material planning consideration, for example in proposals to use or develop land near an existing source of noise or where a proposed development is likely to generate noise. Local Planning Authorities should make a careful assessment of likely noise levels before determining such planning applications and in some circumstances it will be necessary for a technical noise assessment to be provided by the developer.

Conserving the Improving Natural Heritage

3.38 PPW notes that the natural heritage of Wales includes its geology, land forms and biodiversity, and its natural beauty and diversity. Biodiversity (and landscape) are important in the economic life of many communities and the quality of the

environment is often a factor in business location decisions. The Assembly Government's objectives for the conservation and improvement of the natural heritage relate principally to meeting international responsibilities and obligations for the natural environment, ensuring that statutorily designated sites are properly protected and managed and safeguarding protected species; but include an overall objective of promoting the conservation of (landscape and) biodiversity, in particular the conservation of native wildlife and habitats.

- 3.39 Accordingly, in relation to development control, PPW places particular emphasis on statutory designations, protected species and other natural heritage assets such as trees and woods, commons and greens and allotments; although even in respect of areas statutorily designated, it is acknowledged that such designations do not necessarily prohibit development.
- 3.40 In more general terms, the Assembly Government's policy is that biodiversity (and landscape considerations) must be taken into account in determining individual applications and contributing to the implementation of specific projects. The effect of a development proposal on the wildlife (or landscape) of any area can be a material consideration. In such instances and in the interests of achieving sustainable development it is important to balance conservation objectives with the wider economic needs of local businesses and communities. Where development does occur it is important to ensure that all reasonable steps are taken to safeguard or enhance the environmental quality of land. Pre-application discussions between the developers, Local Planning Authorities and statutory advisers are recommended.

MIPPS 02/2005: "Planning for Retailing and Town Centres" (November 2005)

- 3.41 MIPPS 02/2005 replaces and cancels sections 10.1 to 10.3 of PPW (para. 3.29 above). Full details of the MIPPS policies area set out in the Retail Assessment. The key elements are set out below.
- 3.42 MIPPS 02/2005 sets out the Assembly Government's policies for retailing and town centres which are to: Secure accessible, efficient, competitive and innovative retail provision for all the communities of Wales, in both urban and rural areas; promote established town, district, local and village centres as the most appropriate locations

for retailing, leisure and for other functions complementary to it; enhance the vitality, attractiveness and viability of town district, local and village centres; and to promote access to these centres by public transport walking and cycling.

3.43 Para. 10.3.1 advises that when determining a planning application for retail development, LPAs should take into account:

- (a) compatibility with any community or up-to-date Development Plan strategy;
- (b) consideration of the 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;
- (c) the sequential approach to site selection;
- (d) the impact on existing centres;
- (e) if redevelopment is involved whether it involves a net gain in floorspace and whether or not it is like-for-like in terms of comparison or convenience;
- (f) the rate of take up of allocations in any adopted development plan;
- (g) accessibility by a variety of modes of transport;
- (h) any improvements to public transport;
- (i) the impact on overall travel patterns; and
- (j) the best use of land close to any transport hub in terms of density and mixed use.

3.44 Para. 10.3.3 advises 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.

- 3.45 Para. 10.3.4 advises on the sequential approach to site selection and requires developers to demonstrate that all potential town centre options are considered, then edge of centre options, before out of centre sites are considered. Para. 10.3.6 advises that for major retail proposals LPAs should consider not only the incremental effects of that proposal but the likely cumulative effects of recently completed developments, together with outstanding planning permissions and development plan commitments in the catchment areas of those centres.

TAN 4: "Retailing and Town Centres (November 1996)

- 3.46 TAN 4 has not been cancelled by MIPPS 02/2005, but provides advice on how to assess the effects of retail development – employing methodology prevailing at the time it was published. It has largely been superseded by current practice which is 'need' led, but it includes a number of definitions which remain up to date.

TAN 18: "Transport" (March 2007)

- 3.47 TAN 18 is to be read together with PPW (paras. 3.26 and 3.30 to 3.34 above). It expands on PPW, but otherwise introduces no new or additional guidance or advice, save for a more up-to-date approach to car parking provision based on maximum standards are not actually specified in TAN 18).
- 3.48 TAN 18 also contains a number of Annexes on Accessibility Planning, Visibility Standards, Definitions of Highways Routes, Transport Assessments (TAs are required for food retail development of over 1,000 sq.m. gross floorspace), and Conditions Requiring Works in the Highway.

TAN 15: "Development and Flood Risk" (July 2004)

- 3.49 TAN 15 is to be read together with PPW (paras. 3.26 and 3.36 above). Para. 3.1 notes that the general approach of PPW, supported by TAN 18, is to advise caution in respect of new development in areas at high risk of flooding by setting out a precautionary framework to guide planning decisions.

