

**Report of the Chief Officer Planning and Regulatory – 10 January 2022**

**APPLICATION NO:**  
P/2021 /0680

**LOCATION:**  
LAND OFF WESTMINISTER DRIVE  
CHESTER ROAD WREXHAM LL12  
7AU

**DATE RECEIVED:**  
07/07/2021

**COMMUNITY:**  
Acton

**DESCRIPTION:**  
CAIS AMLINELLOL AR GYFER  
YSGOL GYNRADD (CADW  
YMDDANGOSIAD, TIRLUNIO A  
GRADDFA) / OUTLINE  
APPLICATION FOR PRIMARY  
SCHOOL (APPEARANCE,  
LANDSCAPING AND SCALE  
RESERVED)

**CASE OFFICER:**  
MP

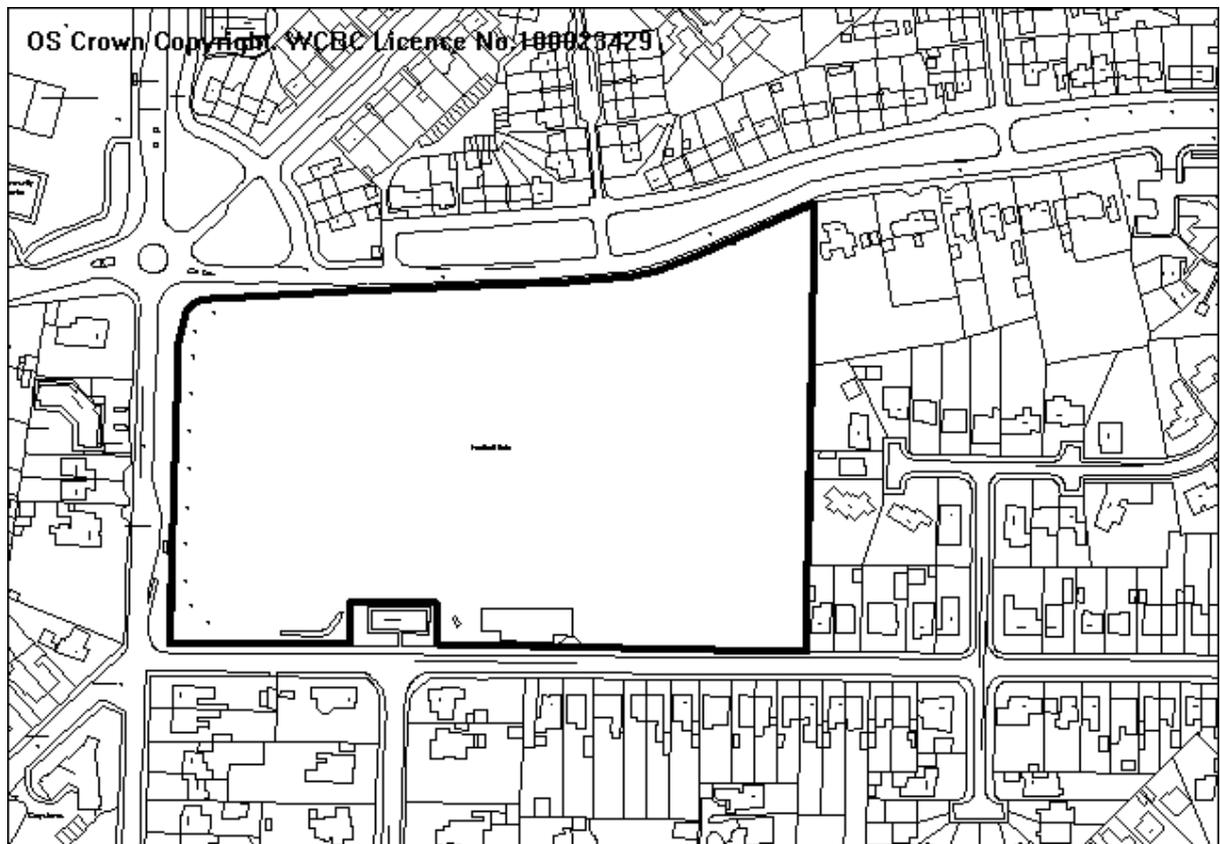
**WARD:**  
Maesydre

**AGENT NAME:**  
KEITH O HANLON

**APPLICANT(S) NAME:**  
WREXHAM COUNTY BOROUGH  
COUNCIL

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**THE SITE**



**PROPOSAL**

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Outline planning permission is sought for the erection of a new primary school. Approval for access and layout are sought at this stage. Scale, appearance and landscaping are reserved for subsequent approval.

### **HISTORY**

### **DEVELOPMENT PLAN**

Within settlement. Policies GDP1, EC4, EC6, CLF4 and T8 apply.

### **CONSULTATIONS**

Acton Community Council:

The Community Council has reiterated the objections and comments it made on 7 August 2020 at the preplanning stage.

It has noted the responses and commentary within the Pre-Application Consultation report that accompanies the application but considers that all the objections and concerns the Community Council has already raised are valid and have still not been addressed.

The Community Council also wishes to add objections and further concerns about:-

1. Flooding: The outline planning application differs from the pre-planning application in that the proposed school building will use approximately 40% of the green space on the Nine Acre Field. As previously stated there will be loss of permeable open space through the proposed development and this will be exacerbated as the pre-planning proposed woodland area has been removed from the Outline Application.

There are existing drainage issues with lying water during periods of heavy rain along Chester Road, Lawson Road, Rhosnesni Lane and The Beeches. There should be sustainable drainage systems developed to alleviate these problems and ensure that no new or existing drainage issues are created or exacerbated for nearby land lying lower than the nine acre field

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In particular this objection references the existing problems of how the immediate drainage in the vicinity of the 9 Acre site deals with rainwater drainage, there is one side of the 9 acre field site in particular that is often waterlogged for several months of the year.

Within Wrexham County Borough Council's own Flood Risk Management Plan 2016 - 2021 for the Acton Community it concludes in 7.2.1.1:

*“Review of the flood maps for Acton clearly identify that surface water flooding of residential properties is the significant concern for this community. The area is heavily urbanised, with limited areas of significant open space to minimise the impacts of higher intensity rainfall events that will inevitably increase the likelihood of surface water flooding. Historically flooding incidents have resulted as a result of intense rainfall events overloading the existing drainage infrastructure, the vast majority of which is below ground via highway or sewer drainage system or culverted watercourses. With climate change expected to bring increased occurrence of intense, shorter duration rainfall, existing drainage systems will be put under increased pressure, with an expected increase in the occurrence of surface water flooding within the community”.*

2. There will be a detrimental impact on the surrounding Highway as a result of the proposed two new access roads.

Objections raise in pre-application consultation response:

1. The proposed development will result in the loss of declared Public Open Space

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and have an adverse impact on the Town's green spaces, habitats and natural environment;

