MEMORANDUM

From:	Chief Officer, Environment & Technical	**To:**	Chief Officer Economy & Planning
		FAO:	Sharon Holman
Our Ref:	ET/DC/PP/P/2026/0501 Res(2)	**Your Ref:**	P/2026/0501
Date:	23/09/2026		

TOWN AND COUNTRY PLANNING ACT 1990

PROPOSAL: NEWID DEFNYDD ADEILAD O DDOSBARTH C3 (ANNEDD) I DDOSBARTH D1 (YSGOL) / CHANGE OF USE OF BUILDING FROM CLASS C3 (DWELLING) TO CLASS D1 (SCHOOL)

LOCATION: CUMBERS HOUSE, CUMBERS, HANMER, WHITCHURCH, SY13 3DW

I refer to your consultation / email dated 01/09/2026 in respect of the above.

General

The proposed development comprises the change of use of an existing 6 bedroom dwelling to a small independent school proposed to accommodate a maximum of 20 pupils, employing 8 staff members.

Access

The proposed development site is located on a rural, classified road (A539) subject to a 50mph speed limit. Based on typical speeds of 50mph, any proposed / existing access would require visibility splays of 2.4 x 160m in both directions measured to the nearside edge of the adjoining highway.

Visibility from the existing / proposed access is adequate in the south easterly direction providing a splay in excess of 2.4 x 160m measured to the nearside edge. However, visibility in the north westerly direction is inadequate providing a splay of approximately 2.4 x 6m measured to the nearside edge. Visibility is impeded in this direction by the existing hedgerow.

Any proposed / existing access would also require adequate forward visibility for vehicles approaching from the north west to vehicles waiting to turn right into the proposed access. Based on typical speeds of 50mph, a stopping sight distance (SSD) of 160m would be required. Forward visibility in this location appears inadequate providing a stopping sight distance of approximately 100m.

Based on the above, the LHA would be unable to support any proposed development that is likely to result in any significant increase in vehicle movements utilising this sub-standard access. The proposed development is considered likely to generate a significant increase in vehicle movements compared with the original single dwelling.

No details of the proposed lateral and forward visibility splays have been provided. **The LHA recommends the applicant provides a suitably scaled plan indicating the full extent of the required splays**. ***The submitted Highways Statement does not provide this detail.***

The existing / proposed access serving the site is approximately 3m wide and surfaced with loose bound materials. The existing dropped kerbs are broken and would benefit from replacement (s.184 / 171 consent required for such works).

The access cannot accommodate the simultaneous passage of 2 no. vehicles in its current form which is unacceptable. No details of the maximum size/ length of vehicles likely to visit the site have been provided in order to determine the required design of the access required. **The LHA recommend this detail is provided along with appropriate swept path details (using standard swept path software) indicating how such vehicles will pass each other whilst entering, accessing, turning and exiting the site in both directions.** ***The submitted Highways Statement does not include the previously requested information and the applicant considers that no access improvements are required.***

The existing access is now proposed as a shared access and improvements would be required given the sub-standard nature of the existing access in terms of layout and visibility.

Any proposed widened access will need to be surfaced with hard bound materials for a minimum distance of 10m behind the adjoining highway with no gates being erected. **The LHA recommend this detail is indicated on a suitably scaled , revised layout plan.** ***The submitted Highways Statement indicates that no access improvements will be offered which is unacceptable.***

Sustainability

The development site is located in a relatively remote location, on a rural classified road along which there is limited footway provision and no lighting provision. There are very limited local facilities / services available. It may be considered that the proposed development site is in an unsustainable location and does not support the opportunity for staff / pupils to walk safely to local facilities and public transport stops.

The proposed development may not be considered appropriate to meet the requirements of the settlement policies detailed in TAN 18. These policies require developments to provide safe walking and cycling routes to local facilities and public transport stops.

Comments from WCBC Transport Section as follows:-

The current bus route operating past Cumbers Bank is the Pats Coaches bus service 146 Wrexham – Whitchurch. It operates Monday to Saturday. The timetable is subject to school day & Saturday/school holiday variations but in general there are 5 services in each direction (toward Whitchurch and toward Wrexham) per day.

