



## Appeal Decision

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by N Jones BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 15/12/2025

Appeal reference: CAS-04400-J6N9J9

Site address: Ipsen Biopharm Ltd, Ash Road North, Wrexham Industrial Estate, Wrexham, LL13 9UF

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- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ross Roberts against the decision of Wrexham County Borough Council.
  - The application Ref P/2023/0663, dated 15 September 2023, was refused by notice dated 16 April 2025.
  - The development proposed is new gated access to existing parking area.
  - A site visit was made on 10 November 2025.
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### Decision

1. The appeal is allowed and planning permission is granted for a new gated access to existing parking area at Ipsen Biopharm Ltd, Ash Road North, Wrexham Industrial Estate, Wrexham, LL13 9UF, in accordance with the terms of the application, Ref P/2023/0663, dated 15 September 2023, subject to the conditions set out in the schedule to this decision letter.

### Procedural Matters

2. Although the Council's reason for refusal alleges conflict with policies in the Wrexham Local Development Plan (LDP), its decision to adopt the LDP was quashed by the High Court on 19 May 2025. Consequently, the development plan now comprises Future Wales (FW) and the Wrexham Unitary Development Plan 1996- 2011, adopted 2005 (UDP). Planning Policy Wales (Edition 12) (PPW) is also a material consideration. The Council has indicated in its questionnaire the UDP policies it considers to be most relevant to the appeal, regarding which the appellant was provided with an opportunity to comment.
3. The Council's evidence indicates roads near the appeal site are subject to a 40mph speed limit. In visiting the site, it was noted that several small traffic signs were displaying a 30mph speed limit on various routes through the Wrexham Industrial Estate. The Council subsequently confirmed that through a Traffic Regulation Order (TRO) dated 24 October 2025, the applicable speed limit had been reduced to 30mph. No challenge to

the TRO was made within the relevant period, which expired on 5 December 2025. The Council confirms that this change in circumstances overcomes its reason for refusal.

### **Main Issue**

4. The main issue is the effect of the proposed development on highway safety.

### **Reasons**

5. The appeal site is a large industrial premises situated on land between Ash Road North to its east and Abenbury Way on its west, within the larger Wrexham Industrial Estate. As well as a main entrance to car parks and a separate access to a goods delivery area, accessed directly off Ash Road North, the premises utilises a car park for staff located to the rear of its complex, on the boundary with Abenbury Way. This is accessed through an adjoining car park serving a row of small industrial units at 41-44 Abenbury Way and accessed via an entrance onto that road which I saw has good visibility in both directions.
6. Owing to the expiry of leasing arrangements, access from Abenbury Way to the existing staff car park via the row of industrial units will no longer be available for use. A separate access directly from Abenbury Way into this rear car park is therefore required.
7. Albeit, due to a temporary road closure on part of Ash Road North on the day of my site visit, traffic using Abenbury Way was likely to be heavier than usual, I saw that the road carries a steady stream of cars, vans and heavy goods vehicles typical of a large industrial estate.
8. The proposal would provide a new access to serve an existing 33 space car park and would also enable regular refuse collection. I saw that at its intended location to the north of the existing access serving the row of industrial units, the proposed access would be nearer to where Abenbury Way curves around to the north-east. Whilst there would be good visibility to the south, the available 97m visibility to the north would be substantially below the 120m required as set out in Annex B to Technical Advice Note 18 'Transport' (TAN 18) for the 40mph speed of the road which applied at the time the Council made its decision.
9. Even so, circumstances have now materially altered given the recently confirmed reduction in the applicable speed limit from 40mph to 30mph, instituted through a TRO. The applicable visibility splay requirements of 2.4m x 43m would be comfortably met for a 30mph road. The appellant confirms that the spaces are inaccessible from other parts of the wider site. This is a matter which could be controlled by a planning condition to ensure that the volume of traffic using the access does not exceed its design capacity. Accordingly, the Council has confirmed that its objection has been overcome. I saw that at its intended location, users of the access and approaching traffic would be visible to each other and that given newly prevailing speeds, would be likely to be able to manoeuvre safely at the access. From the evidence before me and my own observations at my site visit therefore, I have no reason to reach a different conclusion.
10. I conclude that the proposal would not harm highway safety and would comply with UDP Policy GDP1 which requires, amongst other things, that all new development ensures safe and convenient pedestrian and vehicular access to and from development sites. It would also comply with the advice within TAN 18.

### **Conditions**

11. I have taken into account the Council's suggested conditions with regard to the advice within Circular 016/2014 'The Use of Planning Conditions for Development Management' (the Circular). I have made minor adjustments to wording or have amalgamated suggested conditions which duplicate requirements. A condition is necessary to manage

car parking arrangements and access to the wider site to ensure that the access does not carry more traffic than that for which it is intended and has been assessed. Biodiversity enhancement is a requirement for all development.

### **Conclusion**

12. For the reasons given above and having taken all matters into account, the appeal is allowed.
13. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's wellbeing objectives as required by section 8 of the Act.

*N Jones*

INSPECTOR

CAS-04400-J6N9J9 Schedule of Conditions

1. The development shall begin not later than five years from the date of this decision.

REASON: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. Subject to the requirements of the other conditions in the planning permission, the development shall be carried out in accordance with the following approved plans:

Planning Site & Location Plan I008/003 Revision H

Highways Plan 1008/005 Revision C

REASON: For the avoidance of doubt as to which drawings have been approved.

3. No development shall commence until a biodiversity enhancement scheme has been submitted to and approved in writing by the local planning authority. The biodiversity enhancement scheme shall be undertaken and/or installed in accordance with the approved details prior to the first use of the development hereby approved and shall be thereafter retained.

REASON: In the interests of biodiversity (UDP Policy EC6)

4. Notwithstanding the details shown on Highways Plan 1008/005 Revision C, prior to its first use, the vehicular access shall provide visibility splays of 2.4 metres x 43 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

REASON: In the interests of highway safety (UDP Policy GDP1).

5. There shall be no gates or other means of enclosure across the vehicular access point within 12 metres of the highway boundary.

REASON: In the interests of highway safety (UDP Policy GDP1).

6. No part of the development shall commence until a scheme detailing the construction of the following has been submitted to and approved in writing by the Local Planning Authority: the detailed layout, design, surfacing material (which shall include hard bound materials (e.g. bituminous macadam) for a minimum distance of 10 metres behind the adjoining highway), drainage and construction of the proposed new access. The scheme as is approved shall be fully implemented prior to first use of the development.

REASON: In the interests of highway safety (UDP Policy GDP1).

7. No development shall take place until a Car Parking Management Plan (CPMP) has been submitted to and approved in writing by the local Planning Authority. The CPMP shall include (but is not limited to) details of management measures to be used within the site to limit vehicular use of the access hereby approved only to vehicles accessing the car parking spaces, as highlighted in green on drawing Highways Plan 1008/005 Revision C, from Abenbury Way, and to allow for the access and turning of refuse vehicles, and for no other vehicular use. The CPMP shall also include management measures for the access gates to prevent vehicles queuing on Abenbury Way awaiting admittance.

REASON: In the interests of highway safety (UDP Policy GDP1).