



# BRYMBO **PARK**

PLANNING STATEMENT  
AUGUST 2020

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# Planning Statement

Land at former Brymbo Steelworks, Brymbo

On Behalf of Brymbo Developments Ltd

August 2020



**Brymbo Park, Brymbo**  
**Planning Statement**

<b>Project Ref:</b>	27968
<b>Status:</b>	Final
<b>Issue/Rev:</b>	P7
<b>Date:</b>	August 2020
<b>Prepared by:</b>	JS
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Date: August 2020

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## **APPENDICES**

Appendix 1 – EIA Screening Opinion

Appendix 2 – Site Location Plan



## **1.0 EXECUTIVE SUMMARY**

- 1.1 This planning statement supports an outline planning application made by Brymbo Developments Limited ("the Applicant") for a residential led mixed-use development for up to 300 dwellings, provision of a primary school and a small district centre as well as multi-functional green infrastructure.
- 1.2 The development will provide a centrally located small district centre providing a cohesive link between the existing neighbourhoods to the north and south of Brymbo as well as the proposed residential development.
- 1.3 Proposals within the Application Site have previously come forward through the planning process but have failed to be implemented in full, through the economic downturn and lack of demand for employment land in the immediate area. This proposed development is bringing forward the 'a significant piece of the jigsaw' and is an opportunity to create a sense of place through a new heart for Brymbo and the much needed services and facilities that have been long awaited by the local community.
- 1.4 The development of the Application Site will not only strengthen the role of Brymbo as a sustainable settlement but also contribute to the housing requirement in Wrexham County Borough Council ("WCBC"). As of March 2020, 4.2.10 and 4.2.11 of PPW10 make it explicit that the housing trajectory, as set out in the adopted LDP, will be the basis for monitoring the delivery of development plan housing requirements.
- 1.5 Going forward, the emerging Wrexham Development Plan outlines that 2,145 of the 8,525 new homes to be provided within the period 2013-2028 will be achieved through small and large windfall sites. Therefore, there is a clear need for housing to come forward within Wrexham with an opportunity through the development of the Application Site for windfall development to also provide the critical mass for the services and facilities that will reinstate the heart of the Brymbo community.
- 1.6 The key principles of PPW10 are aligned to meeting the requirements of the Well-being of Future Generations Act and emphasise the need for placemaking. Therefore, the proposed developments ambitions to create a new heart of Brymbo and a well-designed and functional place meets the ambitions of this policy.
- 1.7 Brymbo Developments Ltd have worked closely with local councillors, the Economic Development and Education departments within the local authority and the Brymbo Heritage Trust to ensure the proposals meet the needs and aspirations of the local community.



## 2.0 INTRODUCTION

- 2.1 This planning statement has been prepared by Barton Willmore on behalf of Brymbo Developments Limited in support of an outline planning application for the proposed residential-led mixed use development at land at the former Brymbo Steelworks, Brymbo. ("the Application Site").
- 2.2 The application seeks outline planning permission for up to 300 dwellings (Class C3 use), provision of a primary school (2-form entry), small district centre comprising up to 1,395sqm of Class A1 Retail, up to 372sqm of Class A3 Restaurant/Public House, up to 465sqm of Class D1 use, multi-functional green infrastructure including informal open space, surface water attenuation, vehicle accesses, car parking, engineering works, public footpaths and hard and soft landscaping, underground services, and all ancillary and enabling works, with all matters reserved except for access from Brymbo Road ("the proposed development").
- 2.3 The Land Use Plan (RG-M-05K) indicates a total gross development amount of up to 300 dwellings and up to 2,232 sqm of other uses within the Application Site. The Application Site extends 13.41 hectares.

### Pre-application Advice

- 2.4 The Applicant has actively engaged in pre-application discussions with WCBC in advance of submission of the planning application for the wider site (planning reference: P/2019/0546). Officers advised in the pre-application advice (planning reference: ENQ/2018/0002) that development on this Site lies within the settlement limit of Brymbo and is previously developed, therefore developing the Site is acceptable in principle.

### Pre-application Consultation

- 2.5 The proposals have also been presented at a public consultation exhibition where discussions with local members and the community have helped inform evolution of the proposed development. Details of the extent of pre-application engagement in accordance with Welsh Government Guidance is provided in the Pre-Application Consultation Report ("PAC Report") accompanying this application.

