Kerry James Planning
chartered town planning consultancy

TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

APPLICATION TO VARY CONDITION 1 IMPOSED ON PLANNING APPLICATION P/2020/0510, RELOCATION OF EXISTING VEHICULAR ACCESS AND EXTENSION TO CAR PARK, LINDOP GARAGE, GLANLLYN ROAD, BRADLEY, WREXHAM, LL11 4BA

PLANNING AND GREEN INFRASTRCUTURE STATEMENT
ON BEHALF OF LINDOP BROTHERS TOYOTA

JUNE 2026

Ref: KJP/22/017

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1.0 INTRODUCTION

1.1 Kerry James Planning has been commissioned by Lindop Brothers Toyota to submit an application for the variation of condition 1 imposed on planning permission P/2020/0510 for relocation of existing vehicular access and extension to car park at Lindop Garage, Glanllyn Road, Bradley, Wrexham, LL11 4BA.

1.2 This statement will assess the proposal against the relevant policies of the adopted Wrexham Unitary Development Plan and government guidance as expressed in Planning Policy Guidance Notes.

2.0 PLANNING HISTORY

2.1 The planning history for the site comprises the following:

P/2004/0649 Revised external treatment works to improve disabled customer access. Granted 12/01/07

P/2005/0754 Erection of signs. Granted 29/08/05

P/2006/1388 Erection of prefabricated 2 car size garage. Granted 12/01/07

P/2010/1056 Erection of additional two car prefabricated garage (in retrospect). Granted 07/02/2011

P/2017/0874 Relocation of existing vehicular access and extension to car park. Withdrawn 04/12/17

P/2020/0510 Relocation of existing vehicular access and extension to car park. Granted 06/09/2021

3.0 NATIONAL AND LOCAL PLANNING POLICY

The Development Plan

3.1 The development plan for the area comprises the Wrexham Unitary Development Plan.

3.2 The Wrexham Unitary Development Plan provides the strategic and detailed policy framework for development for the period 1996 to 2011. The plan was adopted on 14 February 2005. Relevant policies include:

PS1 Settlement limits
PS2 Development and the environment
PS3 Brownfield land
PS4 Settlement pattern
GDP1 Development objectives
EC1 Green barriers
EC2 Agricultural land
EC6 Biodiversity Conservation
E5 Employment in the countryside
EC13 Surface water run off
T8 Parking

3.3 Policy PS1 states that new development for housing, employment and community services will be directed to within defined settlement limits/employment areas.

3.4 Policy PS2 states that Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.

3.5 Policy PS3 states that development should use previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of greenfield land, wherever possible, particularly so where greenfield land is of ecological, landscape or amenity value, or comprises agricultural land of grades 1, 2 or 3a quality.

3.6 Policy PS4 states that development should maintain the existing settlement pattern and character and be integrated with the existing transport network to help reduce the overall need to travel and encourage the use of alternatives to the car.

3.7 Policy GDP1 inter alia states that all new development should ensure that the scale, design and layout accords with the character of the area and ensure safe and convenient pedestrian and vehicular access to and from development sites.

3.8 Policy EC1 states that within Green Barriers, development will only be granted if it is for agriculture, forestry, essential facilities for outdoor sport and recreation, cemeteries and other uses of land which maintain the openness of the Green Barrier and do not conflict with the purpose of including land within it.

3.9 Policy EC2 states that development on agricultural land of grades 1, 2 or 3a will only be permitted if it does not lead to the irreversible loss of that land.

3.10 Policy EC6 states that development either within or close to sites of biodiversity interest will only be permitted where it can be clearly demonstrated that the need for the development outweighs the need to safeguard the intrinsic nature conservation value of the site. Where such development is permitted, damage should be kept to a minimum, and compensatory measures should be provided. Measures to improve the biodiversity value of sites and enhance their natural conservation interest and landscape quality including the establishment of local nature reserves, will be supported.

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

3.12 Policy E4 states that employment development on unannotated land within settlement limits will be permitted subject to Policy GDP1.

3.13 Policy E5 states that small-scale employment development in the countryside will only be permitted through the conversion of an existing building where:- **a)** the proposal accords with Policy GDP1; and **b)** the building is structurally sound and capable of conversion without extensive rebuilding tantamount to the erection of a new building; and **c)** any inherent characteristics of merit in the building are retained; and **d)** the building and resulting curtilage does not constitute an undesirable intrusion into the landscape, create access problems, nor require the provision of services at public cost.

3.14 Policy T8 states that development granted planning permission will be required to provide vehicle parking spaces either on site or nearby, in accordance with the Council's current parking standards.

Material Considerations

3.15 Other material considerations relevant to this application include Government Guidance, the Wrexham Local Development Plan and Supplementary Planning Guidance Notes.

Future Wales – The National Plan 2040

3.16 Future Wales The National Plan 2040 was adopted on 24th February 2021. The document states that Future Wales is a plan promoting development that enhances our wellbeing and our quality of life. It is a framework to help us focus on achieving big ambitions when we develop and regenerate our cities, towns and villages. It is a national development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. As the national development framework, Future Wales is the highest tier of development plan and is focused on solutions to issues and challenges at a national scale. Its strategic nature means it does not allocate development to all parts of Wales, nor does it include policies on all land uses. It is a framework which will be built on by Strategic Development Plans at a regional level and Local Development Plans at local authority level.

3.17 Chapter 4 is concerned with Strategic and Spatial Choices. The document states that co-locating homes, jobs and services means focusing on cities and large towns as the main development areas. Developing our urban areas to enhance their performance will be challenging, but we firmly believe it is the right ambition for Wales and supports the Welsh Government's commitment to social justice. Growing urban areas across Wales will create concentrations of jobs, services and amenities and a critical mass of people to sustain good public transport services and a range of economic activities. Urban growth enables more people to walk and cycle for everyday journeys and, with good urban design, can create positive impacts on public health, air quality and well-being.

3.18 Policy 2 states that the growth and regeneration of towns and cities should positively contribute towards building sustainable places that support active and healthy lives, with urban neighbourhoods that are compact and walkable, organised around mixed-use centres and public transport, and integrated with green infrastructure. Urban growth and regeneration should be based on the following strategic placemaking principles: • creating a rich mix of uses; • providing a variety of housing types and tenures; • building places at a walkable scale, with homes, local facilities and public transport within walking distance of each other; • increasing population density, with development built at urban densities that can support public transport and local facilities; • establishing a permeable network of streets, with a hierarchy that informs the nature of development; • promoting a plot-based approach to development, which provides opportunities for the development of small plots, including for custom and self-builders; and • integrating green infrastructure, informed by the planning authority's Green Infrastructure Assessment. Planning authorities should use development plans to establish a vision for each town and city. This should be supported by a spatial framework that guides growth and regeneration, and establishes a structure within which towns and cities can grow, evolve, diversify and flourish over time.