2. The proposed entrance, exit and arrangements for the dropping off and collection of pupils at the School will require several mature trees to be felled to widen the entrances, provide parking areas and necessitate the removal of part of the stone wall which is a remnant of the Acton Park estate wall, thus detracting from the visual heritage of the Acton Community;
3. The provision of 70 parking spaces on the Public Open Space will impact adversely on the permeable open space on the site;
4. The existing mature trees are not accurately shown on the site plan submitted with the documents. The proposal to remove mature trees should not be permitted as it is contrary to the Wrexham Planning Guidance note No. 17;
5. The proposed forest park will not mitigate the loss of green space, the removal of mature trees and the subsequent negative environmental impact and any environmental gains will take decades to reach maturity;
6. The Community of Acton is already well served with the Alexander, Acton Park, Barker's Lane and Borrás Park Primary Schools there is also a further Welsh Medium School being planned for the Borrás Park Site, together with the Rhosnesni High school. All of these schools are contained within the Community Boundary. This leads to severe traffic congestion outside schools and adjoining local roads. The Community Council is very concerned about the road safety for pupils attending these schools and provides funding for school crossing patrols at three sites within the Acton Community. The impact of developing a further School with the Community Boundaries that admits pupils from a Wrexham County Borough wide catchment area the majority of

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whom will have to travel to the school from across the Wrexham County will result in a higher level of daily car journeys and gridlock. It is difficult to envisage from the documents submitted how this together with the resultant air pollution and ozone contamination from idling buses and cars can be mitigated;

7. The residential streets adjoining the application site are already congested throughout the working day due to over-spillage of town centre parking.
8. The application site borders the Maesydre Conservation Zone and there must be special consideration given to the impact and appearance developing a large two storey building on a declared Public open Space
9. There will be loss of permeable open space through the proposed development there are existing drainage issues with lying water during periods of heavy rain along Chester Road. There should be a sustainable drainage systems developed to alleviate these problems and ensure that no new drainage issues are created for nearby land lying lower than the nine acre field”

Rhosddu Community Council:  
Cllr Becca Martin:  
Cllr Marc Jones:  
Cllr Geoff Lowe:  
Cllr I David Bithell:  
Public Protection:  
Highways:

Consulted 14.7.21  
Notified 14.7.21  
Notified 19.7.21  
Notified 19.7.21  
Notified 19.7.21  
Recommend conditions and advisory notes.  
First response dated 16 September 2021:

The application is for a new 315 pupil primary school, with an additional 45 pre-school age children in nursery, attending part time. The school is to replace the existing St Mary’s RC school. Access points are proposed on Rhosnesni Lane and on Westminster Drive.

### **Trip Generation**

The expected number of pupil trips by each mode has been estimated based on the results of a survey at the existing St Mary’s RC school. It is agreed that because of under reporting of coach travel this has

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produced a robust estimate of the number travelling by private car. 34% were found to travel to school by sustainable modes and 66% by private car. The number of car trips expected during the school peak hours has been adjusted to account for siblings travelling together and for before and after school clubs. The peak car drop-offs is forecast to be 112 cars.

The number of coaches, minibuses and private hire vehicles are assumed to remain as at the existing school.

The school has 40 staff (33 full time) but it is agreed that they will generally travel outside of the school peak hour.

It is agreed that with a higher residential density the potential for walking to school may increase. In the short term, however, the location change may mean that pupils who previously walked will travel by car, crossing through the town centre.

### **Highway assessment**

Junction surveys were undertaken in March 2021, from 08:00 - 09:00 and 2:30 - 4:00 at:

- A5152 Chester Rd/Rhosnesni Lane/Prices Lane/Cilcen Grove roundabout
- A5152 Chester Road, Westminster Dr & Foster Road junction

The traffic flows have been doubled to account for the reduction in traffic flows caused by Covid19 restrictions. This is based on AADT data from a DfT count site 500m from the surveyed roundabout, assuming that 'a reasonable assumption for peak hour traffic flows is around one tenth of the annual average daily traffic flows'. This is agreed to be a robust approach.

For the traffic assessment the estimate of car trips to drop off pupils has been reduced from 112 to 100 to account for mini-bus and private hire vehicles. It is assumed that all staff drive to school within the peak hour. For assessment purposes it is assumed that

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all traffic would use the busier access.  
Rhosnesni Lane access junction.

A robust assessment has been made for the Rhosnesni Lane access junction, showing that the junction will operate within capacity under a range of trip distribution scenarios.

### **Site Layout**

Separate parking areas are proposed on the school site for coaches, staff, and parent pick-up/ drop-off. Dedicated spaces are provided in the staff car park for minibus and private hire vehicle pick-up/drop off. There is a separate entrance and exit for coaches to avoid the need for reversing.

Swept path analysis provided shows 15m bus can drive through the site, although it does overrun the painted traffic islands and uses the full width of the road to turn in and out of the site. This is a concern as this would be a daily multiple-occurrence and it should be redesigned before the application is determined.

The parent car park also has two access points, which could be used as a one-way system.

### **Wrexham County Borough Council Parking Standards (LPG16)**

For schools, the WCBC parking standards set a maximum of 2 car spaces plus 1 car space per 25m<sup>2</sup> gross floor space. The school building is proposed to be 1450sqm, which would allow a maximum of 60 car parking spaces. A minimum of 10% of spaces must be provided to mobility standard. The cycle parking standard is 1 cycle space per 250m<sup>2</sup> gross floor space which equates to 6 spaces for this proposal.

The proposed car parking provision at the school is in excess of the maximum, although it has been calculated to address the needs of the school. If the excess parking is removed, an increase in on-street parking would be expected. The Transport

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Statement (TS) suggests that there is adequate availability of on-street parking in the vicinity of the school.

### **Car Park Management Plan**

#### *Coach Parking*

The coach drop off and pick up area is separate from other vehicles. The TS states that a management regime for this is being discussed with the coach operators and that the Road Safety Officer has confirmed the proposal is acceptable.

#### *Staff Car Park*

The staff car park provides 37 standard spaces plus three mobility spaces (40 spaces in total). This has been based on one space per full-time member of staff, 1 space per 3 members of part-time staff, plus 2 additional spaces to accommodate future need. Electric vehicle charging is proposed in the three mobility spaces, which would then become shared use. LPG16 requires that two of the spaces must remain for the exclusive use of disabled persons. It is therefore suggested that some charging should be provided in standard spaces.

Also within the staff car park are three dedicated mini bus spaces and three mobility spaces for use by private hire vehicles transporting pupils. These are in addition to the staff parking and are agreed to meet the needs of the school.

#### *Parent Car Park*

The pupil drop off/pick up car park has 78 spaces. These are oversized to assist parents. Peak demand has been estimated to be 112, reducing to 100 with minibuses and private hire vehicles. The TS suggests that this may supply most of the parking required, especially on days when after school activities run. It also accepts that there will be some demand for on-street parking, as parents preference. This will be accommodated on Westminster Drive.

#### *Servicing*

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Service vehicles will use the car park during day, the two access points mean there is no requirement for reversing.

### *School Trips*

Coaches may use the coach parking or parent car park. There would be no need for coaches to reverse.

### **Westminster Drive**

In order to facilitate on-street drop off/pick up by parents, waiting time restrictions are proposed on Westminster Drive. A parking survey has shown that there is adequate on-street parking availability in the vicinity of the school. It is agreed that the restrictions will allow for short term parking close to the school entrance without creating problems by displacing other parked vehicles.

### **Proposed Highway Infrastructure Improvements**

A speed limit reduction to 20mph with supporting traffic calming measures are proposed along Rhosnesni Lane and Westminster Drive. This covers appropriate sections of road.

Both access points are to have school 'Keep Clear' markings along the site frontages.

The proposed new and widened footways are appropriate to provide safe walking routes to school. Raised pedestrian crossings are provided outside the school across Rhosnesni Lane and Westminster Drive and a dropped kerb crossing of Chester Road south of Westminster Drive.

### **Travel Plan**

A school travel plan has been submitted with the application, covering the whole school. Targets have been set for an initial three year period from opening, and are to be reviewed annually.