### EIA Screening

- 2.6 An Environmental Impact Assessment ("EIA") Screening Request for the wider site (including Ty Cerrig) was submitted to WCBC on 4<sup>th</sup> February 2019 and reflected the requirements of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017<sup>1</sup>.
- 2.7 WCBC issued a Screening Opinion on 26<sup>th</sup> March 2019, which confirmed that the proposed development would not need to be the subject of an EIA (see **Appendix 1** for a copy of the Screening Opinion).

### Planning Application Pack

- 2.8 This planning statement should be read alongside the other documents which are submitted as part of this application including:
- Completed Application Forms and Ownership Certificates;
  - Design and Access Statement prepared by Barton Willmore LLP;
  - Welsh Language Impact Assessment prepared by Barton Willmore LLP;
  - Pre-application Consultation Statement to be prepared by Barton Willmore LLP;
  - Drawings prepared by Barton Willmore LLP;
  - Retail Need and Impact Assessment by Savills;
  - Transport Assessment by Phil Jones Associates;
  - Travel Plan by Phil Jones Associates;
  - Heritage Assessment by Barton Willmore LLP;
  - Preliminary Ecology Assessment by Wardell Armstrong;
  - Ecological Surveys by Wardell Armstrong;
  - Flood Consequence Assessment and Drainage Strategy by Wardell Armstrong;
  - Arboricultural Impact Assessment by Wardell Armstrong; and
  - Coal Mining Risk Assessment by Wardell Armstrong.
- 2.9 The Section 106 Agreement Head of Terms have been discussed with the local authority and will be provided in due course.
- 2.10 Taken together, these documents provide a full and detailed justification for the proposed development.

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<sup>1</sup> SI 2017 No.567 (W.136)

## Statement Contents

2.11 Against this background, this Statement provides an overview of all aspects of the proposed development and an assessment of its appropriateness against the Development Plan and other material considerations. The scope of this Statement is as follows:

- **Section 3** describes the Application Site and the main features of the surrounding area including the history of the site;
- **Section 4** outlines the main components and features of the proposed development including details of pre-application discussions and public consultation undertaken to date;
- **Section 5** details the relevant planning policy context of the Application Site and the proposed development;
- **Section 6** sets out a planning assessment of the proposed development including overall compliance with the Development Plan and other material considerations along with a non-technical summary of supporting technical reports and assessments;
- **Section 7** provides a summary and our conclusions on the proposed development.

### 3.0 THE SITE AND SURROUNDINGS

- 3.1 This section provides details on the site's location, surroundings and key physical characteristics. A Site Location Plan is provided at **Appendix 2**.

#### Site Description

- 3.2 The Application Site occupies an area of former industrial land, which itself, is part of the wider land holding associated with the Brymbo Steelworks, some of which has already been redeveloped. The Application Site has been remediated and regraded.
- 3.3 The Application Site has been regraded into a plateau separated from land to the west by a steeply sloping bank. This plateau has some vegetative cover with a newly created road, Phoenix Drive, to the west which runs north to south.

#### Site Context

- 3.4 There are existing residential properties to the north, east and south, with the Site sitting centrally in the settlement of Brymbo. To the north is the Brymbo Enterprise Centre which is adjacent to the Heritage Centre. To the east are existing footpaths running adjacent to the site and Kent Road (B5101), and to the west, there are open fields and agricultural land as well as a substation and a number of farmsteads.
- 3.5 Phoenix Drive, to the west, forms the main route into Brymbo as well as to Wrexham to the south east.



*Figure 1: Image of the existing site – looking south*

### Site Background

- 3.6 The Application comprises the former Brymbo Steelworks, which was operational between 1796 and 1990, after which the works closed and the entire site, comprising circa 95 hectares of despoiled and contaminated land, was purchased by Brymbo Developments Limited (BDL). It contains a number of designated and non-designated heritage assets related to the former use, where there is positive intent to provide for their long-term stewardship.
- 3.7 The project, now circa 21 years in development, has seen BDL provide significant investment in realising large scale remediation (part with WDA Grant Aid) and implementation of infrastructure. Residential and commercial planning permissions have been established during this time, however, only a proportion of these developments have been implemented.
- 3.8 The Application Site is listed under Policy EC16 of the Wrexham UDP as derelict land that will be reclaimed and restored for beneficial use including housing, employment, and amenity. Although housing has come forward, employment and part of the amenity space are yet to materialise.
- 3.9 Figure 1 is a view of the site circa 2017, with the residential development and spine road constructed. The undeveloped remediated areas where the commercial, employment and school uses have previously been approved have yet to be progressed due to a

combination of the economic downturns of 2007/8 and 2012, and the lack of commercial interest.