- 3.50 Paras 4.1 to 4.3 and Figure 1 of TAN 15 refer to Development Advice Maps (DAMs) used to determine when flood risk issues need to be taken into account in planning future development. Three development advice zones are described on the maps, to which are attributed different planning actions (A, B and C – with the latter being subdivided into C1 and C2.) It is expected that the DAMs will remain in place for three years. Figure 1 notes that within the precautionary framework, only less vulnerable development should be considered subject to application of the 'justification test', including acceptability of consequences. Emergency services and vulnerable development should not be considered.
- 3.51 Figure 2 of TAN15 defines "less vulnerable development" as general industrial, employment, commercial and retail developments, transport and utilities infrastructure, car parks, mineral extraction sites and associated processing facilities, excluding waste disposal sites. "Highly vulnerable development" includes residential premises, schools, libraries, leisure centres, power stations, chemical plants, incinerators and waste disposal sites.
- 3.52 Paras. 6.1 and 6.2 refer to the 'justification test', and note that it operates on the basis that highly vulnerable development and emergency services should not be permitted in Zone C2, and all other new developments should only be permitted in Zone C2 if determined to be justified as follows:
- (a) its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; **or**
 - (b) its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;
- and,**
- (c) it concurs with the aims of PPW and meets the definition of previously development land; and

-
- (d) the potential consequences of a flooding event for the particular type of development have been considered against specified criteria and found to be acceptable.
- 3.53 As with PPW, TAN15 refers to SUDS, and includes an Appendix on this matter. Para. A4.1 notes that flood risk and other environmental damage can be managed by minimising changes in the volume and rate of surface water run off from development sites through the use of SUDS.
- 3.54 Para. A4.9 set out the benefits of SUDS, noting that their use provides a significant contribution towards more sustainable development since they:
- (a) manage environmental impacts at source, rather than downstream;
 - (b) manage water run-off rates, reducing the impact of urbanisation on flooding;
 - (c) protect or enhance water quality;
 - (d) are sympathetic to the environmental setting and the needs of the local community;
 - (e) provide opportunities to create habitats for wildlife in urban watercourses;
 - (f) can encourage natural groundwater recharge (where appropriate); and
 - (g) can protect water resources through recycling.
- 3.55 Para. A4.11 indicates, however, that while there are clear benefits to the use of SUDS, there are also some constraints on the choice of system. The surface structures that may be needed can take more space than conventional systems. It is often possible, however, for them to be integrated into the surrounding land use, eg. public open space or road verges.

TAN 5: "Nature Conservation and Planning" (1996)

- 3.56 TAN 5 is to be read together with PPW (paras. 3.26 and 3.38 to 3.40 above). Much of TAN 5 provides advice and guidance on development control in Special Protected Areas and Special areas of Conservation (SPAs and SACs) and other statutorily designated areas such as Sites of Special Scientific Interest (SSSIs), none of which apply to the application site.
- 3.57 Paras. 28 and 29, however, refer to nature conservation outside statutorily designated sites, with paras. 28 addressing Sites of Importance for Nature Conservation (SINCs). In relation to more general considerations, para. 28 notes that statutory and non-statutory sites, together with facilities which provide wildlife corridors, links or stepping stones from one habitat to another, all contribute to the network necessary to ensure the maintenance of the current range and diversity of our flora and fauna, geological and landform features and the survival of important species. In this respect it is indicated that the sensitive landscaping and planting, maintenance and management of landscape features important to wildlife, and the skilled adaptation of derelict areas can provide extended habitats.
- 3.58 Paras. 30 to 32 refer to protected and listed animal species and summarises the provision of the legislation governing their protection.

TAN 11: "Noise" (1997)

- 3.59 TAN 11 is to be read together with PPW (paras. 3.26 and 3.37 above)
- 3.60 Paras. 8 to 15 refer to development control. Para. 8 notes that Local Planning Authorities must ensure that noise generating development does not cause an unacceptable degree of disturbance. Para. 11 sets out measures to mitigate the impact of noise comprising engineering solutions, lay-out solutions and administrative solutions.

TAN 12: "Design" (2002)

- 3.61 TAN 12 is to be read together with PPW (paras. 3.26 and 3.28 above).

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- 3.62 Para. 2.1 notes that 'design' is taken to mean the relationship between all elements of the built and natural environment, and includes a list of specific factors.
- 3.63 Para. 3.1 confirms that at the heart of the design process is the requirement to contribute to the objectives of sustainable development.
- 3.64 Paras. 3.25 and 6.26 refer to achieving design solutions. Para. 3.26 notes that those involved in the design process should consider how the following aspects of their development meet the objectives of good design and respond to the local context:
- (a) landscape setting;
 - (b) layout of development;
 - (c) density and mix;
 - (d) scale of development;
 - (e) appearance and materials.
- 3.65 Paras. 4.5 to 4.13 refer to development control. Para. 4.8 notes that Planning Application Design Statements (PADSs) should be submitted with all planning applications for development which have design implications including infrastructure and changes to landscape appearance, and that PADSs should explain:
- (a) the design principles and concept;
 - (b) how these are reflected in the development's location, layout, density, scale, detailed design and landscape;
 - (c) how the design relates to its site and wider context; and
 - (d) how the development will meet development plan policies and SPG requirements.
- 3.66 Para. 4.10 indicates that PADSs should be illustrated, as appropriate, by:
- (a) plans and elevations;
 - (b) photographs of the site and its surroundings;
 - (c) other illustrations such as perspectives.

Appendix 1 of TAN12 sets out a checklist of information requirements.

3.67 Section 5 of TAN 12 identifies (inter alia) the following specific design issues:

- (a) inclusive design;
- (b) transport and movement;
- (c) landscape;
- (d) biodiversity;
- (e) urban regeneration;
- (f) signs and advertisements;
- (g) public art;
- (h) employment and commercial areas;
- (i) resource efficient layout;
- (j) resource efficient buildings;
- (k) public safety.

Wrexham Local Development Plan – Preferred Strategy: Draft for Public Consultation
(October 2007)

3.68 As noted at para. 3.04 above, the LDP does not carry the weight for development control purposes of the adopted UDP afforded by the provision of PPW.