3.19 The document goes onto state that to create activity throughout the day and enable people to walk and cycle, rather than being reliant on travelling by car, places should have a rich mix of residential, commercial and community uses within close proximity to each other. Urban growth and regeneration should integrate different uses within neighbourhoods. To ensure places are socially mixed and cater for varied lifestyles, they should have a mix of housing types and tenures and space that allows for

home-working. Urban growth and regeneration should cater for families, couples and single people of different ages, as well as providing a mix of affordable and private housing. Our society is ageing. We need to think about the type of homes in which we will live in the future; where they are; the social and healthcare services that will support us; and the type of places that we as an ageing population would like to live in. We also need to think about how we will retain and attract young people to all parts of Wales, provide opportunities to support children and young people and promote active lifestyles. Future Wales together with Planning Policy Wales places a strong focus on the places we create through our planning system. Building new houses or infrastructure is not an end itself and we are determined to create places that support our well-being across the whole of our lives was published in 2020. The document states that many rural towns and villages are integral to their surrounding areas. Thriving, resilient and sustainable rural settlements are characterised by a rich mix of housing, employment, services, and infrastructure, located in the right places to meet the needs and future aspirations of the population. Planning authorities should recognise the challenges facing their rural communities and set out policies to help address them. They should consider the role that housing, employment areas and home-working, health and social services, places of education, emergency services, shops and infrastructure can play in tackling these challenges and in helping create more sustainable places. The increasing ability to work from home and remotely from main offices may result in higher demand to live in rural areas and opportunities to retain the working age population. This could bring positive impacts for rural enterprises and the foundational economy.

Planning Policy Wales

3.20 Planning Policy Wales (PPW) (February 2024) sets out the land use planning policies for the Welsh Assembly Government and is supplemented by a series of Technical Advice Notes. Paragraph 1.2 states that the primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well functioning planning system is fundamental for sustainable development and achieving sustainable places.

3.21 Paragraph 1.4 states that PPW and the National Development Framework (published as Future Wales – the National Plan 2040) set out how the planning system at a national, regional and local level can assist in delivering these requirements through Strategic Development Plans (SDPs) and Local Development Plans (LDPs). Paragraph 1.5 states that the Development Management Manual focuses on the procedural aspects of development management and provides guidance for all participants in the development management process to encourage greater fairness, transparency and consistency across Wales. Paragraph 1.30 states that development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning applications. It is led by the planning authority, working collaboratively with those proposing developments and other stakeholders including the local community. It must be undertaken in the spirit of partnership and inclusiveness (using the five ways of working) and supports the delivery of key priorities and outcomes (contributing to improving the social, economic, environmental and cultural well-being).

3.22 Section 2 is concerned with people and places. Paragraph 2.2 states that Sustainable Places are the goal of the land use planning system in Wales; they are the output of the planning system rather than the process of achieving them. All development decisions, either through development plans policy choices or individual development management decisions should seek to contribute towards the making of sustainable places and improved well-being.

3.23 Paragraph 2.3 states that the planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

3.24 Paragraph 2.5 states that the planning system is the key mechanism for delivering sustainable places. It provides a critical mechanism where opportunities for long term benefit and integrated decision making meet, allowing preventative and proactive solutions to be found.

3.25 Paragraph 2.13 states that the plan-led system underpins the delivery of sustainable places. To ensure all development plans and decisions taken by the planning system work together to deliver sustainable places. The Key Principles represent a guiding vision for all development plans, including the NDF. These principles support the culture change needed to embrace placemaking and ensure that planning facilitates the right development in the right place and include: growing our economy in a sustainable manner; making best use of resources; facilitating accessible and healthy environments; creating & sustaining communities and maximising environmental protection and limiting environmental impact.

3.26 Paragraph 2.26 states that planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. Paragraph 2.27 states that Key factors in the assessment process include social considerations, economic considerations and environmental considerations.

3.27 Section 3 is concerned with Strategic and Spatial Choices. Paragraph 3.3 states that good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area. Paragraph 3.4 states that design is an inclusive process, which can raise public aspirations, reinforce civic pride and create a sense of place and help shape its future. For those proposing new development, early engagement can help to secure public acceptance of new development. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales.

3.28 Paragraph 3.5 states that good design is inclusive design. Development proposals should place people at the heart of the design process, acknowledge diversity and difference, offer choice where a single design solution cannot accommodate all users, provide for flexibility in use and provide buildings and environments that are convenient and enjoyable to use for everyone. Paragraph 3.6 states that development proposals must address the issues of inclusivity and accessibility for all. This includes making provision to meet the needs of people with sensory, memory, learning and mobility impairments, older people and people with young children.

3.29 Paragraph 3.7 states that good design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution.

3.30 Paragraph 3.19 states that the built and natural environment is a key determinant of health and well-being. The planning system has an important role in shaping the social, economic, environmental and cultural factors which determine health and which promote or impact on well-being in line with the Healthier Wales goal.

3.31 Paragraph 3.55 states that previously developed (also referred to as brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. Paragraph 3.56 states that planning authorities should work with landowners to ensure that suitably located previously developed sites are brought forward for development and to secure a coherent approach to their development.

3.32 Paragraph 3.64 states that around towns and cities there may be a need to protect open land from development. This can be achieved through the identification of Green Belts and/or local designations, such as green wedges. Proposals for both Green Belts and green wedges must be soundly based and should only be employed where there is a demonstrable need to protect the urban form and alternative policy mechanisms, such as settlement boundaries, would not be sufficiently robust. The essential difference between them is that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas green wedge policies should be reviewed as part of the development plan review process.

3.33 Paragraph 3.65 states that the main aim of Green Belts is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 3.67 states that the purpose of Green Belts is to: prevent the coalescence of large towns and cities with other settlements; manage urban form through controlled expansion of urban areas; assist in safeguarding the countryside from encroachment; protect the setting of an urban area; and assist in urban regeneration by encouraging the recycling of derelict and other urban land. Paragraph 3.68 states that green wedges are local designations which essentially have the same purpose as Green Belts. They may be used to provide a buffer between the settlement edge and statutory designations and safeguard important views into and out of the area. Green wedges should be proposed and be subject to review as part of the LDP process.

3.34 Paragraph 3.69 states that the general policies controlling development in the countryside apply in a Green Belt and a green wedge but there is, in addition, a general presumption against development which is inappropriate in relation to the purposes of the designation. Green Belts and green wedges can have other beneficial effects including the provision of access to the countryside and sport and recreation opportunities. Paragraph 3.73 states that when considering applications for planning permission in Green Belts or green wedges, a presumption against inappropriate development will apply. Substantial weight should be attached to any harmful impact which a development would have on the purposes of Green Belt or green wedge designation. Policies should be devised to outline the circumstances when development would be permitted in these areas where the openness of the Green Belt or green wedge will still be maintained.

3.35 Paragraph 3.74 states that inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Belt or green wedge. Green Belt and green wedge policies in development plans should ensure that any applications for inappropriate development would not be in accord with the plan. These very exceptional cases would therefore be treated as departures from the plan. Certain other forms of development may be appropriate

in the Green Belt or green wedge provided they preserve its openness and do not conflict with the purposes of including land within it. These are: mineral extraction; renewable and low carbon energy generation; engineering operations; and local transport infrastructure. Other forms of development would be inappropriate development unless they maintain the openness of the Green Belt or green wedge and do not conflict with the purposes of the designation.