Appropriate short and longer term targets of 5% and 10% increase in use of sustainable modes have been set. Appropriate

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measures have been identified for implementation through the travel plan to encourage uptake of sustainable travel options.

In addition, a number of infrastructure measures have been proposed to be implemented during construction to improve the environment for active travel.

### **Conclusion**

As the new school building is located further from the town centre and within a more residential area there is likely to be a positive impact on the town centre traffic. In the initial few years if pupils are to transfer from one school to the other, there may be an increased in pupils being driven from one side of the town centre to the other to school.

It is acknowledged that it will take time for the traffic patterns to settle down, but on balance the evidence provided is sufficient to support the conclusion that in the longer term the re-location of the school to the new site can be supported in terms of the highway mitigation proposed and the travel plan proposals supporting this application. It is noted that the over provision of on-site parking would remove some of the parent/resident conflicts on the main carriageway.

The assessment has shown that the proposed access junction can accommodate the expected car traffic, however no assessment has been made of other nearby junctions.



The site layout provides separate parking for staff, parents and coaches and avoids the need for coaches to reverse. Parking provision is above the maximum stated in the WCBC parking guidelines. If this is reduced, there appears to be adequate on-street parking available.

An appropriate package of highway improvements has been proposed to

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provide suitable pedestrian routes to the school.

### **Second response dated 13 December 2021**

Following receipt of a number of objections relating to traffic generation and highway safety, as well as further information for the applicant's transport consultant I comment as follows:

#### **Traffic Surveys**

The objection raised a concern that traffic surveys were undertaken during a Covid-19 lockdown when traffic flows may be suppressed. This is an unavoidable issue that has affected most large developments seeking planning permission since March 2020.

To understand the impact of Covid-19 restrictions on the traffic data collected, the observed flows were compared with a DfT site close to the surveyed junctions. The traffic flows used were then doubled to ensure there was no underestimation. This was combined with a robust methodology to estimate the expected traffic generated by the school. All the issues have been addressed and any small changes to the assumptions would not affect the conclusions previously reported. I am therefore satisfied that a robust traffic assessment has been undertaken.

#### **Parking**

It is acknowledged that the parking surveys were also undertaken during Covid-19 restrictions. As the school is in a residential area and there is no evidence that local parking needs and patterns have materially changed or been suppressed by Covid-19 restrictions. I am therefore satisfied that a sufficiently robust parking assessment has been undertaken for this residential area.

#### **Active Travel**

The relocated school is in a residential area, providing better access by active travel than

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its previous location. There is good footway provision and a segregated cycle lane on The Beeches. Although further improvements would be welcomed there is no pressing reason to pursue additional measures as part of any highway mitigation proposals linked to the school's relocation. Active travel has been well considered within the scheme design, with proposals for widening of footways, routes for pedestrians within the site and consideration of offsite mitigation measures. A Travel Plan has also been produced and agreed by the school.

The improvements proposed to assist pedestrians and cyclists include: 

- Speed limit reductions to 20mph along Rhosnesni Lane and Westminster Drive;
- Traffic calming measures on Rhosnesni Lane and Westminster Drive;
- Raised pedestrian crossing points on Rhosnesni Lane and Westminster Drive;
- A new dropped kerb crossing of Chester Road south of the junction with Westminster Drive;
- Footway widening at the Chester Road/ Westminster Drive junction;
- New footway proposals linking Rhosnesni Lane to The Beeches and the residential areas to the north

### **Site Access for Coaches**

As previously advised, there is some concern over the design of the coach access/egress as the coaches straddle both sides of the road, especially as the daily coach movements will occur during the traffic peak at the beginning and end of the school day. While this is not expected to create a safety hazard, as drivers will take care to avoid collisions, the risk still remains. The concern remains as these movements would be a daily occurrence whenever the school is open and operating. It is preferable that the design of the access is revised to allow the vehicles to maneuver within their allocated carriageway lane. This could be achieved by a redesign of the junction now or as a condition that the

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access arrangements need to be finalized through the Reserved Matters.

It is acknowledged that the design of the coach access / egress seeks to balance the bus usage with pedestrian crossing widths, with a much greater demand by pedestrians than coaches. The management of the coach area is expected to result in coaches being let out in a managed fashion and that coaches would not leave if there is a flow of children from another coach.

It is acknowledged that there may have been a misinterpretation relating to the architect's layout, where arrows highlighting the entrance points to the site may have been misinterpreted to be white line islands. The lining is understood to be standard give-way lines.

### **Junction of Westminster Drive and Park Avenue**

A concern has been raised that the junction radii and visibility of the junction of Westminster Drive and Park Avenue are substandard and a potential source of danger.



It is accepted that the key routes towards the site are Chester Road and Rhosnesni Lane, via which the majority of traffic could be expected to travel. Park Avenue provides a relatively direct route from the south eastern areas of Wrexham and some central areas, therefore there would be some desire for parents to use this route during school pick-up / drop-off. As all staff traffic would access the staff car park via Rhosnesni Lane, no staff are expected to use the junction.

The forecast development-generated traffic is approximately 100 inbound and 100 outbound vehicles relating to parents with up to 25% using the Westminster Drive / Park Avenue junction. This would equate to around 25 inbound and 25 outbound vehicles at this location. This is based upon the car parking operating as either two

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separate car parks or a single car park with two accesses.

If the car parking operates as inbound via Westminster Drive and outbound via Rhosnesni Lane, then at most 50% of the traffic is likely to use Westminster Drive / Park Avenue. This equates to around 50 inbound movements and no outbound movements for both drop-off and pick-up.

In the latter case there would be no additional vehicles exiting Westminster Drive/ Park Avenue (as they would all be turning in) and no assessment of the visibility splay would be required. Whilst a small number of cars may still use the junction, these are likely to be offset by the reduced commuter vehicles using and parking on Westminster Drive.

In both situations, the forecast development-generated traffic at the junction is relatively low (less than 1 car per minute at peak traffic flows times) and therefore this would not materially alter the general pattern of usage or composition of traffic at the junction.

A review of the accident record at this junction, using the national Crashmap database, has revealed one recorded slight accident in the last 22 years of data and this involved an underage driver. I am therefore confident that despite the presence of trees, there is no material accident history at the junction.

A site visit has been undertaken to measure the location of the trees at the junction. Although the trees do have some impact on visibility, the gaps between them allow 30mph visibility splays to the nearside kerb, as well as the 20mph and 25mph to an approaching car, to be achieved. It does not appear that any mitigation would be necessary, but if required in future this could be achieved by removing/pruning the trees immediately adjacent to the junction.

**SAB**

The highway drainage issues raised are to be addressed in a separate response from the specialist Drainage Team.

**Conclusion**

The traffic and parking surveys were by necessity undertaken during Covid-19 restrictions, but the impact of this has been adequately considered, with the traffic flows used increased to avoid underestimation and the assessments are robust.

Active travel has been appropriately considered, with several improvements identified to enhance access to the school by walking and cycling.

The Junction of Westminster Drive and Park Avenue has been reviewed in detail and the trees do not appear to impede visibility sufficiently to make the junction be considered unsafe. Its historic collision record in the last 5 years confirms no collisions have been recorded. However, if required, mitigation is available by removing/pruning the trees immediately adjacent to the junction.