3.69 The key strands of the Preferred Strategy which are relevant in this case are as follows:

- (a) **LDP ‘Vision’:** Sustainability will underpin the planning strategy designed to deliver regenerated and cohesive communities and a prosperous and diverse economy within a better quality environment;
- (b) **Preferred Strategy:** sustainable development (an efficient use of land and resources within the context of the preferred spatial strategy, action to reduce the harmful effects of climate change, efficient transport systems); better quality environment; a prosperous economy; community cohesion and equation of opportunity;

- (c) **Shopping:** new medium and large-scale shopping will be directed to Wrexham Town Centre and the district shopping centres. 'Out-of-centre' development will only be considered subject to sequential approach and impact;
- (d) **Efficient transport systems:** an integrated transport network involving (inter-alia), supporting and enhancing public transport facilities, walking and cycling routes, use of Travel Plans.
- (e) **Design:** new development should achieve a high quality innovative design which respects local character and distinctiveness and improves quality of life. A range of measures is put forward: energy efficiency; scale, massing and appearance; retention of natural features and enhancing opportunities for biodiversity; legibility, connection, movement and security; protecting private and public amenity.

Summary of Planning Policy Context

3.70 The key planning policy issues raised by the proposed development are:

- i) satisfying the key issues set out in MIPPS and UDP Policy in relation to retail development, including (inter alia) demonstrating 'need' (both quantitative and qualitative); carrying out a sequential approach to site selection; assessing the impact on existing centres and consideration of the accessibility of the site, in terms of the variety of modes of transport;
- ii) the transport implications of the proposal in terms of travel demand, impact and highway safety. Assessing the accessibility of the site in terms of different modes of transport and any improvement measures;
- iii) the potential land contamination issues resulting from the development of the site and the suitability of the site for the proposed development;

- iv) the potential impact from Flood Risk, the requirement for mitigation measures, the suitability of the site for the proposed development and consideration of the proposed drainage methods ;
- v) the ecological implications of developing the site, including an assessment of impact and any mitigation measures;
- vi) the potential noise implications of the proposed development in terms of impact on nearby residents from plant operating at the proposed superstore; and
- vi) the design of the proposed development, in terms of layout, scale, density and landscaping.

4. RETAIL PLANNING ISSUES

- 4.01 The submitted Retail Assessment provides a detailed assessment of the proposal in respect of relevant retail planning policy. However, it is important to summarise the key elements of this assessment.
- 4.02 The site of the proposed foodstore is 700m from the western edge of Wrexham Town Centre and 1.2km from the 'Primary Shopping Street'. The site is therefore 'out of centre' and the proposal has been assessed against key issues as set out in paragraph 10.3.1 of MIPPS 02/2005 and the requirements of UDP Policy S4, which refers to large scale retail development.
- 4.03 The Retail Assessment highlights the 'Wrexham Retail Floorspace Update' in October 2007. The update assessed the need for additional retail floorspace in the Borough and confirms that there is a demonstrable quantitative need for additional convenience floorspace in Wrexham, which arises as a result of expenditure capacity of 5,019 sq.m. net up to 2011, rising to 5,201 sq.m. by 2016 and 5,427 sq.m. by 2021. This is more than sufficient to accommodate the net convenience goods floorspace of the Morrisons store (2,505 sq m), with a substantial surplus capable of accommodating another large convenience goods supermarket elsewhere³.
- 4.04 Notwithstanding the above, an up to date assessment of 'need' has been carried out (including an up to date household survey) and the Retail Assessment concludes there is an immediate quantitative need for the proposed Morrisons store, based on the surplus capacity in the catchment area and overtrading at existing stores in the area. The Retail Assessment concludes that the 'theoretical capacity', which could support the development of additional convenience goods floorspace, is £48.14m in 2008 rising to £48.50m in 2014. The Morrisons store would have an expected convenience goods turnover of £26.63m, of which 80% would be drawn from the study area / catchment area, i.e. £21.30m. This is well within the identified convenience goods capacity figures set out above.

³ It is noted that since the publication of the 2007 Retail Study that Tesco have obtained approval for a supermarket in Cefn Mawr.

- 4.05 In terms of 'qualitative' need, the new Morrisons store would improve choice and competition (in the context of the identified need). Morrisons is a predominantly food retailer concentrating on convenience goods, which will minimise the impact on conventional town centre comparison goods shops, and maximises their complementary role.
- 4.06 The sequential approach to site selection has been satisfied, and it has been shown that there are no alternative more central sites to accommodate the identified need for a new foodstore. The impact of the proposal on existing centres is likely to be limited, given that the Morrisons store will compete for trade with other similar large stores. This includes Asda at Holt Road, Sainsburys at Plas Coch and Tesco at Crescent Road, all of which appear to be 'overtrading'. Given also that these are all 'out-of-centre' or 'edge of centre' facilities, trade draw from these locations would have no implications in planning policy terms. Finally, the Retail Assessment concludes that the new store will be accessible by a choice of means of transport, particularly to pedestrians from the surrounding walk-in catchment.
- 4.07 The proposal therefore satisfies the relevant retail planning policy tests, as set out in Policy S4 of the adopted UDP, and national policy guidance in Planning Policy Wales and the Ministerial Interim Planning Policy Statement on Retailing and Town Centres.