3.36 Section 4 is concerned with active and social places. Paragraph 4.2.18 states that maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites. For example, sites and allocations which are no longer likely to be needed for office, industrial or retail purposes may be appropriate locations for housing. The de-allocation of under-used and underperforming sites must be considered through the development plan process and could make a contribution to the housing supply if it can be demonstrated that they are deliverable for housing. Policies which seek to make maximum use of previously developed land for housing will need to distinguish between sites which need to be retained for recreation, amenity or nature conservation purposes, and areas which are genuinely suitable for housing development.

3.37 Paragraph 4.2.24 states that development plans must include clear policy criteria against which applications for housing development on unallocated sites will be considered. Infill and windfall sites can make a useful contribution to the delivery of housing. Proposals for housing on infill and windfall sites within settlements should be supported where they accord with the national sustainable placemaking outcomes.

3.38 Section 5 is concerned with productive and enterprising places. Paragraph 5.4.1 states that for planning purposes the Welsh Government defines economic development as the development of land and buildings for activities that generate sustainable long term prosperity, jobs and incomes. The planning system should ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses. Paragraph 5.4.2 states that economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services. Paragraph 5.4.4 states that wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration.

3.39 Section 6 is concerned with distinctive and natural places. Paragraph 6.0.2 states that the special and unique characteristics and intrinsic qualities of the natural and built environment must be protected in their own right, for historic, scenic, aesthetic and nature conservation reasons. These features give places their unique identity and distinctiveness and provide for cultural experiences and healthy lifestyles.

3.40 Paragraph 6.2.1 states that green infrastructure is the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places. Component elements of green infrastructure can function at different scales and some components, such as trees and woodland, are often universally present and function at all levels. At the landscape scale green infrastructure can comprise entire ecosystems such as wetlands, waterways, peatlands and mountain ranges or be connected networks of mosaic habitats, including grasslands. At a local scale, it might comprise parks, fields, ponds, natural green spaces, public rights of way, allotments, cemeteries and gardens or may be designed or managed features such as sustainable drainage systems. At smaller scales, individual urban interventions such as street trees, hedgerows, roadside verges, and green roofs/walls can all contribute to green infrastructure networks.

3.41 Paragraph 6.2.2 states that the Environment (Wales) Act 2016, provides a context for the delivery of multi-functional green infrastructure. Its protection and provision can make a significant contribution to the sustainable management of natural resources, and in particular to protecting, maintaining and enhancing biodiversity and the resilience of ecosystems in terms of the diversity within and connections between ecosystems and the extent and condition of these ecosystems, so that they are better able to resist, recover from and adapt to pressures. This means that the development of green infrastructure is an important way for local authorities to deliver their Section 6 duty.

3.42 Paragraph 6.4.5 states that planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity. In doing so planning authorities must also take account of and promote the resilience of ecosystems, in particular the following aspects: • diversity between and within ecosystems; • the connections between and within ecosystems; • the scale of ecosystems; • the condition of ecosystems including their structure and functioning; and • the adaptability of ecosystems. A net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long-term, measurable and demonstrable benefit, primarily on or immediately adjacent to the site. The step-wise approach outlined below is the means of demonstrating the steps which have been taken towards securing a net benefit for biodiversity. In doing so, planning authorities must also take account of and promote the resilience of ecosystems.

3.43 Paragraph 6.6.22 states that planning authorities should adopt a precautionary approach of positive avoidance of development in areas of flooding from the sea or from rivers. Surface water flooding will affect choice of location and the layout and design of schemes and these factors should be considered at an early stage in formulating development proposals.

3.44 Paragraph 6.6.24 states that Development Advice Maps enable planning authorities to take a strategic approach to flood risk and consider the catchment as a whole by providing a preliminary representation of flood risks, which inform decisions on the location of new development and the requirements necessary to support any applications which may be proposed. Together with flood consequences assessments they should assist understanding of how natural and man-made defences work as integral components of places and provide a means by which the cumulative effects of development can begin to be understood. Paragraph 6.6.25 states that development should reduce, and must not increase, flood risk arising from river and/or coastal flooding on and off the development site itself. The priority should be to protect the undeveloped or unobstructed floodplain from development and to prevent the cumulative effects of incremental development.

3.45 Paragraph 6.6.26 states that in areas of flood plain currently unobstructed, where water flows in times of flood, built development should be wholly exceptional and limited to essential transport and utilities infrastructure. Such infrastructure should be designed and constructed so as to remain operational even at times of flood, to result in no net loss of floodplain storage, to not impede water flows and to not increase flood risk elsewhere. TAN 15: Development and Flood Risk should be referred to for further policy advice on development and flood risk. It will be important to note that developments located within flood risk areas remain at risk from flooding even if mitigation measures are applied.

3.46 Planning Policy Wales Technical Advice Note 12 (TAN12) “Design” March 2016 is concerned with design.

3.47 Planning Policy Wales Technical Advice Note 15 “Development, flooding and coastal erosion” 2025 is concerned with flooding.

3.48 Planning Policy Wales Technical Advice Note 18 “Transport” is concerned with transport.

3.49 Planning Policy Wales Technical Advice Note 23 (October 2013) is concerned with Economic Development.

Development Management Manual

3.50 Paragraph 1.1.1 of the Development Management Manual states that Development Management (DM) is a positive and proactive approach to shaping, considering, determining and delivering development proposals. It is led by the local planning authority (LPA), working collaboratively with those proposing developments and other stakeholders. It is undertaken in the spirit of partnership and inclusiveness and supports the delivery of key priorities and outcomes.

Supplementary Planning Guidance Notes

3.51 Wrexham County Borough Council has produced a number of Supplementary Planning Guidance Notes (LPGNs).

The Wrexham Local Development Plan

3.52 On 20 December 2024, the Court of Appeal handed down judgement on an appeal lodged against the judgement of Eyre J of 29 November 2023 that the Planning and Compulsory Purchase Act 2004 (the 2004 Act) imposed a statutory duty on Councils to adopt a Local Development Plan. The Court of Appeal overturned the judgement of 29 November 2023, ruling that the 2004 Act does not impose such a duty. 2.2 Following a challenge brought under section 113 of the 2004 Act, the High Court issued an Order received on 12 June 2025. The effect of the Order is that the vote by Full Council on 20th December 2023 to adopt the LDP is quashed, returning the LDP to the status of an unadopted plan. The LDP therefore no longer has the status of a development plan for the purposes of Section 38(6) of the 2004 Act.

3.53 The matter was discussed at Planning Committee held on 28th July 2025. It was confirmed that Section 38(6) of the 2004 Act requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The quashing of the Full Council vote therefore means the UDP becomes the starting point for determining planning applications once again.

3.54 The UDP was formally adopted in February 2005. However, the plan is now out of date being underpinned by an evidence base that is over 20 years old. This has been confirmed in recent years by applications and appeals allowed for developments that do not conform with UDP policies. In all cases, there have been material considerations, including evidence prepared to underpin the unadopted LDP, that have been considered to carry sufficient weight to justify a departure from certain UDP policies. Some UDP policies do not align with Planning Policy Wales 12 or Technical Advice Notes (TANs).