Historically a bus stop in each direction has been established within 75 metres of the proposed development (see below), but over time, due to the lack of footway, and verge side maintenance, they have been removed from use, which based on the criteria applied today for establishing a new bus stop would not be deemed a safe location for those stops without having a suitable footway or lighting present. In the absence of available and in-service bus stops, the nearest location to catch the 146 bus service at a marked bus stop would be in the village of Penley or Hanmer, however in both cases there is no apparent safe walking route available from the Cumbers Bank area to either settlement.

Travel Plan

Comments from Active Travel Section:-

The Regional Transport Plan (RTPs) in Wales encourage the submission and operation of Travel Plans to promote more sustainable modes of travel. ***If the application is supported, the LHA suggests the applicant considers submitting a draft Travel Plan for further approval. This detail has not been provided in the latest response.***

Traffic Generation

The submitted Transport Statement includes very limited details of the existing and proposed daily vehicle movements. **The LHA recommends that this detail is provided in greater detail.**

The submitted Highways Statement indicates the following:-

The proposal is for an independent special school and is therefore intentionally small in scale and designed around the specific needs of its pupils. The school will accommodate a maximum of 20 pupils and 8 staff. Its operational model is different from that of a typical mainstream school, with carefully managed and staggered pupil arrivals and departures through designated time slots and open arrival/departure windows. Vehicles will therefore not all arrive at or leave the site simultaneously.

The Applicant also intends to operate a minibus for pupils within the local catchment where appropriate, and staff car sharing will be encouraged. Parents/carers will generally drop off and collect pupils without leaving their vehicles, with parking available where a parent/carer needs to enter the building. The use will not generate regular large vehicle deliveries or coach movements.

Given the intentionally limited scale and managed nature of the proposed provision, we do not consider that the anticipated traffic generation would give rise to a highway safety or capacity issue that warrants physical improvements to the existing access. This is also a change of use of an existing building, with no alterations proposed to the existing access. We would therefore ask the Highway Authority to reconsider its request for access widening and associated physical improvements, particularly in the context of the scale and operational characteristics of the proposed use and the absence of any identified highway safety issue arising from the existing access.

The submitted Highways Statement does not provide any specific details on anticipated daily traffic generation which is unacceptable. No evidence from similar developments in remote locations has been provided for comparison purposes.

Parking & Turning Provision

Adequate parking & turning provision will be required in accordance with LPGN 16 requirements. Based on LPGN 16 requirements the proposed school (Class D1 Use - 361.9m^2 gfa) would require a maximum of 2 car spaces plus 1 space per 25m^2 gfa. This would equate to the maximum requirement of 16 spaces.

Given the number of pupils proposed (20 no.) and staff numbers (8 no.), the above requirements would appear to be on the low side.

The submitted Site Layout Plan (Drg. No. 26-617-003) indicates the provision of 12 parking spaces which would be considered inadequate given the remote location of the site and numbers of pupils /

staff proposed. It is considered likely that most staff / parents will make separate trips in their own vehicles.

The submitted Highways Statement indicates the following:-

Although the Highway Authority has calculated that 16 parking spaces are required based on the building's floorspace, the applicant considers that the proposed 12 spaces are sufficient for the school's needs. The applicant has significant experience operating independent special schools and understands the parking and access requirements associated with this type of use. The proposed parking provision has therefore been based on the expected level of demand. We would ask that the parking requirement is reviewed taking account of how the school will operate in practice, rather than relying solely on the floorspace calculation.

Finally, given that the largest vehicles expected to regularly access the site will be cars and the school minibus, we do not consider that a swept path analysis is necessary. The proposed use will not materially alter the nature or scale of vehicles accessing the site compared with the existing use, and no physical alterations to the access are proposed. On this basis, we would ask the Highway Authority to reconsider its request for a swept path analysis.