5. TRANSPORT ISSUES

- 5.01 The submitted Transport Assessment (TA) provides a detailed assessment of implications of the proposed superstore in respect of travel demand and impact. It also considers the accessibility of the site by a range of different transport modes, justification for the proposed levels of car parking and cycle parking and highway improvements to mitigate the impact of the proposed development.
- 5.02 The TA concludes that the application site has a large walk and cycle catchment area for customers and also for staff. The submitted scheme proposes measures to encourage cycling and walking as a mode of travel by providing a 4m wide footpath/ cycle track along the northern boundary of the site, and linking this to Ruthin Road, to the south. It also proposes signalled controlled crossing facilities across Ruthin Road. In providing walking and cycling routes the proposal therefore satisfies UDP Policies T9 and GDP1.
- 5.03 Bus stops are located adjacent to the site, on Ruthin Road; to the north of the site on Water Road / Croesnewyd Road; and to the east of the site on Bradley Road. These provide various services in to and out of Wrexham and to the surrounding residential areas. The proposed store will therefore be integrated within the existing public transport system and will satisfy UDP Policies T9 and GDP1.
- 5.04 The TA concludes that the proposed new store will have very good non-car accessibility, which is a key aim of Planning Policy Wales, and furthermore, Morrisons will introduce their company staff Travel Plan to encourage more sustainable travel.
- 5.05 Ruthin Road (A525) forms part of the Core Highways Network (as defined within the UDP) and UDP Policy T6 requires that all new development should have regard to the free and safe flow of traffic along such corridors. The TA provides a robust assessment of the increase in traffic resulting from the proposed new store. It concludes that with the introduction of the proposed signalised site access and the proposed signalisation of the Ruthin Road / Bradley street junction the predicted levels of traffic flows can be satisfactorily accommodated, thereby satisfying Policy T6.

6. SITE INVESTIGATION

- 6.01 A Phase 1 Site Investigation Report (SI) has been submitted with the planning application and provides a preliminary assessment of potential contamination. The SI Report provides an assessment of the previous land use history of the site (including the former use a locomotive depot); details of the intrusive investigation carried out on part of the site; and recommendations in terms of further investigation and potential for remediation relating to the proposed end use of the site (i.e. a superstore, car park and PFS).
- 6.02 UDP Policy GDP1 states that new development should ensure that it is not subject to contamination. Furthermore, Planning Policy Wales confirms that the planning system should guide development to lessen the risk from land instability and contamination – the aim is not to prevent development, but to ensure that development is appropriate and that the physical constraints are taken into account at all stages of the planning process.
- 6.03 The SI Report details the preliminary assessment carried out which indicates a low risk to the proposed end users and to controlled waters. It highlights that only limited testing was carried out at this stage and recommends that a fully scoped site investigation be undertaken (including ground water sampling / testing) in order to obtain a detailed contamination profile of the whole site. Once this has been carried out, any need for remediation can then be determined. The proposal therefore satisfies the requirements of UDP Policy GDP1 and advice within Planning Policy Wales. It is accepted that the recommended further site investigation, and potential remediation, will need to be carried out, however this can be the subject of planning condition on any approval.

7. FLOOD RISK ISSUES

- 7.01 The submitted 'Preliminary' Flood Risk Assessment (FRA) provides an assessment of the proposed development in respect of flood risk and details the drainage strategy.
- 7.02 The UDP confirms that development within defined flood plains will only be permitted if it would not be subject to an unacceptable risk of flooding on-site, does not result in an unacceptable risk of flooding off-site and does not adversely affect flood management schemes (UDP Policy EC12). The submitted FRA confirms that the existing Environment Agency Wales flood map shows a large area of the development within Flood Zone 3 (1 in a 100 year probability of flooding) with an additional area within Flood Zone 2 (extreme flooding – between 1 in 1000 and 1 in 100 year probability). However, further modelling has been carried out for the 1 in 200 year event and 1 in 100 year event (with an additional 20% allowance for climate change). The potential maximum flood levels were 88.45m and 88.49m respectively.
- 7.03 Detailed topographical surveys indicate that the levels on the north west boundary of the site range between 89.0m and 98.62m and therefore potentially block a flood route for either the 1 in 200 year and 1 in 100 year events. In addition, much of the existing developed site is above the level of 88.49m for the 1 in 100 flood event. In addition the Environment Agency has confirmed that there appears to be no inundation of the site from a 0.1% (1 in 1000 year) flood outline for the River Gwenfro and no compensatory works are required⁴. The proposal therefore satisfies the requirements of UDP Policy EC12 (and guidance within Planning Policy Wales).
- 7.04 In terms of drainage, the UDP states that development, which results in an unacceptable adverse impact on the water environment due to additional surface water, will not be permitted (Policy EC13). The FRA confirms that the volume of surface water entering the public sewer system will be reduced through the use of a store roof water system, soakaways and a rainwater harvesting system. In addition, the use of porous bitmac within the car parks will further make use of the potential permeability of the ground. It is considered that Policy EC13 has been fully satisfied in this respect.

⁴ Letter from EA dated 29 January 2008 Appended to the Preliminary FRA by BCSP.