3.55 There are a number of differences between the UDP and the unadopted LDP. These will be identified and considered in Officer reports on a case by case basis. The most significant relate to differences between UDP and unadopted LDP settlement boundaries; employment provisions and specially the proposed extension to Wrexham Industrial Estate (Key Strategic Site 3) and Green Barrier/Green Wedge designations. Where these differences occur, planning applications that accord with

the unadopted LDP may conflict with UDP policies. In some cases, the degree of conflict may represent a significant departure from the policies in the UDP. Because the UDP is now outdated, conflict with one or more UDP policies would not, in itself, be fatal to individual planning applications, unless the proposed development also conflicted with PPW12, guidance in relevant TANs, FW or policies within the unadopted LDP.

3.56 The now withdrawn unadopted Wrexham Local Development Plan provided the strategic and detailed policy framework for development for the period 2013 to 2028. Relevant policies included:

SP2 Location of Development
SP6 Green Wedge
SP8 Economic Growth, Employment and Enterprise
SP11 Transport and Accessibility
SP14 Natural Environment
SP18 Climate Change
SP19 Green Infrastructure
DM1 Development Management Considerations
T1 Managing Transport Impacts

3.57 Policy SP2 states that new development is directed to the defined settlement limits and employment areas as identified on the Proposals Map.

3.58 Policy SP6 states that Green Wedges are designated between the following settlements as shown on the proposals map: vi. Bradley, Rhosrobin, Gwersyllt, Broughton, and Wrexham.

3.59 Policy SP8 states that to ensure the continued role of the County Borough as a key economic driver in North Wales and the wider region, the Plan will diversify the local economy and widen the economic base by: Ensuring an overall provision of 96.73ha of employment land within the County Borough; Allocating a strategic expansion site of 28ha at Wrexham Industrial Estate – the County Borough's Key Business Sector area, improving the quality of employment sites supply within Wrexham Industrial Estate and protecting a strategic ecological network for a number of local, national and internationally protected species and habitats; Safeguarding 25 existing national, regional and locally important industrial sites essential to meeting the future economic growth of the County Borough, which ensures a range and choice of sites co-located with housing in both urban and rural settlements; Providing a level of growth which allows opportunities to deliver approximately 4200 jobs in the County Borough over the Plan period across a wide range of employment sectors; Maintaining and enhancing the County Borough's tourism, culture and leisure offer taking into account the unique character, local distinctiveness and heritage of the area and its context in the wider sub region.

3.60 Policy SP11 inter alia states that Wrexham's transport network will be developed in a safe, efficient and sustainable manner through the following measures: i. Restricting development that would have an unacceptable impact on the safe and efficient operation of the transport network; vi. Ensure adequate levels of car parking taking into consideration the location and accessibility of new developments to existing public transport facilities and walking and cycling network.

3.61 Policy SP14 states that development will only be permitted where it seeks to protect, conserve and enhance the natural environment.

3.62 Policy SP18 states that to mitigate against the effects of climate change and adapt to its impacts, development proposals will need to demonstrate that they have taken into account the following: i. Reducing carbon emissions; ii. Protecting and increasing

carbon sinks; iii. Adapting to the implications of climate change at both a strategic and detailed design level; iv. Promoting energy efficiency and increasing the supply of renewable energy; and v. Maintaining ecological resilience; vi. Avoiding areas susceptible to flood risk in the first instance in accordance with the sequential approach set out in national guidance. Highly vulnerable development, as defined in TAN15: Development and Flood Risk, should not be located within zone C2; vii. Preventing development that increases flood risk; and viii. Assesses the potential effects of climate change when preparing a Flood Consequence Assessment for the site.

3.63 Policy SP19 states that Wrexham's distinctive natural heritage provides a network of green and blue infrastructure. Protection, conservation and enhancement of natural heritage networks needs to be reconciled with the benefits of development. Development will be required to maintain the extent, quality and connectivity of multifunctional green infrastructure on or near a site, and, where appropriate to enhance it by: i. Creating new interconnected areas of green infrastructure between the proposed site and the existing network; ii. Filling gaps in the existing network to improve connectivity; iii. Protecting the features most valuable for both nature and people; and iv. In instances where loss of green infrastructure is unavoidable, provide mitigation and compensation for the lost assets on a site-specific basis.

3.64 Policy DM1 states that development proposals, where relevant, must: i. Accord with or enhance the character, local distinctiveness and appearance of the site, existing building(s) and surrounding landscape/ townscape in terms of their siting, layout, scale, height, design, density, use of materials and landscaping; ii. Not have an unacceptable effect on the amenity of the occupiers of nearby properties/land; and provide a satisfactory standard of amenity for the occupiers/users of the development itself; iii. Safeguard the environment from the adverse effects of pollution of water, land, noise, light or air, or land instability, arising from development; iv. Take account of personal and community safety and security in their design and layout; v. Prioritise walking, cycling and public transport use ahead of travel by car; vi. Not give rise to highway safety, pedestrian safety or parking problems on site or in the locality; vii. Contribute to low carbon communities through energy efficiency, be designed to minimise the use of non-renewable energy, water and the production of waste both during construction and when in use; viii. Not increase the risk of flooding but make adequate provision for sustainably dealing with foul and surface water drainage and not result in an unacceptable impact upon the water environment; ix. On sites which have previously been developed, new development proposals should make use of existing suitable building materials wherever possible for appropriate uses in order to re-use recyclable materials and reduce the amount of imported materials; and x. Ensure that any risks arising from past coal mining, as indicated on the constraints map, can be adequately managed.

3.65 Policy T1 states that proposals for new development will be supported where they: i. Facilitate increased journeys by more sustainable modes of travel first by walking and cycling, then by public transport and finally by private motor vehicle; ii. Mitigate any significant adverse effects upon the transport network that arise from the proposed development including improvements to transport infrastructure where required; iii. Do not compromise the safe, effective and efficient use of the highway network and do not have an adverse impact on highway safety or create unacceptable levels of traffic generation; iv. Provide appropriate levels of parking and ensure access arrangements for the site to allow for safe manoeuvring; v. Make provision for people with restricted mobility including those with characteristics as defined by the Equality Act 2010. Developments that would generate significant amounts of movement should be accompanied by a Transport Assessment and Travel Plan.

4.0 THE PROPOSAL

Description of Development

4.1 This planning and green infrastructure statement considers a proposal to vary condition 1 of planning permission P/2020/0510 to allow an extension of time for commencement of development. A copy of the decision notice is contained within Appendix KJP1.

4.2 Condition 1 states that "The development hereby permitted shall be commenced before the expiry of five years from the date of this permission". This application seeks to vary condition 1 to allow for a further 5 years for development to commence. There are no proposals to alter the description of the development or the layout of the proposals.

Justification for variation of condition

4.3 Lindop Toyota was established in 1973. It is a family owned company by a resident of Wrexham that has a Toyota franchise. The company does not just sell cars, it provides a full motor trade service. This includes buying the car, carrying out MOTS, servicing, fill body repairs and trading in. New cars are parked within the showroom, used cars are parked on the forecourt, demonstrators are parked within the customer parking area. Staff car parking is currently provided at the north western corner of the site. The site is very constrained and there is insufficient space to provide parking for all the customers and staff as well as for the outdoor display of cars. The proposed extension to the car park as well as the relocated access would assist with alleviating the current shortfall of car parking spaces and provide a safer layout.