The submitted Highways Statement does not provide any specific details / evidence that 12 parking spaces would be sufficient. No evidence from similar developments in remote locations has been provided for comparison purposes.

The submitted plan does not indicate marked out parking spaces in accordance with LPGN 16. **The LHA recommends the applicant provides a revised plan indicating marked out spaces with adequate turning behind e ie/ minimum of 6m clearance including annotated dimensions.**

No details of the maximum size/ length of vehicles likely to visit the site have been provided in order to determine the required design of the access or turning requirements within the site curtilage. **The LHA recommend this detail is provided along with appropriate swept path details (using standard swept path software) indicating how such vehicles will pass each other whilst entering, accessing, turning and exiting the site in both directions.**

The submitted Highways Statement does not provide the above detail.

Waste / Recycling

Insufficient details have been provided in respect of servicing of waste / recycling at the site including details of appropriate bin storage provision / location.

The LHA recommend the applicant consults with our Senior Waste Strategy Officer Gabrielle Povey (Senior Waste Strategy Officer) on 01978 729640 to discuss the above detail and the adequacy of any area allocated to waste collection. It is not clear whether the proposed school will be serviced by WCBC or by a private contractor. **This detail needs clarification by the applicant along with further details on intended waste / recycling storage & collection points (detailed layout plan & written clarification) which meet the WCBC Waste Section requirements.**

The submitted Highways Statement does not provide the above detail.

Conclusion

In conclusion, insufficient information has been provided to address the previous issues raised (highlighted above). It would therefore be difficult for the LHA to support the proposed development.

Supplementary Notes

The applicant's attention should be drawn to item nos. 1, 2, 3, 4 & 5 of the supplementary notes.

Appendix

Highways Development Control Standard Advisory Note

In the interests of maintaining highway safety, and to avoid obstruction of the public highway (in contravention of the Highways Act), The Applicant is advised to coordinate with the highway authority at highwayroadworks@wrexham.gov.uk in advance of commencement of the development/works with respect to:

1. *Skip, scaffolding, hoarding or A frame/signage (Permit required for these items, if on the public highway);*
2. *Use of a parking space for a set down/delivery area;*
3. *Record a dilapidation survey of the adjacent carriageway prior to commencement (to avoid being ask to repair damage by the Applicant whilst carrying out their works);*
4. *If any lane closure or obstruction of the highway is required for a crane or similar;*
5. *Protection against dust and debris blowing onto the public highway*
6. *Construction traffic parking locally avoiding nuisance to others;*
7. *If the Applicant's scope of work includes new apparatus in the highway, such as new mains services then a Section 50 licence will be required. Insurances and demonstration of competency to carry out works in the public highway will be required.*
8. *Lowering of kerbs or minor pavement alterations require Section 184 / 171 agreement. Insurances and demonstration of competency to carry out works in the public highway will be required.*
9. *A section 278 agreement works agreement is required for more significant alterations to the existing highway*
10. *Any temporary works affecting traffic lights, [pedestrian/cycle road crossings, or bus stops require pre-planning and permits;*
11. *For applications with a private driveway (either existing or proposed) connecting onto the public highway, the following conditions of approval apply:*

    - *No surface water from the applicants site should be allowed to drain onto the public highway,*
    - *The first 5m* minimum (for residential property) should be hard paved, avoiding gravel or loose chippings form spreading.*
    - *No gate should be built in a location where it would result in a car obstructing the highway whilst being unlocked, and it should not swing out and over a pavement or any other part of the highway.*

    **The hard paved length and set back if required is subject to the applicants proposed vehicular length*

The applicants should allow a minimum of 4 weeks' notice for any of the above standard requirements, and 6-8 weeks for lane closures & road closures (lead times may change without notice subject to workload and complexity). Any works involving Trunk roads should be coordinated separately and directly with the North & Mid Wales trunk Road Agency. For larger sites with a significant impact upon the highway, a Construction Traffic Management Plan will be required.

KW Edwards

Contracts & Engineering Manager

On behalf of Chief Officer, Environment & Technical