8. ECOLOGICAL ISSUES

- 8.01 Whilst the application site has no local or statutory ecology/biodiversity designations, UDP Policy GDP1 states that all new development should safeguard sites and areas of nature conservation and wildlife interest, and provides habitats where there is an unavoidable loss.
- 8.02 A 'Habitat Survey and Protected Species Assessment' has been carried out to assess the ecological implications of the proposed development and consideration of any mitigation measures. The assessment concludes that the south western section of the site (i.e. the former highway depot) is of low conservation value. It identifies habitats to within the dismantled railway and railway junction to the north and east of the application site and concludes that these areas are of higher conservation value.
- 8.03 The proposed development will result in some loss of the scrubby vegetation within the northern and eastern sections of the site. The assessment recommends the planting of native hedgerows to the boundaries of the site and the seeding of wildflower grassland to the northern part of the site to mitigate for this loss. The submitted plans illustrate the area of grassland and scope for planting along the boundaries of the site. It should be noted that the majority of the grassland habitat present in the disused railway junction will be unaffected by the development proposals and will remain under the control of the Council.
- 8.04 In terms of protected species the assessment confirms that there are no areas of standing water to support breeding amphibians and given that there are no ponds within 500m of the site, the proposed development will result in no adverse impact on great crested newts. Whilst there is no evidence of badgers within the site, the assessment recommends a precautionary approach to avoid harming / killing this species during the proposed site works. Again, whilst no reptiles were recorded during surveys, the assessment suggests a precautionary approach to site clearance and the creation of suitable reptile habitats is recommended.
- 8.05 There is no evidence to suggest the presence of a bat roost in the existing buildings, however the site has the potential to support commuting and foraging bats along the tree lined boundary to the north. The assessment recommends a number of

mitigation measures including the erection of bat boxes and nest boxes to enhance the site for roosting bats and for breeding birds respectively and the use of sympathetic use of lighting within the built uses, so that the site does not become unattractive for local wildlife. Furthermore, it is recommended that there be no vegetation clearance works within the breeding season (March – August inclusive).

- 8.06 The ecological implications of the proposal have therefore been fully assessed and whilst there will be some loss of the scrubby vegetation within the northern and eastern sections of the site, the proposal includes mitigation measures in terms of native hedge planting and grassland to the boundaries of the site. The proposals include measures to enhance the site for roosting bats and breeding birds. In light of these measures the proposal satisfies UDP Policy EC6 and advice with Planning Policy Wales and TAN 5.

9 ACOUSTIC ISSUES

- 9.01 Planning Policy Wales confirms that noise can be a material planning consideration, for example where a proposed development is likely to generate noise. Noise generating development must not cause an unacceptable degree of disturbance and should include measures to mitigate such an impact (TAN 11). UDP Policy GDP1 also refers to noise resulting from development and the need to protect amenity.
- 9.02 The planning application includes an 'Acoustic Assessment', which has been carried out to assess the existing acoustic environment in the vicinity of the proposed superstore and to provide advice and recommendations regarding suitable acoustic criteria in the selection of future plant (i.e. refrigeration / air conditioning plant) that may be installed at the premises.
- 9.03 The assessment considers the potential impact, from the proposed development, on the noise sensitive residential areas, which lie to the north, east and south of the site. Taking into account the variety of nearby and more distant noise sources, the assessment calculates the existing ambient sound level (day and night). Based on this it recommends that any plant should be selected in order to achieve the identified 'suitable' level of 38dB(A) at the nearest dwellings, which is on the basis that all plant is operating during the night, simultaneously and at maximum capacity. The assessment concludes that in reality the actual level of noise at the dwellings, generated from the plant, will be lower than the identified 'suitable' level.
- 9.04 In light of the above and attached, it is clear that the proposal will not impact on adjacent residents, by way of noise, subject to meeting the recommendations of the acoustic assessment. The proposal therefore meets the requirements of TAN 11 and Policy GDP1, in this respect.

10. DESIGN PHILOSOPHY

- 10.01 TAN 12 confirms that the heart of the design process is the requirement to contribute to the objectives of sustainable development and good design should respond to the local context and consider the landscape setting, layout of development, density and mix, scale of development and appearance and materials.
- 10.02 The submitted Planning Application Design Statement (PADS), as required by TAN12, sets out the design philosophy for the proposed development, however it is important to highlight a number of key elements. It confirms that Morrison's, unlike many of their competitors, do not have a 'house style' for their supermarkets. The design at each store is unique and is a response to the demands of each individual site. The principle design aim is to create an attractive, contemporary development which sits naturally within its setting. In terms of scale our approach has been to set the building comfortably into the existing townscape elements to the north and west (which is characterised by large and mid sized single and two storey buildings).
- 10.03 The PADS states that the store has been located to the north western part of the site to relate it closely to the hospital and ambulance depot; to reduce the impact on the eastern residential properties; to maximise the residual landscaped area to the east and to maintain the openness which characterises the site to the south and west.
- 10.04 The superstore building is mainly single storey but has a two storey element (which has been located on the frontage facing Ruthin Road). This gives the building a visual presence to the main vehicular and pedestrian route into Wrexham Town Centre. The materials have been selected to satisfy a number of criteria including high quality, longevity, sustainability and appearance. They include a green single membrane roof, creating a wave form; a mixture of brickwork, glazing to the main façade and store entrance; and use of cladding panels above ground level.
- 10.05 In terms of landscaping, the submitted plans and PADS illustrates that the proposed development will incorporate native tree and shrub species to the boundaries of the site, including an area of natural grassland to the north of the store.
- 10.06 Finally, in terms of sustainability Morrisons have considered the incorporation of green design methods, which in this case will include (inter alia) rainwater harvesting;

combined heat and power, use of natural light / maximising daylight, fuel cell technology and optimising heat recovery. Morrisons aim to achieve a minimum of BREEAM rating of 'very good' at this store.