4.4 Planning permission was granted on 06/06/2021 at Planning Committee. The situation at Lindop Toyota has not changed. The extension to the car park is still essential to the future operation and success of the business and the long term future of the Wrexham site. Lindop Toyota does not own the land upon which the extension to the car park would be built. Unfortunately for reasons outside Lindop Toyota's control the sale of the land has not yet progressed. A variation of condition 1 to allow an extension of time for commencement of development is therefore required. A further 5 years is requested.

4.5 This Planning and Green Infrastructure Statement will consider the issues raised during the previous application and assess whether any other conditions require variation.

Principle of development

4.6 The site is located partly within the settlement limit for Bradley and partly within the open countryside and Green Barrier as set out in the adopted Wrexham Unitary Development Plan (UDP). The strategic policies of the plan set out the broad locations for development. Policy PS1 of the UDP states that new development for housing, employment and community services will be directed to within defined settlement limits/employment areas. Policy PS2 states that Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment. Policy PS3 states that development should use previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of greenfield land, wherever possible, particularly so where greenfield land is of ecological, landscape or amenity value, or comprises agricultural land of grades 1, 2 or 3a quality.

4.7 Policy EC1 states that within Green Barriers, development will only be granted if it is for agriculture, forestry, essential facilities for outdoor sport and recreation, cemeteries and other uses of land which maintain the openness of the Green Barrier

and do not conflict with the purpose of including land within it. Policy EC2 states that development on agricultural land of grades 1, 2 or 3a will only be permitted if it does not lead to the irreversible loss of that land.

4.8 It is important to assess whether the policies contained within the UDP are out of date compared to the now withdrawn unadopted LDP. The application site is located partly within the settlement limit for Bradley and partly outside in each local plan. However the two proposals maps do differ. The land on which the extension to the carpark would be built upon is shown as being within the Green Barrier in the UDP. In the LDP, the land is shown as being within a Green Wedge under Policy SP6.

4.9 It is accepted that the UDP is out of date and it is therefore important to assess the proposal against Future Wales and the advice contained within PPW. Future Wales is the highest tier of development plan in Wales. It states that cities and large towns will be magnets for jobs and investment, while people are drawn to live and work there for the economic and social opportunities they provide. To create activity throughout the day and enable people to walk and cycle, rather than being reliant on travelling by car, places should have a rich mix of residential, commercial and community uses within close proximity to each other. Urban growth and regeneration should integrate different uses within neighbourhoods.

4.10 Future Wales also states that the Welsh Government strongly supports the development of the foundational economy in the region. The foundational economy represents those parts of the economy which are integral to the well-being of places, communities and people and which deliver people's everyday needs. The Welsh Government will continue to support greater resilience for local and regional economies and support business growth and new employment opportunities. Strategic and Local Development Plans should identify the role of the foundational economy, consider how the land-use planning system can support it and develop appropriate policies. Areas of the foundational economy which the planning system can support include regeneration initiatives, health and social care, social housing, tourism and steps to encourage greater community benefits from new development.

4.11 The foundational economy includes sectors that provide the goods and services we use every day. These sectors shape the services we use and the places we live, are a vital part of daily life and our communities. Welsh Government wishes to support the people and organisations working in these sectors to make sure their services are high quality and easy to access and give people a greater sense of control and belonging in their communities. Lindop Toyota is considered to form part of the foundational economy.

4.12 Planning Policy Wales is also a material consideration. Edition 12 was published in February 2024. Paragraph 2.3 states that the planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

4.13 Paragraph 2.5 states that the planning system is the key mechanism for delivering sustainable places. It provides a critical mechanism where opportunities for long term benefit and integrated decision making meet, allowing preventative and proactive solutions to be found.

4.14 Paragraph 2.26 states that planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. Paragraph 2.27 states that Key factors in the

assessment process include social considerations, economic considerations and environmental considerations.

4.15 Section 5 of PPW is concerned with productive and enterprising places. Paragraph 5.4.1 states that for planning purposes the Welsh Government defines economic development as the development of land and buildings for activities that generate sustainable long term prosperity, jobs and incomes. The planning system should ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses. Paragraph 5.4.2 states that economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services. Paragraph 5.4.4 states that wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration.

4.16 The Toyota garage is currently wholly located within the settlement limit for Bradley. The existing vehicular access to site is gained from the B5425. The access is located in close proximity to the garage showroom and space for maneuvering vehicles at this point is restricted. It is therefore proposed to relocate the access to the south of the existing position to allow for greater circulation space and to improve highway safety. Subject to compliance with other design policies of the UDP, the part of the development comprising the relocation of the vehicular access is considered acceptable in principle.

4.17 Section 3 of PPW is concerned with Strategic and Spatial Choices. Paragraph 3.64 states that around towns and cities there may be a need to protect open land from development. This can be achieved through the identification of Green Belts and/or local designations, such as green wedges. Proposals for both Green Belts and green wedges must be soundly based and should only be employed where there is a demonstrable need to protect the urban form and alternative policy mechanisms, such as settlement boundaries, would not be sufficiently robust. The essential difference between them is that land within a Green Belt should be protected for a longer period than the relevant current development plan period, whereas green wedge policies should be reviewed as part of the development plan review process.

4.18 Paragraph 3.65 states that the main aim of Green Belts is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 3.67 states that the purpose of Green Belts is to: prevent the coalescence of large towns and cities with other settlements; manage urban form through controlled expansion of urban areas; assist in safeguarding the countryside from encroachment; protect the setting of an urban area; and assist in urban regeneration by encouraging the recycling of derelict and other urban land. Paragraph 3.68 states that green wedges are local designations which essentially have the same purpose as Green Belts. They may be used to provide a buffer between the settlement edge and statutory designations and safeguard important views into and out of the area. Green wedges should be proposed and be subject to review as part of the LDP process.

4.19 Paragraph 3.69 states that the general policies controlling development in the countryside apply in a Green Belt and a green wedge but there is, in addition, a general presumption against development which is inappropriate in relation to the purposes of the designation. Green Belts and green wedges can have other beneficial effects including the provision of access to the countryside and sport and recreation opportunities. Paragraph 3.73 states that when considering applications for planning permission in Green Belts or green wedges, a presumption against inappropriate development will apply. Substantial weight should be attached to any harmful impact which a development would have on the purposes of Green Belt or green wedge designation. Policies should be devised to outline the circumstances

when development would be permitted in these areas where the openness of the Green Belt or green wedge will still be maintained.

4.20 Paragraph 3.74 states that inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Belt or green wedge. Green Belt and green wedge policies in development plans should ensure that any applications for inappropriate development would not be in accord with the plan. These very exceptional cases would therefore be treated as departures from the plan. Certain other forms of development may be appropriate in the Green Belt or green wedge provided they preserve its openness and do not conflict with the purposes of including land within it. These are: mineral extraction; renewable and low carbon energy generation; engineering operations; and local transport infrastructure. Other forms of development would be inappropriate development unless they maintain the openness of the Green Belt or green wedge and do not conflict with the purposes of the designation.

4.21 The area of land to be used to create the extension of the existing car park is part of a small field which lies immediately to the south of the car park. This land falls within the green barrier as set out in the UDP but abuts the settlement limit boundary.