The proposed coach access/ egress provides a balance between pedestrian crossing widths and carriageway space. It is preferable that the access radii are adjusted to improve vehicle movements at the access junction. There is no reason to doubt that an agreeable solution can be achieved within the boundary of the planning application and this could be finalised at a later stage through the Reserved Matters process.

Having considered the issues raised, there are no material highway reasons why planning permission should be refused. However, I would advise that an appropriate condition must be included in respect of the details of the access arrangements to ensure that buses/coaches can exit the school site without needing to cross on to the opposite carriageway.

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Contaminated Land:  
NRW:

Recommend conditions.  
We have no objections to the proposed development, as submitted and provide the following advice:

### **Protected Sites and Foul Drainage**

We note the application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). As you are aware, on the 21st January 2021, we published an evidence package outlining phosphorus levels for all river SACs across Wales. As part of this package, we issued a Planning Position Statement, in which we advised that any proposed development that might increase the amount of phosphate (or phosphorus) within a river SAC catchment could lead to damaging effects to the SAC. Therefore, such proposals should be screened through a Habitats Regulations Assessment (HRA), to determine whether they are likely to have a significant effect on the SAC.

However, the application as submitted is unlikely to increase the amount of phosphorus entering the catchment. Therefore, we are satisfied that the proposal is not likely to have a significant effect on the River Dee and Bala Lake SAC.

### **Protected Species**

We note that there is no information about protected species with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

Welsh Water:

The development may require approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Wrexham Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note,

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Sports Wales:

Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation. Drainage condition recommended.

As set out in the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (SI 2012/801), Sport Wales is the statutory consultee on developments affecting playing fields. The application site has been used as a playing field and therefore consultation with Sport Wales is required.

In assessing such proposals, Sport Wales makes reference to paragraph 4.5.4 of Planning Policy Wales which states that “All playing fields whether owned by public, private or voluntary organisations, should be protected from development except where:

- facilities can best be retained and enhanced through the redevelopment of a small part of the site;
- alternative provision of equivalent community benefit is made available locally, avoiding any temporary loss of provision; or
- there is an excess of such provision in the area.”

No information has been provided which satisfies any of the above criteria and therefore Sport Wales would like to object to the application. Sport Wales would be happy to review this objection pending receipt of further information.

The supporting Design and Access Statement points out that the site is not available to the public and instead used privately but as noted above Planning Policy Wales seeks to protect playing fields irrespective of ownership. In addition, the land is owned by Wrexham County Borough Council and it is therefore within its gift to make the site available to the public.

With regard to the above policy and its three exceptions, the proposal involves the development of a significant portion of the

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site and there are no details of replacement so those two points are not applicable and therefore the only possible exception is that there is an excess of provision in the area. If such evidence can be provided showing a clear excess, Sport Wales will be happy to reconsider its objection. Please note however that Technical Advice Note (TAN) 16 Sport, Recreation and Open Space, a supplement to Planning Policy Wales states “When not required for their original purpose, they may be used to help meet the need for informal recreational or amenity land in the wider community. Only where it can be clearly shown that there is no deficiency, should the possibility of their use for alternative development be considered.

Site Notices:

Expired 11.8.21

Press Notice:

Expired 11.8.21

Neighbours:

The owners/occupiers of 84 nearby properties notified 09.08.21

359 objections received, including 1 from the Governing Body of Acton Primary School expressing the following concerns:

- Loss of open space in an area suffering from a deficit;
- No guarantees the proposed open space will be made available for community use;
- School sports pitches will be on an area that is waterlogged in winter months;
- Traffic survey conducted during a national lockdown and not representative of real conditions;
- Traffic calming on Rhosnesni Lane will cause traffic to back up;
- Increased flood risk;
- Conflict with UDP policies PS2, PS3 and CLF4;
- Conflict with Deposit LDP objective SO6 and policy CF1;
- Conflict with PPW11 and TAN16;
- EBH07a Gypsy and Traveller site assessment – Nine Acre Field is not classed as POS. it is the Nine Acre Playing Field and is strategically important. There is also a shortfall of playing fields within this community. The

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loss of this facility to development is therefore considered unacceptable;

- Wrexham Open Space August 2016 identifies a 1.71ha deficit of amenity green space and a 0.11ha deficit for children and young people;
- None Acre Field Draft Development Guidance report 2004 concludes The significant development of the Nine Acre Field would compromise its openness and be unacceptable in terms of open space provision and that Transport Vehicular access onto Rhosnesni Lane would be unacceptable because of restricted visibility to the east;
- From previous FOI requests that in order to put a school on Nine Acre Field, the Council will be undertaking a land swap with the Catholic diocese. The Council will receive the St Marys school site, which it will sell for development. This planning application is therefore a backdoor sell off of a publicly owned asset to a private entity. Once the land swap is complete, the church will be free to do whatever they like with the land in the years to come;
- Object to the Council entering into a commercial arrangement with the Catholic Church which relinquish the site to an organisation with phenomenal wealth and questionable ethics;
- To have 3 entrances of Rhosnesni Lane it will need to be demonstrated there will be minimal impact to the area around Chester Road – the houses and pedestrians;
- The public transport issue has not been addressed;
- Infill developments have seen population increase and placed a burden on what little open green space there is in Maesydre, Acton and Rhosddu;
- Climate Crisis and Covid-19 have highlighted the importance of green space to health and well-being of urban communities;
- Geotechnical Report has been omitted which expresses doubt about the

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- appropriateness of building on the site due to seasonal waterlogging;
- Restricted visibility at the junction of Westminster Drive/Park Avenue;
- Proposed 20 min parking restrictions mean town centre employees will not longer be able to park in Westminster Drive. This will mean additional costs to them as they will be forced to pay for parking elsewhere;
- Narrow width of footway at Chester Road/Grove Road junction. This is hazardous for pedestrians;
- Transport Assessment fails to consider the requirements of Active Travel;
- There is only a cycleway along Chester Road but not towards the proposed school. It is in a poor condition and needs to be re-marked;
- Former Groves School site is available/should be used as an alternative;
- Times have changed since original feasibility studies for use of Groves School was undertaken. Up to date feasibility studies should be undertaken;
- Groves site has all the infrastructure to support a new school. Nine Acre Field does not;
- Excess education related traffic a peak times due to proximity of 4 existing junior schools and Coleg Cambria;
- Extra primary school provision is not required;
- Additional traffic;
- Insufficient parking/will result in parking problems;
- Highway safety;
- Air pollution/emissions from vehicles;
- Please consider the environment;
- Few pupils live locally. Makes more sense for the new school to be located close to the town centre and the existing school site;
- Sewer capacity;
- There is already a large volume of traffic associated with existing schools in the area;

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- Site should be developed for community use;
- Loss of greenspace for wildlife;
- Impact upon protected species;
- St Josephs has a large field large enough for the re-siting of the primary school

### Acton Park Primary School Governing Body Objections:

- Seek clarification if this a new school or relocation of an existing one;
- Proposal would greater impact upon our school;
- Proposals would result in four primary schools and Coleg Cambria in close proximity to the site;
- Impact upon town centre workers as there will be excess education related traffic at peak times;
- Chester Road will be further backed up;
- Additional cars to the area;
- Traffic calming on Rhosnesni Lane will cause traffic to back up potentially to Rhosnesni High School;
- Not far from here is Borrass School, Barkers Lane School and the new Welsh Medium School. There will be a huge increase in traffic;
- What kind of environmental damage does more traffic cause;
- Loss of precious open green space;
- Having this green space close to the town centre is an attractive feature for the town and its residents;
- Why isn't the Council looking at developing this high quality area to benefit local residents;
- Having had Wrexham FC train on the surface suggests that this is a high quality playing surfaced. Where else in the local area do we have such a good quality play area for children and teams;
- May local clubs and been established then folded due to the difficult of holding down a regular play area;
- The Covid 19 pandemic and peoples mental health and wellbeing has

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heightened the need for people to be able to access areas such as green space without the need to travel;

- What and where is the actual demand for the school;
- Schools such as Acton Primary school have surplus places available;
- Timing of the planning application. Was this done so that potentially no response comes from local schools.