- 10.07 In light of the above, the proposal satisfies the requirements of TAN12 and the key criteria set out in UDP Policy GDP1, which requires development to make a positive contribution to the appearance of the locality and make the best use of design techniques, siting and orientation to conserve water and energy.

11. OVERALL CONCLUSIONS AND RECOMMENDATIONS

- 11.01 This Planning Statement is submitted in association with a full planning application by ODL, for a food superstore of 6,748 sq.m. gross floorspace with associated petrol filling station (PFS) and customer vehicle parking.
- 11.02 Section 3 of this Statement sets out an assessment of relevant planning policy in the development plan and in national planning guidance. The application lies to the north of the A525 Ruthin Road and comprises a former highways depot and former railway land. The site is unallocated within the adopted UDP, however it falls within settlement limits of Wrexham and comprises previously developed land. The site is approximately 700m to the west of Wrexham Town Centre (1.2km from the 'Primary Shopping Street') and is therefore 'out of centre'.
- 11.03 The submitted Retail Assessment includes an assessment of the proposals against the key issues of MIPPS and UDP Policy, which relate to retail development. The key elements of this assessment are summarised in Section 5 of this report. We have also assessed the proposal against the key UDP and national policies in respect transport, flood risk, contamination, ecology, noise and design issues within Section 5. We summarise the results of our assessment below:
- 11.04 We have considered the retail planning policy issues, in particular those set out in MIPPS and UDP Policy S4, in respect of the proposed Morrisons store in Wrexham, and it is concluded that:
- The proposed development is compatible with the development plan strategy;
 - There is an immediate quantitative need for the proposed Morrisons store, based on: surplus capacity in the catchment area and overtrading at existing stores in the area;
 - The new Morrisons store would improve choice and competition (in the context of the identified need); Morrisons is a predominantly food retailer concentrating on convenience goods, which will minimise the impact on conventional town centre comparison goods shops, and maximises their complementary role;
 - There are no alternative more central sites to accommodate the identified need for a new foodstore;

- The impact of the proposal on existing centres is likely to be very low, given that the Morrisons store will compete for trade with other similar large stores, which are either edge of centre or out-of-centre; and
- The new store will be accessible by a choice of means of transport, particularly to pedestrians from the surrounding walk-in catchment.

- 11.05 The Transport Assessment concludes that the proposed new store will have very good non-car accessibility, which is a key aim of Planning Policy Wales, and furthermore, Morrisons will introduce their company staff Travel Plan to encourage more sustainable travel. The application site has a large walk and cycle catchment area for customers and also for staff. The proposals include new pedestrian crossing facilities and a new footway / cycleway to the north of the site to further improve this.
- 11.06 In providing walking and cycling routes the proposal and given that the proposal will be integrated within the existing public transport system, it will satisfy UDP Policies T9 and GDP1. The assessment of the increase in traffic resulting from the proposed new store concludes that with the introduction of the proposed signalised site access and the proposed signalisation of the Ruthin Road / Bradley street junction the predicted levels of traffic flows can be satisfactorily accommodated, thereby satisfying UDP Policy T6.
- 11.07 The Phase 1 Site investigation report concludes that the preliminary investigations indicate a low risk to the proposed end user and to controlled waters. It recommends further investigation be undertaken and the need for remediation can then be determined. It is accepted that the required further works can be conditioned as part of the planning approval. The proposal therefore satisfies the requirements of UDP Policy GDP1 and advice within Planning Policy Wales.
- 11.08 The submitted Flood Risk Assessment, and the advice from Environment Agency Wales, confirms that the site is not at risk from flooding and no compensatory works are required. Surface water entering the public sewer will be reduced through the use of store roof water systems, soakaways and rainwater harvesting systems. Porous surfacing will be used within the car parks where there is potential permeability of the ground. UDP Policy EC12 and EC13 have been fully satisfied in this respect.

-
- 11.09 The Habitat Survey and Protected Species Assessment confirms that the proposal will result in some loss of scrubby vegetation to the northern and eastern sections of the site, but the introduction of native hedge planting and grassland will mitigate against this loss. The proposal also includes measure to enhance the site for roosting bats and breeding birds (i.e. bat boxes and nest boxes). The proposal therefore satisfies UDP Policy EC6 and advice within Planning policy Wales and TAN5.
- 11.10 The Acoustic Assessment confirms that the proposal will not impact on adjacent residents, by way of noise, subject to meeting the recommendations in relation to selection of future plan to be provided on site (i.e. refrigeration / air conditioning units). The proposal meets the requirements of TAN11 and UDP Policy GDP1, in this respect.
- 11.11 The Planning Application Design Statement sets out the design philosophy for the proposed development. The siting, layout, scale and design of the proposal will result in a positive contribution to the appearance of the locality and it will incorporate green design methods. Morrisons aim to achieve a minimum of BREEAM rating of 'very good' at this store. The proposal satisfies the key criteria of UDP Policy GDP1 and the requirements of TAN12.
- 11.12 Given all of the above, we consider that this application is compliant with development plan policy, and that there are material considerations that weigh in its favour. Accordingly, we respectfully request that the application is approved