4.22 Planning Policy Wales refers to inappropriate development in green belts and green wedges and that it should not be granted planning permission except in very exceptional circumstances. The UDP does not designate green belts or green wedges but instead designates green barriers. These possess the same characteristics and purposes of formal green belts except in their longterm permanency. The main purposes are to prevent coalescence, assist in safeguarding the countryside from encroachment, to protect the setting of urban areas and to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

4.23 It is accepted that the development would not comprise agriculture, forestry, essential facilities for outdoor sport and recreation or cemeteries. The Planning Committee in September 2021 found that whilst the development may comprise inappropriate development in the green barrier, the development would comprise very special circumstances in accordance with PPW.

4.24 Section 2 of Technical Advice Note 23 is concerned with weighing economic benefit. Paragraph 2.1.1 states that it should not be assumed that economic objectives are necessarily in conflict with social and environmental objectives. Often these different dimensions point in the same direction. Planning should positively and imaginatively seek such ‘win-win’ outcomes, where development contributes to all dimensions of sustainability. Paragraph 2.1.2 states that where economic development would cause environmental or social harm which cannot be fully mitigated, careful consideration of the economic benefits will be necessary.

4.25 Paragraph 2.1.3 states that it is a central objective of the planning system to steer development to appropriate locations. Therefore, where a proposed development would cause unacceptable environmental or social harm, demand should be steered to an alternative location, unless the harm is outweighed by the additional benefit of development at the original site in question

4.26 In the case of Lindop Toyota, the Planning Committee considered the three tests set out in TAN 23, alternatives, jobs accommodated and special merit. The Planning Committee concluded that any small harm to this part of the green barrier, from the extension of the car park into the adjacent field, would be outweighed by the existing and future benefit of the development which would allow Toyota to remain at the original site. The Committee found that in weighing up economic benefit, the need to

safeguard the existing business use and safeguard local jobs was paramount. As such the development passed the three tests as set out in TAN23 and it was considered that very special circumstances exist to allow the development.

4.27 The principle of development has been established at the site. Circumstances have not materially changed since the granting of permission in 2021. It is not considered that there are any grounds to refuse to permit the variation of condition 1 to allow an extension of time for commencement of development.

4.28 In the determination of the planning application, a number of other material considerations are relevant, these include visual amenity, residential amenity, highway safety and drainage and flood risk.

Drainage and Flood Risk

4.29 Policy GDP1 of the UDP requires that all new development ensure that the development does not result in or is subject to flooding, soil erosion, landslides or contamination. Policy EC13 states that development which would result in an unacceptable adverse impact on the water environment due to additional surface water run-off will not be permitted.

4.30 Policy DM1 of the LDP requires that development safeguards the environment from the adverse effects of pollution of water, land, noise, light or air, or land instability, arising from development. Policy SP18 states that to mitigate against the effects of climate change and adapt to its impacts, development proposals will need to demonstrate that they have taken into account the following:vi. Avoiding areas susceptible to flood risk in the first instance in accordance with the sequential approach set out in national guidance. Highly vulnerable development, as defined in TAN15: Development and Flood Risk, should not be located within zone C2; vii. Preventing development that increases flood risk; and viii. Assesses the potential effects of climate change when preparing a Flood Consequence Assessment for the site.

4.31 There is no conflict between the relevant policies of the adopted UDP and unadopted LDP with respect to flood risk.

4.32 The issue of drainage and flood risk was raised during the consideration of the previous application. The application was accompanied by a Flood Consequences Assessment and Drainage Report.

4.33 In terms of flood risk, the site was previously outside of Zones C1, C2 or B of the Development Advice Map. The FCA prepared by Weetwood confirmed that the site is located within Zone A as shown on the DAM Map. The NRW historic flood database indicates the site is not known to have previously flooded. However, information received from the LLFA indicated that blockage of the culvert inlet adjacent to the B5425 has previously occurred, causing water to weir onto the road.

4.34 A small unnamed watercourse is located at the southern section of the site. The watercourse is not well defined with little evidence of a channel upstream of the site during a site visit undertaken by Weetwood on 15 April 2019. However, a piped outlet carrying a small amount of flow was present within the site outfalling into a short section of open channel which appears to currently be used as a means of providing water for livestock. The watercourse becomes culverted underneath the B5425 before outfalling into an open channel to the east of the site, ultimately outfalling into the River Alyn.

4.35 In order to more accurately identify and assess the level of flood risk from the unnamed watercourse a 1D-2D ESTRY-TUFLOW hydraulic model was developed by

Weetwood. The baseline results indicated that flooding may be expected to occur at the southern part of the site adjacent to the watercourse for all modelled events. Sensitivity testing has been carried out for the 1:100+CC (20%) and 1:1,000 annual probability events including a 100% blockage of the B5425 culvert. The Surface Water Flood Risk map at the time indicated that there was an area of 'low' to 'high' risk in the location of the proposed car park extension. Whilst surface water flood depths and velocities are available on the NRW website, it is considered that flood risk from surface water is linked with fluvial flood risk from the unnamed watercourse. The site is not at risk from flooding from reservoirs, canals or other artificial sources. It is also shown to be at low to moderate susceptibility to groundwater flooding.

4.36 In accordance with the FCA, proposed car park levels were set at a minimum of 71.46 m AOD. The Flood Storage Area (FSA) had been designed by lowering land within the wider ownership boundary to the south of the car park extension.

4.37 Proposed scenario modelling including the aforementioned mitigation measures had been completed for the 1:100 +CC (20%) and 1:1,000 annual probability events for the free flowing and blockage scenarios. The modelling confirmed that the site is not expected to flood during the free flowing scenarios but would be expected to convey shallow floodwater during blockage scenarios. Due to the incorporation of the FSA to the south of the car park extension, the development is not expected to impact flood risk elsewhere. Some shallow flooding of the B5425 may be expected during the blockage scenarios, due to water weiring over the road. Flood depths are shown to remain below 0.1 m. Irrespective, no flooding of the site entrance would be expected and therefore safe access and egress would be available to the north.

4.38 The FCA report demonstrated that the proposed development could be completed in accordance with the requirements of planning policy. This was accepted by Natural Resources Wales and the Council's Flood Officer raised no objections to the application.

4.39 Since the determination of the planning application in 2021, TAN 15 has been updated. Paragraph 3.5 states that it is important that risks of flooding are given full consideration by the planning system. These risks should be considered in the preparation of Strategic Flood Consequences Assessments (SFCAs) for Development Plans and in undertaking detailed Flood Consequences Assessments for planning applications. Paragraph 4.1 states that the Flood Map for Planning and the Flood Risk Assessment Wales (FRAW) map together make up the Wales Flood Map. Paragraph 4.2 states that the Flood Map for Planning is the starting point for consideration of flood risk in the planning system. The map uses flood zones to indicate the degree to which land is at risk of flooding from rivers, the sea, surface water and small watercourses. This TAN outlines the actions that should be taken when considering development in the different flood zones. Figure 1 sets out the definition of the main zones. Zone 1, and Zones 2, 3 and the TAN 15 Defended Zones are collectively referred to as 'flood risk areas' throughout this document.

