MEMORANDUM

From:	Chief Officer, Environment & Technical	**To:**	Chief Officer Economy & Planning
		FAO:	Sarah Duckworth
Our Ref:	ET/DC/DB/P/2026/0226	**Your Ref:**	P/2026/0226
Date:	21/10/2026		

Town and Country Planning Act 1990

PROPOSAL: NEWID DEFNYDD Y CYNHWYSYDD PRESENNOL I DDOSBARTH A3 (BWYD A DIOD - CIOSG LLUNIAETH) / CHANGE OF USE OF EXISTING CONTAINER TO CLASS A3 (FOOD AND DRINK - REFRESHMENT KIOSK)

LOCATION: BRADLEY MILL BARN, BRADLEY, WREXHAM, LL11 4DD

The Local Highway Authority are in receipt of the applicant's emailed response dated 2 September 2026 and advise as follows:

a) With 48 number seats approximately the Local Highway Authority would suggest this venue would be considered more than a small refreshment kiosk for passing walkers and cyclists. The LHA request the Local Planning Authority's advice on what defines a small refreshment kiosk's capacity.

b) At the time of visiting the site to appraise this retrospective application, there was an assumed customer who left the café and she got into a car parked in the lane and drove off, which demonstrated the LHA's concern that café customers would be tempted to park in the adopted highway.

c) In the absence of onsite parking the Local Highway Authority remain concerned at the temptation for customers/visitors to park in the lane to use or meet at the café.

d) The Local Highway Authority seek the applicant's proposals to demonstrate that parking in the lane can be robustly deterred and strictly controlled by the applicant prior to being willing to consider removing the Local Highway Authority objection to the proposal.

e) Confirmation that the applicant arranges personal collection of stock and supplies is noted. Can this commitment to avoid deliveries in the absence of offsite parking and provision of turning facility, be referred to in a Non Standard condition? Can the applicant confirm that the only staff are resident in the adjacent property, and therefore there will be no requirement for staff parking, and a vehicle that regularly collects provisions.

f) In addition to ensuring the highway is not obstructed by parked vehicles near to the café, it is important to maintain turning space for vehicles entering or leaving the highway at any one of 4nr existing accesses within sight of this unit (excluding the main dwelling). The Local Highway Authority referred to the Livery access specifically as a regular demand for HGV access should be maintained. Provision of maintaining access also applies to 2nr residential

accesses opposite and an agricultural gate access to the north on the same side as the applicant's site.

g) It is noted the applicant refers to a small number of vehicles on occasion parking in the lane. This may be, but the Local Highway Authority are duty bound to demonstrate this temptation is not increased even marginally.

h) The screenshot of the plan showing the adoptable boundary included within the Local Highway Authority's previous response demonstrates that the Local Highway Authority have adopted a zone 1.8m via from the kerb edge, or edge of tarmac. The brick pieces fall within this zone unless it can be demonstrated otherwise.

i) Can the applicant demonstrate that safe access is available for able bodied and wheelchair users (or prams) that provides pedestrian visibility of approaching vehicles and adequate Equalities Act width of access? This may be in the region of 800mm* for straight access but more if turns are required to access the ramp from the opening. *The applicant should check this with the appropriate bodies as the LHA are not designers.

j) The Local Highway Authority query relating to a temporary permission was seeking advice on the option of a temporary permission that could not as a trial period to demonstrate that parking can be successfully deterred, avoiding obstructions to traffic or neighbouring accesses.

Conclusion

Based on the information submitted to date the Local Highway Authority remains unable to support this application.

To enable the Local Highway Authority to support this application the following would be required:-

a) A robust proposal that provides confidence that parking in the lane can be successfully deferred. Tools available to the applicant may be clear bilingual signage, clear instruction on social media, on menus / price lists and reinforcement with verbal explanation **and policing in use**.

b) Resolution of the pedestrian access in terms of safe pedestrian access (visibility and adequate equal opportunities design compliance) and agreement of the highway boundary and any surfacing tie in.

Supplementary Notes

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

KWEdwards

Contracts & Engineering Manager
On behalf of Chief Officer, Environment & Technical

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.