- 3.10 The Application Site is located within the settlement boundary as identified in map 3 of the emerging Local Development Plan and is identified partly as an employment site. Additionally, planning permission for a phase 1 of employment (P/2005/1484) was granted on 6<sup>th</sup> March 2006. However, the site was put to the market and no demand was identified for this type of development in this location and the consent was thus not implemented. This evidence has been presented to WCBC through the plan making process.



*Figure 2: Image showing the extent of the Steelworks operations in 1983 – looking north*

- 3.11 Brymbo Developments Ltd subsequently focused on proposals to bring forward the remainder of the remediated land for development and a number of masterplans have been produced during this time. The commitment to bring forward a small district centre, school and enabling development focused on the needs of the community of Brymbo has been at the heart of the scheme from the outset. The current masterplan has been fully informed by understanding the needs of the community combined with the commercial market.
- 3.12 Brymbo Developments Ltd have promoted the wider site (including Ty Cerrig) through the plan making process (the emerging Local Development Plan) and submitted a planning

application for the wider site. Unfortunately, the examination process and consideration of the planning application (for the wider area) have been delayed and therefore this planning application is required without further delay to ensure the short term delivery of the key community benefits including the primary school; the Heritage Centre (with £9m of secured Lottery funding); and the local centre. The promotion of the wider site area will continue when the explanation of the Local Development Plan reopens on 1st September 2020.

- 3.13 There is ongoing engagement with Wrexham Council's Chief Economic Development Officer, which has informed the location of the school site and helped enable the school site to come forward. The transfer of the land to the education authority is now at Heads of Term.
- 3.14 Brymbo Developments Ltd have also been in regular communication with the local councillor and the community council to ensure a positive relationship locally.

#### Planning History

- 3.15 The site has had the following planning permissions previously established, although not all permissions have been implemented:
- BRY CB00016: Outline application for residential development and erection of buildings for retail, B1, B2 and B8 and leisure uses including heritage area, nature conservation area including formation of new accesses to classified roads. Detailed application for reclamation of land including the recovery and processing of minerals – Approved 10<sup>th</sup> November 1997.
  - P/2004/1153: Amendment to Condition no.3 of Planning Permission P/2002/1171 relating to 1.2 hectares to be provided for a new school within the new housing area – Approved 8<sup>th</sup> November 2004
  - P/2005/1484: Light industrial units (Phase 1) – Approved 6<sup>th</sup> March 2006
  - P/2005/1485: Outline application for residential development (northern development area) – Approved 6<sup>th</sup> March 2006
  - P/2005/1486: Outline application for residential development – Refused 6<sup>th</sup> December 2010

- P/2005/1488: Outline for petrol filling station and retail facility, northern area – Approved 6<sup>th</sup> March 2006
- P/2005/1489: Commercial development phase 1 northern module – Approved 6<sup>th</sup> March 2006
- P/2009/0939: Outline application for erection of supermarket and small retail units and associated car parking – Refused 6<sup>th</sup> December 2010. Appeal dismissed 29<sup>th</sup> November 2011
- P/2010/0516: Reserved matters for north spine road – Approved 3<sup>rd</sup> August 2010
- P/2012/0816: Outline application for erection of supermarket and small retail units and associated car parking – Approved 11<sup>th</sup> July 2014
- P/2017/0105: Outline application for the erection of new primary school – Approved 21<sup>st</sup> March 2017
- P/2019/0546: Outline application for up to 450 dwellings (Class C3 use), provision of a primary school (2-form entry), small district centre comprising up to 1,395sqm of Class A1 Retail, up to 372sqm of Class A3 Restaurant/Public House, up to 465sqm of Class D1 use, multi-functional green infrastructure, including children's play areas and informal open space, surface water attenuation, vehicle accesses, car parking, engineering works, public footpaths and hard and soft landscaping, underground services, and all ancillary and enabling works, with all matters reserved except for vehicular access from Brymbo Road – pending consideration.