4.40 Paragraph 4.7 states that using the Flood Map for Planning zones, the TAN seeks to ensure that the likelihood of flooding and the impacts it would have been appropriately considered in all relevant planning decisions. Planning Authorities need to exercise caution when allocating sites for new development and considering applications where the Flood Map for Planning clearly shows areas at risk. The level of caution increases with the level of vulnerability and likelihood.

4.41 Paragraph 6.1 states that a Flood Consequences Assessment is required for any development proposal located fully or partly in Surface Water and Small Watercourses - Flood Zones 2 and 3 -, Local Authorities may exercise some discretion for householder applications where the risk may be lower due to the nature of the development being proposed and the requirements should be proportionate to

the development proposal. An assessment should also be undertaken for development on sites outside of these zones, but which has the potential to affect the course of surface water and/or excess water from ordinary watercourses. Planning authorities may provide specific local advice on this issue in Development Plans. Planning authorities should ensure any new development adjacent to Flood Zones 2 and 3 for Surface Water and Small Watercourses is appropriately set back to allow for extreme flood events.

4.42 Paragraph 9.1 states that a flood event can have different consequences for different types of development, which influences where it is acceptable to locate development. For example, flooding in residential areas can result in a traumatic impact on lives. Other land uses, however, may be able to manage infrequent or low-level flooding in an acceptable way – flooding of this nature may be disruptive but unlikely to be dangerous. The TAN categorises development types according to their vulnerability in the event of flooding. **Highly vulnerable development** - All residential premises (including hotels, Gypsy and Traveller sites, caravan parks and camping sites). **Less vulnerable development** - General industrial, employment, commercial and retail development. **Water compatible development** - Boatyards, marinas and essential works required at mooring basins. Flood defences and management infrastructure. Open spaces (excluding equipped play areas).

4.43 Paragraph 10.18 states that in Zone 2 allocations may be made for new development and redevelopment of any vulnerability that is necessary to implement the strategy of an LDP, a strategy to regenerate or revitalise existing settlements or to achieve key economic or environmental objectives, provided that a Strategic Flood Consequences Assessment has identified an acceptable level of risk. Land in Zone 2 may also be allocated for new developments and redevelopment that address national security or energy security needs, mitigate the impacts of climate change, that are necessary to protect and promote public health or that the planning authority can demonstrate are essential to the realisation of the strategy of the LDP provided that a Strategic Flood Consequences Assessment has identified an acceptable level of risk. Essential infrastructure of this type should not be accompanied by ancillary or non-essential developments. Flood resilient design is more important in Zone 2 than Zone 1 and authorities should make it a requirement through the inclusion of appropriate LDP policies and use of planning conditions.

4.44 In accordance with the new Flood Map for Planning, the existing garage site is located within Zone 1 (Please refer to the Flood map contained within Appendix KJP2). The small section of the agricultural field is located within Zone 2 of the surface water and small watercourses. The flood risk situation has not materially changed since the determination of the previous planning application. As referred to above, at that time, the Surface Water Flood Risk map indicated there is an area of 'low' to 'high' risk in the location of the proposed car park extension. The advice of the current Flood Map for Planning indicates that the section of land that falls within Zone 2 comprises areas with 0.1% to 1% (1 in 1000 to 1 in 100) chance of flooding from surface water and/or small watercourses in a given year, including the effects of climate change.

4.45 The previous FCA has demonstrated that with the proposed mitigation measures, the development would not have any detrimental impact upon flood risk from small watercourses. The situation remains the same today.

4.46 It is not considered that the development would have any detrimental impact upon flood risk. The development would accord with Policies GDP1 and EC13 of the UDP.

4.47 Condition 2 requires that the development be carried out in strict accordance with listed plans. The list of plans includes drawing number JC/PD/03 Revision H Cross

Section As Proposed. This plan confirms that the proposed minimum car park levels of 71.49 AOD as set out in FCA would be met.

4.48 As the approved plans have not been amended, there would be no requirement to amend or remove condition 2.

Visual amenity

4.49 Planning Policy Wales and TAN12 require that new built development to be of a high quality of design. Policy GDP1 of the adopted UDP requires that all new development ensure that the scale, design and layout accords with the character of the area.

4.50 Policy DM1 of the unadopted LDP states that development proposals, where relevant, must: i. Accord with or enhance the character, local distinctiveness and appearance of the site, existing building(s) and surrounding landscape/ townscape in terms of their siting, layout, scale, height, design, density, use of materials and landscaping.

4.51 There is no conflict between the relevant policies of the adopted UDP and unadopted LDP with respect to visual amenity.

4.52 The current application proposes no changes to the visual layout of the scheme that was approved in 2021. Members of the Planning Committee raised no objections to the visual impact of the proposed development. It is not considered that the development would have any detrimental impact upon the visual amenities of the site itself or the surrounding area. The proposal would accord with Policy GPD1 of the UDP.

4.53 Condition 2 requires that the development be carried out in strict accordance with listed plans. As the approved plans have not been amended, there would be no requirement to amend or remove condition 2.

Residential amenity

4.54 Policy GDP1 of the UDP requires that all new development ensure the safety and amenity of the public and safeguard the environment.

4.55 Policy DM1 of the LDP requires that development does not have an unacceptable effect on the amenity of the occupiers of nearby properties/land and provides a satisfactory standard of amenity for the occupiers/users of the development itself.

4.56 There is no conflict between the relevant policies of the adopted UDP and unadopted LDP with respect to residential amenity.

4.57 The car park extension would be at the southern edge of the site away from residential properties. Toyota is aware of the concerns of the local residents with regards to employees of Toyota parking on the nearby residential streets such as Beech Avenue and Glan Llyn Road. One of the purposes of the application proposal is to alleviate any such parking problems by providing additional parking at the site. Staff parking was previously provided at the Queens Head but due to development this option is no longer available. The proposals would not lead to any significant intensification of use of the overall site.

4.58 It is not considered that the development would have any detrimental impact upon the residential amenities of adjacent occupiers. This view was shared by Planning Officers in the consideration of the previous application. The development would accord with Policy GDP1 of the UDP.

Highway safety

4.59 Policy GDP1 of the UDP requires that all new development ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality. Policy T8 states that development granted planning permission will be required to provide vehicle parking spaces either on site or nearby, in accordance with the Council's current parking standards.

4.60 Policy DM1 of the LDP requires that development does not give rise to highway safety, pedestrian safety or parking problems on site or in the locality and prioritises walking, cycling and public transport use ahead of travel by car. Policy T1 states that proposals for new development will be supported where they mitigate any significant adverse effects upon the transport network that arise from the proposed development including improvements to transport infrastructure where required, do not compromise the safe, effective and efficient use of the highway network and do not have an adverse impact on highway safety or create unacceptable levels of traffic generation; provide appropriate levels of parking and ensure access arrangements for the site to allow for safe manoeuvring.

4.61 There is no conflict between the relevant policies of the adopted UDP and unadopted LDP with respect to highway safety.

4.62 The existing vehicular access to the site is gained from the B5425. The access is located in close proximity to the garage showroom and space for manoeuvring vehicles at this point is restricted. Planning permission was granted by P/2020/0510 to relocate the access to the south of the existing position to allow for greater circulation space within the site. Visibility splays of 2.4 X 170m were approved. Highways Officers raised no objections to the proposed relocation of the site access or the extension to the car oar in the consideration of the previous application.