49 representations in support making the following comments:

- Existing school has outgrown its current location;
- St Mary's School has limitations in respect of outdoor facilities, parking, poor access for bus pick up point and no scope to increase size of the school;
- Lack of green space at existing school for PE lessons;
- Pupils at St Mary's need and deserve a better learning environment;
- Existing location is dangerous;
- Significant improvement in safety, accessibility and green space, which the current school lacks;
- Support St Mary's moving but question why the Groves site isn't being used instead.

### **SPECIAL CONSIDERATIONS**

**Proposals:** The proposed site plan is included below showing the layout of and the means of access to the development:



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PPW11 paragraph 4.5.4 advises that playing fields, irrespective of ownership, should be protected from developed except where:

- facilities can best be retained and enhanced through the redevelopment of a small part of the site;
- alternative provision of equivalent community benefit is made available locally, avoiding any temporary loss of provision; or
- there is an excess of such provision in the area.

PPW11 paragraph 4.5.5 advises that playing fields of significant amenity value or recreational value should be protected from development.

Further national guidance on the value and need to protect playing fields and open space is set out in paragraphs 3.5 to 3.12 of Technical Advice Note 16: Sports, recreation and Open Space.

Policy CLF4 of the UDP deals with proposals for development on sports grounds, playing fields, children's play areas and informal open spaces and allotment gardens for uses other than sport and recreation. It states that development will not be permitted unless:

- a) redevelopment of only a small part of the site would allow the retention and enhancement of that existing facility; or
- b) the long term requirement for the facility has ceased and it would not lead to, or increase an existing shortfall of that facility in the immediate locality; or
- c) the loss can be replaced with an equivalent or greater provision in the immediate locality. Alternative sites should be within settlement limits or, in exceptional circumstances, adjacent to settlement limits provided that associated buildings, lighting, and parking facilities are not intrusive in the landscape and user accessibility is not reduced.

The application has been considered on the basis of the site being classed as open space and therefore whether proposals comply with national and local policy discussed above.

The proposed school would not result in the development of the entire site. The application site is 3.65 hectares in area. The school buildings, together with parking areas, hard surfaced play areas, including a Multi-Use Games Area (MUGA), as well as soft landscaped areas immediately to the north and south of the school will occupy 1.4 hectares. School playing fields and soft landscape within the curtilage of the school will occupy 1 hectare, with a further 0.15ha is to be utilised for a forest school. The remainder of the site (1.1ha) is to be made available as public open space.

Neither PPW11 nor CLF4 define what constitutes a small part of a site in the context of an area of open space to be developed. Whilst the area of land to be developed is not a small area if considered in isolation, in the context of the application site it represent a minority of the total area, indeed the majority of the site will remain undeveloped. Furthermore, whilst the erection of school buildings and laying out of parking areas represents a loss of space available for outdoor sports, the provision of hard surfaced play areas and a MUGA in

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addition to school playing fields mean a significant part of the site is in fact retained for outdoor sport, albeit specifically for use in conjunction with the provision of education. In addition the development will secure approximately 1.1 hectares of land for use as public open space. In other words unlike at the present time 1.1 hectares of the site would be made freely available for use. This is discussed further below.

The most recent assessment of open space provision in the County Borough is the Wrexham Open Space Audit and Assessment of Need Report (March 2016), hereafter referred to as the Audit. This was undertaken to support the preparation of the Local Development Plan.

The Nine Acre site was not identified as open space within the Audit. Section 3: Methodology of the Audit explains that its focus was on sites of significant public value, which is defined in the Audit as publically accessible sites that are open and available for use by members of the public. Sites not accessible or freely available to use were omitted from the Audit because they were not considered of significant value.

Whilst the historic use of the site has been as school playing fields, the site does not function as publically accessible open space given that it is fenced off, hence the reason for its exclusion of the site from the Audit. Use of the site is by agreement with the Council as Local Education Authority. It therefore cannot be argued that the site has significant public amenity value in its current form. Indeed the historic use of the site has primarily been in conjunction with provision of education. There is no evidence before the Council, as Local Planning Authority, to suggest that refusal of the application would result in the site being made publically accessible. Refusal of the application would only have the effect of preventing the current proposals from going ahead. It would not secure or facilitate an alternative use of the site. Indeed there is no mechanism available to the Council, as Local Planning Authority, to compel that the site be made available for general public, or indeed any other, use in the event of planning permission being refused.

The Audit did not undertake any qualitative or quantitative assessment of sports pitches, suggesting instead that levels of such provision be determined by demand. It therefore did not assess whether there was adequate provision of this type of facility within individual settlements or wards. The Audit did identify a shortage of both amenity greenspace (1.71ha) and provision for children and young people (0.11ha) in the Maes y Dre ward. The proposal to utilise approximately 1.1ha of the site as public open space would therefore make a significant contribution to reducing the deficit of public open space within the ward.

Taking the above into account, in summary:

- the existing site does not have significant value owing to the fact that it is not freely accessible for use as open space;
- Only a minority of the site will be developed;

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- Of the land used directly in connection with the provision of education, a significant proportion of it will be used for outdoor sporting activities;
- Approximately 1.1 ha will be made available for use as public open space. This could be laid out as amenity green space and/or for the use by children and young people (i.e. the provision of a children's play area) thus making a significant contribution to addressing the identified deficit of such provision in the Maesydre ward.

Representations have made reference to an information report presented to Planning Committee in July 2004. The report was presented following consultation being undertaken on draft development guidance for the site which proposed residential development on part of the site. The report concluded that as the Council, as landowner, had not decided to proceed with the development of part of the site and instead to retain it as open space, no further work on the development brief was to proceed.

The 2004 report did not make any recommendations in respect of a formal Planning decision. Furthermore the recommendations in the report reflect the circumstances at that time. The current application must be considered in light of planning policy and current circumstances.

Representations have also made reference to the fact that the site was discounted in 2014 and 2017 when the site was assessed for its potential to be allocated as Gypsy and Traveller site for the following reasons:

*Fails Stage 1. Nine Acre Playing Field but not classed as POS. However, it is the nine acre playing field and is strategically important. There is also a shortfall of playing fields within this community. The loss of this facility to development is therefore considered unacceptable.*

Whilst noting that the assessment referred a shortage of playing fields, it is not clear that regard was had to the 2016 Audit. In any case, at the request of the LDP Inspectors, the site selection process for Gypsy and Traveller site was re-run in 2020. This site was discounted as being potentially available for a Gypsy and Traveller site on the grounds that it was being held for educational purposes.

The assessments undertaken in respect of the LDP were to assess the availability and suitability of sites for a specific land use and also reflect the circumstances at that time. The conclusions of those assessments does not automatically mean that any proposed development on the site will automatically be judged to be unacceptable and therefore do not bind the Council in their consideration of this application.

Having regard to all of the matters discussed above, it is considered that the proposals do not conflict with the objectives of PPW11, TAN16 and policy CLF4 in respect of the protection of open spaces.