## 4.0 THE PROPOSED DEVELOPMENT

- 4.1 The unfavourable economic conditions over the past decade has meant a lengthy period since the first phases of residential development and the spine road construction were completed. However, Brymbo Developments Ltd is fully committed to completing the development of the small district centre and school that will provide a new sense of place and community for Brymbo.
- 4.2 The planning application is submitted in outline form and therefore seeks planning permission for the principle of the proposed development, with all matters reserved except access. Matters reserved for future approval are Landscaping, Layout, Scale and Appearance.
- 4.3 A Land Use Plan and Indicative Masterplan are submitted in support of the application to demonstrate the maximum parameters of the development. The Indicative Masterplan has been fully informed by establishing the needs of the community as well as the commercial market and developing a 'placemaking' led approach that meets those needs.
- 4.4 The Design and Access Statement provides greater detail and an explanation of the design process and development parameters based on the opportunities and constraints presented by the site and its surroundings. The Design and Access Statement illustrates how the proposal is likely to develop at the detailed stage whilst meeting the parameters set by the Land Use Plan.
- 4.5 The following provides a summary of the proposed development:

### **Land Use Plan**

- 4.6 The Land Use Plan (drawing number: RG-M-05K) proposes areas for a school, health centre, pub/restaurant, retail and residential. The maximum parameters applied are broken down as follows:
- Residential dwellings (up to 300)
  - A food store (up to 930sqm)
  - Retail (up to 465sqm)
  - Public House/Restaurant (up to 372sqm)
  - Healthcare or other non-residential D1 use (up to 465sqm)
  - 2FE Primary School

- 4.7 An illustrative masterplan (drawing number: RG-M-14B) is provided in support of the application which demonstrates how the development might be eventually developed out within the maximum parameters.

### **Means of Access**

- 4.8 The Transport Assessment by Phil Jones Associates outlines the strategy for accessing development and includes detail on pedestrian and cycle access, public transport access, vehicular access, parking and access around and through the local centre.

Sustainable methods of access to and from the site have been at the forefront of the design process. The development infrastructure will accommodate pedestrians and cyclists. The design will ensure good connectivity between and permeability through the various development parcels and minimise conflicts with vehicular traffic. It will be ensured that the infrastructure for non-motorised users links well to the existing network.

- 4.9 Footway provision, with street lighting, is already in place along Phoenix Drive which links to the existing wider pedestrian network. The existing public rights of way passing adjacent to the Application Site will be maintained and enhanced, where appropriate.
- 4.10 The Transport Assessment sets out that a full strategy for improving accessibility will be implemented including the provision of new footpaths; the provision of a small district centre to reduce the need to travel by car; improved bus service; downgrading the area of Phoenix Drive adjacent to the small district centre to create a more pedestrian/cyclist friendly environment; and provision of cycle and vehicular parking in line with minimum standards contained in Local Planning Policy Guidance Note 16 (Wrexham County Borough Council).
- 4.11 Vehicular access to the proposed development will be facilitated by various junctions with Phoenix Drive (stubs are already constructed). The internal road layout and car parking areas are reserved for future approval.
- 4.12 The planning application is also accompanied by an Outline Travel Plan which provides detail on how the proposed development will assist with reducing reliance on the car, promoting the use of alternative means of more sustainable and environmentally friendly travel and reducing emissions.

## 5.0 PLANNING POLICY

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004), and Paragraph 1.2.1 of Planning Policy Wales 10 ("PPW10"), requires that the determination of the Application must be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 5.2 The adopted Development Plan relevant to this Application comprises the Wrexham UDP ("UDP") which was adopted in 2005 and covers the Plan period from 1996 – 2011.
- 5.3 The UDP is, however, largely out-of-date on the basis that it was only ever intended to guide development over a period up to 2011. Paragraph 1.21 of PPW10 states that "up-to-date development plans are the basis of the planning system and set the context for rational and consistent decision making". As the UDP is time expired, reduced weight that can be given to the adopted UDP in decision making.

### **Local Policy**

#### **Adopted Wrexham Unitary Development Plan 1996 – 2011 (UDP)**

- 5.4 The following relevant policies within the adopted UDP are discussed below:

#### Policy PS1 – Settlement boundaries

- 5.5 This outlines that new development for housing, employment, and community services will be directed to within defined settlement limits/employment areas.

#### Policy PS2 – Development impact

- 5.6 New development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.

#### Policy PS3 – Land use

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

Policy PS4 – Settlement patterns

- 5.8 Development should maintain the existing settlement pattern and character and be integrated with the existing transport network to help reduce the overall need to travel and encourage the use of alternatives to the car.

Policy PS8 – Transport

- 5.9 The transport network will be developed by providing an integrated range of travel options to and from principal residential, commercial, employment and education centres by making the best use of the existing road and rail network, including, where necessary, the provision of facilities for both passenger and freight interchange and by the encouragement of public transport, cycling and walking.

Policy PS11 – Biodiversity

- 5.10 Encouragement will be given to proposals which improve the biodiversity value of sites and to the establishment of local nature reserves where the nature conservation and landscape interest of the land will be protected and enhanced.