4.63 As referred to above, this application does not include any alterations to the approved plans with respect to the relocation of the vehicular access or the extension of the car park. There have been no material change to highway circumstances since the 2021 permission was granted.

4.64 It is not considered that the development would have any detrimental impact upon highway safety. The development would accord with Policy GDP1 and T8 of the UDP.

4.65 Condition 3 requires that prior to first use of the development, the vehicular access shall provide visibility splays of 2.4 metres x 120 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 highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

4.66 Condition 4 requires that within one month of the first use of the access shown on drawing no. JC/PD/01 Revision H, the existing access shown on drawing no. JC/PD/00 shall be permanently closed in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.

4.67 As the approved plans have not been amended, there would be no requirement to amend or remove conditions 3 or 4.

Ecology

4.68 Policy EC6 of the UDP states that development either within or close to sites of biodiversity interest will only be permitted where it can be clearly demonstrated that the need for the development outweighs the need to safeguard the intrinsic nature

conservation value of the site. Policy GPD1 states that all development should 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.

4.69 Policy SP14 of the unadopted LDP states that development will only be permitted where it seeks to protect, conserve and enhance the natural environment.

4.70 There is no conflict between the relevant policies of the adopted UDP and unadopted LDP with respect to ecology.

4.71 An ecological report accompanied the approved application. The report had three principal aims: to provide an initial appraisal of the ecological value of the site and local ecological resource; to detail further surveys that may be required; and to identify potential development constraints relating to ecology and outline potential mitigation/ enhancement measures where possible.

4.72 The report stated that the direct impacts associated with the proposal would be limited to the following habitats/ features: Improved grassland (including part of a soil mound); a short length of stream*; a* retaining wall and a small waste pile. The loss of these habitats/ features was not considered to be a significant adverse effect at a local level. The report did provide recommendations for protections of habitats/features during the construction phase.

4.73 It is not considered that the development would have any detrimental impact upon biodiversity. The development would accord with Policy GDP1 and EC6 of the UDP.

Green Infrastructire

4.74 Paragraph 6.2.1 of PPW states that green infrastructure is the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places. Component elements of green infrastructure can function at different scales and some components, such as trees and woodland, are often universally present and function at all levels. At smaller scales, individual urban interventions such as street trees, hedgerows, roadside verges, and green roofs/walls can all contribute to green infrastructure networks.

4.75 Paragraph 6.2.5 states that a green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.21) has been applied.

4.76 Paragraph 6.4.5 of PPW states that planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity. In doing so planning authorities must also take account of and promote the resilience of ecosystems, in particular the following aspects: • diversity between and within ecosystems; • the connections between and within ecosystems; • the scale of ecosystems; • the condition of ecosystems including their structure and functioning; and • the adaptability of ecosystems.

4.77 Paragraph 6.4.21 states that planning authorities must follow a step-wise approach to maintain and enhance biodiversity and build resilient ecological networks by ensuring

that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for; enhancement must be secured wherever possible.

4.78 Paragraph 6.4.21 states that planning authorities must follow a step-wise approach to maintain and enhance biodiversity and build resilient ecological networks by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for; enhancement must be secured wherever possible.

4.79 Section 6 of the Environment (Wales) Act 2016 states that a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions. A public authority must take account of the resilience of ecosystems, in particular the following aspects; (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); (e) the adaptability of ecosystems.

4.80 Policy EC6 of the adopted UDP states that measures to improve the biodiversity value of sites and enhance their natural conservation interest and landscape quality including the establishment of local nature reserves, will be supported.

4.81 Policy SP19 of the unadopted LDP specifically refers to Green Infrastructure. The policy states that Wrexham's distinctive natural heritage provides a network of green and blue infrastructure. Protection, conservation and enhancement of natural heritage networks needs to be reconciled with the benefits of development. Development will be required to maintain the extent, quality and connectivity of multifunctional green infrastructure on or near a site, and, where appropriate to enhance it by: i. Creating new interconnected areas of green infrastructure between the proposed site and the existing network; ii. Filling gaps in the existing network to improve connectivity; iii. Protecting the features most valuable for both nature and people; and iv. In instances where loss of green infrastructure is unavoidable, provide mitigation and compensation for the lost assets on a site-specific basis.

4.82 The application site is located within the existing settlement limit for Bradley. Due to the nature of the site being a car showroom and garage, the majority of the site is hard landscaped and there is limited biodiversity interest, although there is an existing hedgerow between the site and residential dwellings to the western boundary. The land on which the extension would be formed is dominated by agricultural fields supporting improved grassland, which is grazed by livestock. It also includes scrub/ scrub-woodland habitats located on banks between the fields and Llay New Road. The northern boundary of the survey site is formed either by a retaining wall (separating the site from existing car parking facilities associated with Lindop Bros Toyota) or a fence/ shrubs (separating the site from housing/ gardens). Llay New Road forms the eastern boundary. The southern/ western boundaries are undefined, being largely located in an improved grassland field. The whole application site links to the surrounding green infrastructure, which includes residential gardens and open countryside.

4.83 The proposals would provide for biodiversity gain. Approved Drawing no. JC/PD/01_Rev H illustrates the location of a small number of soft-landscaping areas within the car park footprint. These will be established with appropriately sized pollinator friendly shrubs/ trees (*e.g*. from https://www.rhs.org.uk/science/pdf/conservation-and-biodiversity/wildlife/rh). Where possible British native and plants of local provenance will be utilised. It is also proposed to enhance the scrub resource, particularly in the vicinity of the existing culvert, where many dead stems are currently evident. A range of British native

shrubs will be utilised, including Hawthorn, Hazel, Holly, Elder and Dog-rose. Once established this will be left un/ infrequently managed in line with the existing resource.

4.84 In addition to the above, it is proposed to install a robin and wren nest on the existing showroom building. The Robin and Wren nest box would be positioned at 1.4 metres above ground level on the western boundary wall. A specification is contained within Appendix KJP3.

4.85 It is not considered that the development would have any detrimental impact upon biodiversity. In accordance with PPW and Policy EC6 of the adopted Wrexham Unitary Development Plan, the development would provide biodiversity enhancement.

4.86 Condition 5 requires that within three months of commencement of development, full details of a hard and soft landscaping scheme together with a five year Maintenance Plan and timescales for implementation of works shall be submitted to and approved in writing by the Local Planning Authority. Hard and soft landscaping shall thereafter be provided and maintained in accordance with the scheme as approved.

4.87 As the approved plans have not been amended, there would be no requirement to amend or remove condition 5.

5.0 CONCLUSION

5.1 For the reasons given above it is considered that the principle of development, comprising the relocation of the existing vehicular access and the extension to the car park at Lindop Toyota has been accepted by the granting of planning permission P/2020/0510. It is not considered that circumstances have materially changed since the granting of planning permission in September 2021.

5.2 It is not considered that the proposed variation to condition 1, to extend the time period for commencement of development by a further five years, would have any detrimental impact upon the main material considerations referred to above.

5.3 It is therefore requested that planning permission be granted for the variation of condition 1 of P/2020/0510.