**Need:** The site is intended to provide a new school that will replace the existing St Mary's Catholic Primary School situated on Lea Road. The

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existing school has a capacity of 287 pupils but nevertheless has 324 full time pupils and 35 part time pupils. It is one of two Catholic primary schools in Wrexham.

The existing school lacks any green space or playing fields, requiring the use of Belle Vue Park where necessary. In addition the site has limited space for staff parking. The site can be accessed from both Lea Road and Tenters Lane, but neither are suitable for school bus drop off/pick up. There is no scope to address these issues within the confines of the existing site.

In selecting a new site regard has been had to the following:

- The site must be within the Parish boundary of St Mary's
- The site must include green space for sports and recreation;
- The site must be big enough to accommodate the schools current roll numbers.

Two sites within the ownership of the Council, as Local Education Authority, were considered. The application site and the Groves site on Powell Road. Whilst it is acknowledged that the latter is occupied by buildings last used as a secondary school, a feasibility study undertaken on behalf of the Council identifies this site as unsuitable for use as a primary school for the following reasons:

- The existing building requires significant renovation work, as well as internal alterations to function as a modern primary school. Renovations to the building alone has been cost estimated at £12million. It would not be possible to achieve 21st Century School Design standards for a primary school in the existing building, as there would be many compromises around access, flexible space, and safety and fire standards.
- The Groves' grounds are used by sports clubs, these would need to be shared by the school—likely to be an inconvenience for both parties;
- The Groves site measures 48,280m<sup>2</sup>, the existing building alone measures 5,075m<sup>2</sup>. This far in excess of the requirements of St Mary's Primary School. This would leave a significant part of the site unused or under used. The use of part of the site for a primary school may also limit the scope to re-use the remainder of the site given that any use would need to be compatible with being situated on the site as a primary school;
- The existing Groves site accommodates teaching space for at least 500 young adults easily. Where the site re-used for education purposes it would be more appropriate for it to be used for secondary or tertiary education high school or college students, where modern design standards can be more easily achieved.

Whilst the Groves site has been suggested as an alternative in many of the representations received it is clear from the above that the re-use of the buildings for a primary school is not a viable option. Building a new school on the wider Groves site, i.e. the playing fields adjoining the site, may be

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technically feasible but would present the same issues in respect of the loss of playing fields as this application and offers no material advantages over the current proposals in that respect.

Having regard to the above, there is an identified need for a site to relocate St Mary's School in order to provide a modern school premises that is fit for purpose. The application site is the only site currently available within Council ownership that is situated within the Parish boundary and that is feasible to erect a primary school on.

**Appearance:** Whilst the development will significantly change the appearance of the site, it will nevertheless be viewed both from and in the context of the urban area that surrounds the site. The development of the site will therefore not lead to a fundamental change to the character of the wider locality.

The application is accompanied by an Arboricultural Impact Assessment. This identifies two trees adjacent to Rhosnesni Lane Wild Cherry (Category C/low quality) and an Oak (Category B/moderate quality) that require removal in order to provide the site access. A group of mixed small trees (category C/low quality) adjacent to the Rhosnesni Lane boundary is also to be removed. The loss of these trees will need to be compensated for by replacement planting within the site. It will also be possible to develop the site without the loss of other trees within the site, although protection measures will be needed whilst construction works take place.

Detailed aspects of the design in respect of the scale and appearance of the buildings together with landscaping of the site (including replacement planting) will be considered further at reserved matters stage. Nevertheless it is considered the proposals do not conflict with policies GDP1(a) or EC4.

**Amenity:** The school buildings will be 75 metres from the proposed dwellings and therefore far enough away to ensure no adverse impacts in respect of loss of light, privacy or by being overbearing.

The site is located within an urban area and bounded on 3 sides by roads. It is therefore in an area where there will already be a degree of background noise, particularly from traffic.

The operation of the school is unlikely to generate a significant degree of noise to the extent of adverse impacts upon residential amenity. Whilst there will be a degree of noise from pedestrians and vehicular traffic when children and staff arrive or leave the school, this is unlikely to be significant in the context of the site and its surroundings.

There will be some degree of noise associated with the use of the school playing fields, however this would be for limited periods of the day. Furthermore the relationship between the school playing fields and the nearest properties is not significantly different to many other schools in the

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County Borough. It is considered unlikely that the development will give rise to significant noise impacts.

In respect of air quality it is not considered that the level of traffic associated with the development will be such that it will result in unacceptable reduction in air quality in the location. Indeed it is noted that Public Protection have not requested air quality assessments be undertaken prior to determination.

**Highways:** Traffic generation and highway safety are amongst the concerns most commonly raised by objectors.

Paragraph 4.1.10 of PPW11 advises that the planning system has a key role to play in reducing the need to travel, particularly by private car by facilitating developments which:

- Are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car;
- Are designed in a way which integrates them with existing land uses and neighbourhoods; and
- Make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.

Paragraph 4.1.13 of PPW11 requires the sustainable transport hierarchy to be applied to reduce the need to travel, prevent car dependant developments in unsustainable locations and to priorities access and movement by active and sustainable transport. The sustainable transport hierarchy promotes walking and cycling, then public transport ahead of private motor vehicles.

The application site is located close to the town centre and within a primarily residential area with good existing footpath provision. The site is bounded by Chester Road which is served by the regular Wrexham to Chester bus service. In general terms the site is therefore in a sustainable location where opportunities for non-car modes of transport, including walking, are already good. The application also includes proposals for measures to improve pedestrian accessibility to the immediate locality. These are set out below:

- Speed limit reductions to 20mph along Rhosnesni Lane and Westminster Drive;
- Traffic calming measures on Rhosnesni Lane and Westminster Drive;
- Raised pedestrian crossing points on Rhosnesni Lane and Westminster Drive;
- A new dropped kerb crossing of Chester Road south of the junction with Westminster Drive;
- Footway widening at the Chester Road/ Westminster Drive junction;
- New footway proposals linking Rhosnesni Lane to The Beeches and the residential areas to the north.

The development will be provided with a parking area for coaches which will help facilitate children being transported to/from the site by coach or bus.

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Notwithstanding the above, because this development will be for the relocation of an existing school and therefore this could result in children being driven from one site of town to the other. It is also acknowledged that as this will be faith school there is the potential for pupils to come from a wider geographical area than would be the case for a non-faith based school. Whilst these matters have been considered it should be noted that school admission policies are outside of the scope of Planning control.

### Traffic Generation

The application is accompanied by a Transport Assessment (TA) that assessed both traffic generation and parking. This has been done on the basis of existing modes of transport to/from St Mary's Catholic Primary School. A survey undertaken on school children at the existing school found that 66% of children arrive at the existing school by car, whilst 34% access it by sustainable modes. Taking this into account, as well as journeys where more than one pupil is dropped off/picked up (for example siblings travelling together), the development is forecast to generate 112 trips by car. Vehicle movements associated with staff are typically likely to be outside of peak times.

Objectors have suggested that the TA cannot be relied upon given that the traffic counts that it uses were undertaken in March 2021 during a period of Covid-19 lockdown. The TA acknowledges that due to the pandemic it was not possible to obtain traffic flow data for normal operating conditions. However in order to assess the impact upon the highway the observed flows were doubled. Highways have confirmed that they agree this approach to be robust. Nevertheless to assist in verifying the TA further traffic counts were undertaken on 21 October 2021. The observed AM peak flow was 5% higher than the traffic flow within used in the TA whereas the observed PM peak flow was 25% lower. In respect of the AM peak flow, the difference would be normal in the context of day to day fluctuations in traffic flow. The observed PM peak flows mean that TA is robust in so far as assuming on there to be more traffic on the road than actually observed. Accordingly the TA can be relied upon to inform the determination of the application.