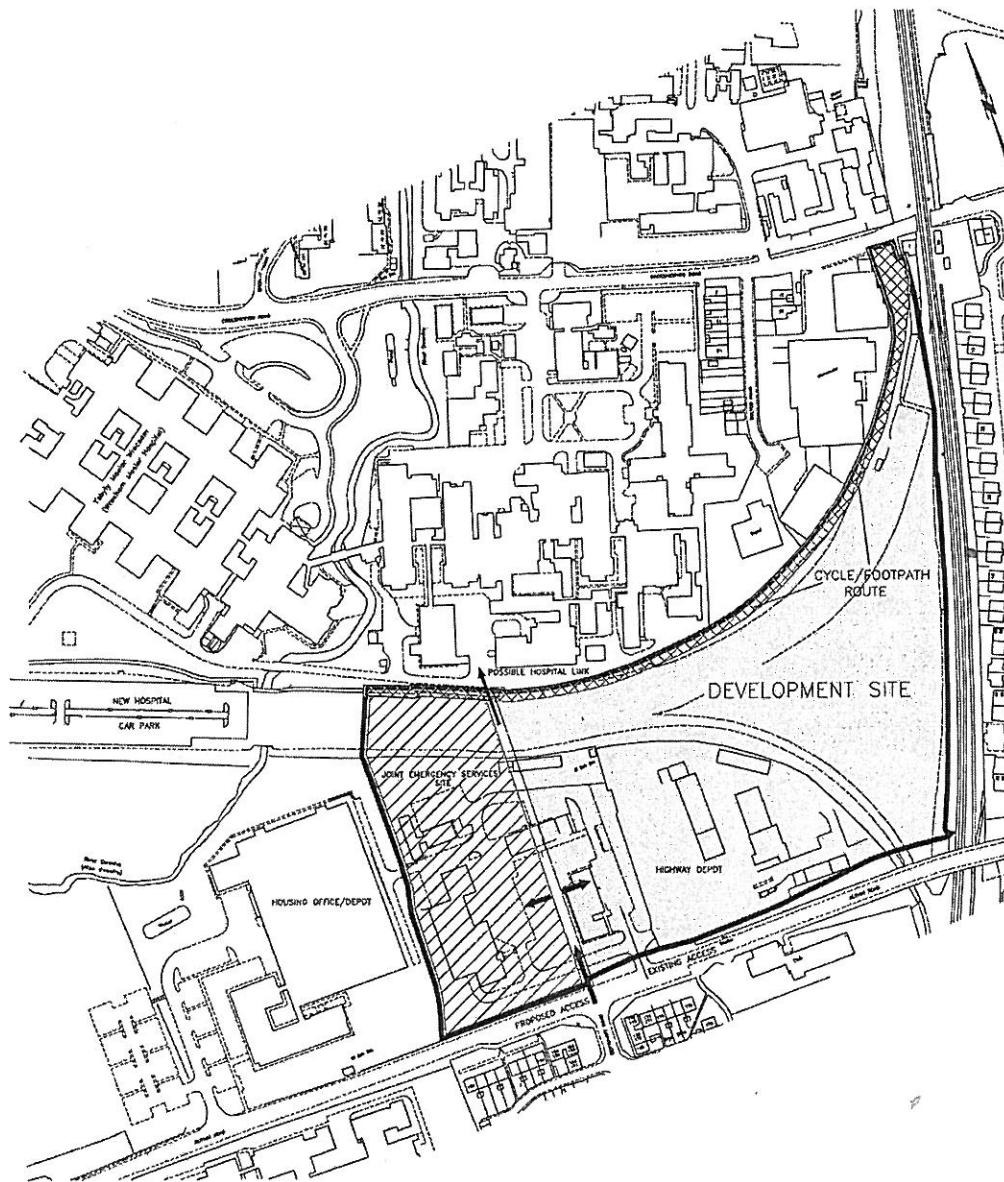
APPENDICES

APPENDIX 1

EXTRACT FROM RUTHIN ROAD DEVELOPMENT BRIEF
SHOWING THE SITE

PLAN REFERRED TO :-

RUTHIN ROAD



FOR IDENTIFICATION PURPOSE ONLY

MARTIN WRIGHT B.Sc.(Hons). M.R.I.C.S.
CHIEF TRANSPORTATION AND ASSET MANAGEMENT OFFICER
WREXHAM COUNTY BOROUGH COUNCIL

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APPENDIX 2

SCREENING OPINION: WREXHAM COUNTY BOROUGH COUNCIL,
19 SEPTEMBER 2008

• Chief Planning Officer/Prif Swyddog Cynllunio
Lawrence Isted

Lambpit Street, Wrexham, LL11 1AR

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EK/2903/08(11Aug08)Dewey
DSW/JW/SO/2008/013
19 September 2008
David Williams
(01978) 292472
david.williams@wrexham.gov.uk

Dear Sir

Screening Opinion

Proposed Morrisons Foodstore, Ruthin Road, Wrexham

Further to your request for a formal Screening Opinion in accordance with regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended by the Town and Country Planning (Environmental Impact Assessment) (Amendment) (Wales) Regulations 2006, please find enclosed the Council's decision.

Yours faithfully

for Chief Planning Officer

Enc

ENVIRONMENTAL IMPACT ASSESSMENT

Check sheet

Development description: Proposed Morrisons Foodstore

Location: Ruthin Road, Wrexham

LPA ref: SO/2008/013

Case Officer initials: DSW

Deadline for issuing Opinion: 18th September 2008

Relevant environmental issues:

Landscape

Natural Environment

Traffic

Emissions to air / water /land (delete as appropriate)

Other (specify)

Discussions / Consultation with Public Protection and highways.

Local Member/s (Cllr P Wynn).

Views expressed: Tel conversation 16th September 2008. Agreed EIA not required.

Chair of Planning Contacted 16th September 2008.