A submitted plan shows how a bus would negotiate the Rhosnesni Lane/Chester Road/Price's Lane roundabout. The plan indicates that whilst a vehicle can successfully enter Chester Road and travel in a southerly direction (i.e. towards the town centre) there is the potential for some encroachment onto the north bound carriageway. This could be avoided if some re-alignment of the kerb and footway on the south-eastern site of the roundabout took place. Given that this is a relatively busy junction, particularly at peak times, it would be appropriate to secure the implementation of such a scheme prior to the first use of the school. The realignment works are unlikely to have a significant impact upon the visual amenity of the area.

### Accesses

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The will have three accesses off Rhosnesni Lane. From east to west, the first will provide access to a hard surface that is intended to be used for coaches/buses to enter the site and park/turn. The second will provide access to a staff parking area as well as providing a second means of access to the push parking area. The third gives access to a drop off/pick up parking area for parents which will also have an access off Westminster Drive. Based on the proposed 20mph speed limits, visibility requirements for all of the accesses will be 2.4 x 25m. These splays are achievable and will be required by condition.

The TA assumed that all traffic would travel via the Chester Road/Rhosnesni Lane/Prices Lane/Cilcen Grove junction on the basis of Rhosnesni Lane being the busier of the two roads serving the site. The TA found that the junction will operate within capacity. Highways have confirmed that the assessment undertaken is robust.

School buses/coaches would utilise the eastern most and central of the accesses to be constructed onto Rhosnesni Lane. The TA advises that up six full size (53 seat) coaches and one smaller (33 seat) coach serve the existing school. The submitted plans indicate that a vehicle entering the eastern most access and exiting the central access onto Rhosnesni Lane would encroach onto the opposite side (i.e on-coming) carriageway. It is not considered that this is a matter that would warrant refusal of the application.

Whilst it would be possible to widen the accesses by providing kerbs with a shallower radii to those proposed, this would be at the expense of the length of pedestrian footway along the site frontage. The current proposals seek to strike a balance between providing a safe means of vehicular accesses whilst reducing the width of the accesses that pedestrian need to cross. Given that the number of daily pedestrian movements is likely to be far in excess of the number of coach movements on a typical school day, it is considered appropriate to prioritise designing the junction so as to minimise inconvenience to pedestrians.

If the number of coaches serving the proposed school is consistent with the number serving the existing School, there will be a maximum of 7 inward bound and 7 outward bound movements in the morning and the same number in the afternoon. Drivers of the coaches would be able to clearly see along Rhosnesni Lane towards the direction of any on-coming traffic and therefore would wait until an appropriate gap in traffic was available. Furthermore, any on-coming traffic would also be able to clearly see a coach entering or leaving the site and be able to slow down or stop if a coach was obstructing the carriageway.

The amount of time an individual coach is likely to be obstructing the carriageway will be a matter of seconds therefore the disruption to the free flow of traffic along Rhosnesni Lane will be minimal. It must also be noted that it is proposed to reduce the speed limit along the road to 20phm and install traffic calming measures. These are likely to assist in minimising the

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risk of vehicle conflict and maximising the time that drivers have to see and react to coaches entering or leaving the site.

It is recognised that the development will also have an access onto Westminster Drive and (as discussed separately below) that it is likely that some on-street parking is likely to occur on Westminster Drive and as a result there is likely to be some additional traffic using that road. Some objectors have expressed concern about the impact this will have on highway safety at the Westminster Drive/Park Avenue junction.

This matter has been considered by the Transport Consultant who has suggested that the potential additional movements using the junction could be in the region of 25 in each direction. If the accesses to the parent car park were set up to operate with vehicles entering via Westminster Drive and exiting onto Rhosnesni Lane, then there is the potential for 50 inbound movements (i.e. vehicles travelling from Park Avenue onto Westminster Drive only). In either situation, the development would generate less than 1 additional vehicle per minute using the junction. This is not considered to be a significant number of vehicular movements, either considered by itself or when taking into account the fact that there will be traffic using the junction irrespective of whether the proposed development goes ahead.

Trees either side of the junction do impede visibility to some extent. Despite this, the submitted details demonstrate that these do not completely obscure views of on-coming traffic. Indeed there is sufficient gaps between trees to enable drivers to see on-coming traffic, in other words the trees do not completely impede visibility. Drivers approaching the junction on Park Avenue from either direction would also be able to see whether there is a vehicle waiting to exit Westminster Drive.

The existing safety record of the junction has also been assessed. In the past 22 years of data for the junction, there has been only one recorded accident. The severity is recorded as slight. The incident occurred in 2004 and therefore have been no other accidents in the 17 years since. The accident report for the incident in 2004 confirms that the driver of one of the vehicles involved was aged 11 to 15, with the driver of the other being aged 16 to 20. This means that at least one of the drivers would not have had a valid driving licence. It is suggested that this is likely to be a significant contributory factor in the accident. Indeed given the absence of other recorded incidents over the past 22 years, the trees do not appear to impede the junction to the extent that they cause a significant risk to its safe operation.

### **Parking Provision**

The submitted plans propose 40 staff parking spaces together with a further 78 spaces for parents to drop off/pick children, resulting in a total of 118 parking spaces. The LPGN16 maximum parking provision for the development is, based on a proposed gross floor area of 2380 sq.m, 97 spaces. The proposals therefore provide an excess provision of 21 spaces. Nevertheless it is recognised that the type of use proposed can give rise to

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significant parking demands, albeit for relatively short periods of time at the beginning and end of the school day, and that in the case of some existing schools this can result in on-street parking issues in the locality.

The existing St Mary's School employs 40 staff, with the submitted details confirming staffing numbers will remain the same. Therefore the development makes adequate parking provision for staff parking.

The TA has indicated that up to 112 trips to the site could take place associated with parents transporting children to school. This means there is a potential for 112 vehicles to be on-site simultaneously, however it is considered that this very much a worst case scenario. Whilst parents are likely to drop their children off a short period before the start of the school day and pick them up shortly after the school day ends, it is considered unlikely that there would be a 112 on site every day at the same time. There is likely to be a degree of turnover, with spaces becoming available relatively quickly, particularly during the morning drop off. It is therefore considered unlikely that there would rarely be demand for 112 spaces simultaneously for significant periods of time.

The on-site parking area is likely to cater for the majority of parking demand associated with children being dropped off/picked up. Nevertheless it is accepted that there is the potential for there to be a residual demand for some on-street parking. If using the difference between the projected number of trips and the number of on-site parent parking spaces, there could be demand for up to 34 on-street parking spaces.

The TA proposes to introduce restrictions on a 200 metre section of the northern side of Westminster Drive that would provide for a 20 minute limit for on-street parking from 7am to 9.30pm and from 2:30pm to 4pm. This section of highway is long enough to adequately cater for the residual parking demand.

It is noted that objectors have expressed concerns about the potential impact of the above restrictions displacing existing parking that takes place along Westminster Drive by people who work in the town centre. These concerns would not be valid grounds to refuse the application. Parking takes place along Westminster Drive because there are no restrictions to prevent it, however there are no parking spaces marked out on the carriageway and therefore the proposals do not result in the loss of any dedicated parking provision. Furthermore, there are alternative dedicated parking areas close to/within the town centre where people working in the town centre could park, should they choose to.