Views expressed Agreed. EIA not required

Documents passed to Chief Planning Officer for signature: 16th Sept 2008.

Decision: E I A not required

Issued: 16th September 2008.

Screening opinion standard decision

**Town & Country Act 1990
Town & Country Planning (Environmental Impact Assessment) (England & Wales)
Regulations 1999**

SCREENING OPINION

**Proposed Morrison Foodstore
Ruthin Road Wrexham**

The Council considers that the above development as described in the documents from Peacock and Smith Chartered Town Planners dated 11th August and following the granting of an extension of time to 18th September. is development falling within schedule 2 of the Regulations being an urban development project exceeding 0.5Ha .

Schedule 3 of the Regulations identifies criteria which must be taken into account in determining whether a development will have "significant effects on the environment".

- Characteristics of the development (is it of more than local significance?)
- Location of the development (is it in a sensitive or vulnerable location?)
- Characteristics of potential impacts (would these be complicated or adverse?)

Analysis of situation and impacts

The Council is satisfied that the development is unlikely to have impacts which would be significant in the environment. Accordingly it is hereby certified that an Environmental Impact Assessment is not required for the development.

Signed:

Lawrence Isted, Chief Planning Officer, Wrexham County Borough Council

Date:

16/9/08

**Town and Country Planning (Environmental Impact Assessment) (England and Wales)
Regulations 1999**

SCREENING OPINION

The proposal falls within Schedule 2, as a development project with a site area exceeding 0.5 hectares.

EIA regulations

Within schedule 2 (10a). Paragraph A18 Annex A of Circular 11/99 states that in addition to the scale of urban development projects, particular consideration should be given to the potential increase in traffic, emissions and noise. EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination (refers to paragraph 41 of the circular).

Schedule 3 of the Regulations raises certain selection criteria that must be taken into account:

- Characteristics of the development (it is more than local importance?)
- Location of development (is there a sensitive/vulnerable location involved?)
- Characteristics of potential impacts (would these be complicated or adverse?)

1. Characteristics of the Development Options

- a. **Size** – The total area proposed for redevelopment is 4.70 hectares
- b. **Cumulative effect** – Site is located 1km to the west of Wrexham town centre. It is presently occupied by the Highways Depot, which comprises offices, storage and garage buildings. The site is not allocated for any specific use in the adopted UDP. The impacts arising from the development will not be on a significantly greater scale or of markedly different than previous uses. Whilst there will be a significant increase in traffic generation this will not be significant enough to justify an EIA. A Traffic Impact Assessment will be submitted as part of the application
- c. **Use of natural resources** – there is no use or loss of natural resources beyond that associated with standard construction practices.

- d. **Waste** – The proposed development itself is unlikely to generate any significant quantities of waste other than associated with normal development/redevelopment of sites. There will be waste arising from the clearance of the site and existing buildings and the future occupiers. The waste generated by the site will not have an impact of more than local significance.
- e. **Pollution and nuisance** – There is likely to be (relatively) short term noise and disruption during construction phases, as well as emissions from construction vehicles, plant and machinery. Vehicular movements to and from the site will produce emissions once the site is operational.

As a result of existing uses there may be potential contamination. However this will be dealt separately and the process of dealing with contamination on former sites is well established and effective site management and mitigation measures will ensure the contamination does not pose a significant risk to the environment of the surrounding area.

With regards to nuisance the site is presently used as a depot with 24 hours operation during certain winter periods. Residential development lies opposite and a busy road also fronts the site. The previous use is also likely have generated noise. The proposed development will not give rise to significantly greater levels of nuisance than the previous land use.

- f. **Risk of accidents** – The development process will need to comply with Health and Safety legislation and the build development will be subject to Building Regulations.

2. Location of the Development

- a. **Land use** – the site is located within the settlement limit in the adopted Wrexham Unitary Development Plan 1996 – 2011 The site is not located within an environmentally sensitive area and will result in the redevelopment of a Brownfield site. .

Issues of flood risk and transport will be addressed in the planning application submission in the form of assessments, however it is considered that these impacts given the location amongst other things will not be so significant as to require an EIA.

- b. **Local natural resources** – none would be affected by the development.
- c. **Absorption capacity bearing in mind the locality** – it is noted that:-
 - the site is not a wetland;
 - it is not on the coast;
 - it does not relate to a mountain, forest, park or nature reserve;
 - it does not sit within any European nature conservation designation;
 - the site is not within a landscape of historical, cultural or archaeological significance;
 - it is located within an area of mixed uses. Given the site context and previous uses, the development unlikely to cause significant disturbance to nearby occupiers.

3. Characteristics of Potential Impacts

- a. **Extent** – direct effects are limited to the site and the area immediately adjacent, principally the highway network and townscape.
- b. **Transfrontier impacts** – none;

- c. **Magnitude and complexity** – there are no particular complexities with the proposed activities at the site;
- d. **Probability** – the likely effects are clearly definable and the probability of any other unknown effects occurring is low.
- e. **Duration, frequency and reversibility** – the effects are constant for the operational life of the site and probably following cessation of the site. Impacts, particularly landscape impacts are reversible.

Conclusion: The site is developed and presently used as a highway depot.. The proposals are unlikely to have impacts significantly different or greater than the previous uses and the impacts will not be of more than local significance.

Accordingly, it is hereby certified that based upon the above assessment and the information known at this stage, no significant environmental impacts are identified that would justify a decision to require an Environmental Impact Assessment.

Signed: 

Date: 16/9/08