Taking all of the above factors into account, the application is unlikely to cause or exacerbate on-street parking issues in the vicinity of the site. 

**Flood Risk and Drainage:** The site is not within an area identified within NRW's Flood Risk Assessment Maps as being at risk for surface water flooding. Nevertheless it is recognised that the proposals will introduce an

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extensive area of hard surfacing to the site which has the potential to increase surface water run-off from the site unless adequate provisions for managing it are put in place.

The surface water drainage arrangements for the site will need approval separately from the Council as Sustainable Drainage Systems Approval Body (SAB) before development commences on site. This is a statutory requirement. There is no requirement for SAB approval to be obtained before planning permission is granted. The need to obtain SAB approval means that there are adequate controls in place to ensure surface water is properly managed.

In respect of foul drainage Welsh Water have no expressed any concerns about the capacity of the local foul water sewer infrastructure to accommodate the development.

NRW have advised that any development that is likely to increase the amount of phosphate entering the River Dee and Bala Lake Special Area of Conservation (SAC) has the potential to have damaging effects on the SAC. The application site will connect to the local foul water sewer network which drains to the Five Fords Wastewater Treatment Works (WwTW).

Five Fords has provision to remove a percentage of phosphates from wastewater and consents to discharge treated water that flows into the SAC, subject to specific limits on the amount of phosphate within the treated water. Whilst Five Fords is currently operating well within its consented limits, the existing discharge consent is over 10 years old and can no longer be relied upon to conclude no adverse effects on the SAC.

Notwithstanding the above staff numbers at the proposed school will not increase compared to the existing St Mary's site. Furthermore, and more critically, based on existing admissions the pupils at the proposed school will come from within the County Borough. The school will not increase foul water discharges over and above that which would occur if the children were at home during the day instead of being at school. In other words, the impact of the development upon the SAC is likely to be neutral.

**Ecology:** The site has been subject to an ecology assessment. This confirmed that the development will not adversely impact upon statutorily protected species although measures are also recommended such as bat friendly lighting as well as habitat creation as part of a soft landscaping scheme.

The information submitted is sufficient to demonstrate compliance with UDP policy EC6 however paragraph 6.4.5 of Planning Policy Wales 11 requires development to provide net benefit to biodiversity. The proposed site layout plan confirms that areas for soft landscaping within the site will be provided and these provide scope to deliver net benefit to biodiversity. Conditions will be imposed to secure bat friendly lighting and a scheme of net benefit to biodiversity.

## **CONCLUSION**

The proposed development will secure a significant improvement primary education facilities compared to those offered by the existing St Mary's school site.

Whilst it is acknowledged that the development will result in the loss of space available for outdoor sports, when the amount of the site that will actually be occupied by built development and the opportunity to secure 1.1ha of land as public open space, this making a significant contribution to meeting an identified deficit of such provision, on balance the proposals are considered to be in broad accordance with the objectives of policies CLF4 and national policy and guidance in respect of development on open space. The proposals are also acceptable in respect of impacts upon residential amenity, layout, ecological impacts and highway safety and as such accord with policies GDP1, EC4, EC6 and T8 of the UDP.

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**RECOMMENDATION:** That permission be GRANTED

### **CONDITION(S)**

1. Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced:
  - a. the scale of the building(s)
  - b. the appearance of the building(s) 
  - c. the landscaping of the site
2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
3. The development hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
4. The development shall be carried out in strict accordance with drawing no. A-091001 Revision P06 in respect of layout, vehicular access and pedestrian access.
5. No part of the development shall commence until a scheme to deal with potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a phased investigation approach to identify the extent of contamination and any measures required to remediate the site, including post-development monitoring. Alternatively, gas protection measures should be installed in all new buildings. A methodology of these works (including specification details, design plans, installation, inspection and validation details etc.) should be submitted in writing to the Council for approval prior to any works commencing on site.
6. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 05 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.
7. Development shall not commence until a scheme detailing the following has been submitted to and approved in writing by the Local Planning Authority:
  - i. Speed limit reductions to 20mph along Rhosnesni Lane and Westminster Drive;
  - ii. Traffic calming measures on Rhosnesni Lane and Westminster Drive;
  - iii. Raised pedestrian crossing points on Rhosnesni Lane and Westminster Drive;
  - iv. A new dropped kerb crossing of Chester Road south of the junction with Westminster Drive;
  - v. Footway widening at the Chester Road/ Westminster Drive junction;
  - vi. New footway proposals linking Rhosnesni Lane to The Beeches and the residential areas to the north;
  - vii. Kerb re-alignment on the south-east side of the Rhosnesni Lane/Chester Road/Price's Lane roundabout

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The scheme as approved shall be implemented in full prior to the first use of the development.

8. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:
  - a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
  - b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
  - c) A full specification for any access, driveway, path (to include paths required by condition 07), underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
  - d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
  - e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
  - f) Method for protecting retained trees during demolition works;
  - g) Details of all proposed tree works, including felling and pruning.
9. No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.
10. No part of the development shall commence until details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, its appearance and finish have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an operational condition.
11. The details submitted in respect of condition 01 shall include:
  - i. A scheme of tree planting;
  - ii. A scheme of biodiversity enhancement;
  - iii. A timetable for the implementation of the schemes of tree planting and biodiversity enhancement.
  - iv. A scheme of long term management for the areas subject to schemes of tree planting and biodiversity enhancementSchemes of tree planting and biodiversity enhancement shall thereafter be implemented in strict accordance with the details as approved and thereafter managed in accordance with the long term management plan as approved.
12. The details submitted in respect of condition 01 shall include a scheme for the provision of public open space, to include a timetable for the provision of the public open space, in the area of the site described as Open Space on drawing no. A-091001 Revision P06. Provision of public open space shall thereafter take place in strict accordance with the scheme as approved.

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13. Prior to first use of the development hereby approved the vehicular accesses shall provide visibility splays of 2.4 metres x 25 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. 

14. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method for rating and assessing industrial and commercial sound.

15. No lighting shall be installed on any part of the site until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details demonstrating how the lighting will be sited and designed so as to minimise the potential impact upon bat species. Lighting shall thereafter only be installed in accordance with the scheme as approved.

### **REASON(S)**

1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012
2. To comply with Section 92 of the Town and Country Planning Act, 1990.
3. To comply with Section 92 of the Town and Country Planning Act, 1990.
4. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
5. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
9. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. In the interests of the visual amenity of the area, to ensure replacement tree planting and biodiversity enhancement is secured in accordance with policies GDP1 and EC4 of the Wrexham Unitary Development Plan and paragraph 6.4.5 of Planning Policy Wales 11.
12. To secure the provision of public open space to ensure the development accords with policy CLF4 of the Wrexham Unitary Development Plan.

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13. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
14. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
15. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

### **NOTE(S) TO APPLICANT**

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If however there are urgent or unavoidable circumstances requiring works outside of the specified times, permission to proceed may be sought by contacting Environmental Health and Housing Standards at: [healthandhousing@wrexham.gov.uk](mailto:healthandhousing@wrexham.gov.uk) or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

Lighting has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If lighting is found to be causing a nuisance then an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting.

Guidance on best management practice for catering outlet for the dispersal of fats, oils, grease and food waste, as issued by Water UK is available by contacting the Council's Planning & Regulatory Department on 01978 292040 for further advice and information

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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