Policy GDP1 – Development Objectives

- 5.11 This policy outlines a number of objectives that proposals should meet in order to be considered acceptable.

Policy EC2 – Agricultural Land

- 5.12 Development on agricultural land of grades 1, 2 or 3a will only be permitted if it does not lead to the irreversible loss of that land.

Policy EC4 – Hedgerows, trees and woodland

- 5.13 Development proposals should provide for the conservation and management of hedgerows, trees, orchards, woodland, wildlife and other natural landscape and water features, and include new planting in order to enhance the character of the landscape and townscape. Development which results in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted.

Policy EC6 – Biodiversity Conservation

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

Policy EC12 – Development and Flood Risk

- 5.15 Development within defined flood plains will only be permitted if it would not be subject to an unacceptable risk of flooding on-site; and/or does not result in an unacceptable risk of flooding on or off-site; and/or does not adversely affect flood management or maintenance schemes.

Policy EC13 – Surface Water Run-off

- 5.16 Development which would result in an unacceptable adverse impact on the water environment due to additional surface water run-off will not be permitted.

Policy EC16 – Derelict Land

- 5.17 The adopted Wrexham Unitary Development Plan 1996 – 2011 (UDP) allocates the whole Site, and Ty Cerrig, as Land Reclamation under Policy EC16. The UDP confirms that the Site shall be reclaimed and restored for beneficial use such as housing, employment or amenity.

Policy H1 – Housing Allocations

- 5.18 Whilst Policy H1 identifies the housing allocations for the Plan period, none of the land identified at area 4 of Policy EC16 is included, presumably due to the majority of the land identified within the settlement boundary already having an extant permission at the time the Plan was under preparation.

Policy H7 – Affordable Housing

- 5.19 Where there is a proven lack of affordable housing to meet local needs, WCBC will negotiate with developers to provide an element of affordable housing in new proposals of 25 or more homes. The initial benefit of discounted prices will be retained for subsequent and future occupants through the scheme's management by a suitable local housing body with the aid of legal agreements.

Policy CLF5 – Open space requirements from new developments

- 5.20 New development of ten dwellings or more must provide informal public open space within the site at a minimum level of 0.4 hectare per 50 dwellings, be conveniently located for users, and usable for playing field(s) and/or equipped children's play area(s) and open amenity area(s). In exceptional circumstances, the application of these standards may be varied, in the case of small urban infill housing development, where the developer enters into a legal agreement for financial contributions towards the cost of public open space provision where the site is unsuitable for public open space provision; or the development would not place significant additional pressure on public open space facilities in the vicinity of the site.

**National Policy****Planning Policy Wales 10 (2018)**

- 5.21 PPW10 was published on 6<sup>th</sup> December 2018 and introduces the concept of placemaking and is a key element to deliver on the aspirations of the Well-being of Future Generations (Wales) Act 2015 and drive plan making and development management decisions. It embraces the statutory goals and ways of working as well as giving clear direction through the definition of key planning principles and placemaking outcomes in Wales.
- 5.22 PPW10 represents the aspirations of the Welsh Government in line with the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 as well as other key legislation. The principles and objectives of PPW10 should be given significant weight.
- 5.23 The following relevant principles within PPW10 are discussed in detail below:

Development Plans

- 5.24 PPW10 sets out at paragraph 1.21 that up-to-date development plans are the basis of the planning system and set the context for rational and consistent decision making. It goes

on to say that plans at all levels of the development plan hierarchy must be prepared in accordance with national planning policies.

#### Sustainable Development (Chapter 1)

- 5.25 PPW10 is clear that up to date development plans are the basis of the planning system and planning applications must be determined in accordance with the adopted plan, unless material considerations indicate otherwise.
- 5.26 Sustainable Development is defined at page 9 of PPW10 as “the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals”. The Well-being of Future Generations Act places a requirement on public bodies to demonstrate appropriate consideration has been given to the Well-being goals and principle of sustainable development.
- 5.27 Paragraph 2.21 provides detailed guidance on key factors in the assessment process of each area of sustainable development.

#### Placemaking (Chapter 3)

- 5.28 At page 16 Placemaking is described as “a holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area’s potential to create high quality development and public spaces that promote people’s prosperity, health, happiness, and well-being in the widest sense. Placemaking considers the context, function and relationships between a development sites and its wider surrounding”.
- 5.29 Paragraph 2.15 states that the national sustainable placemaking outcomes at figure 4 should be used to inform the assessment of development proposals. These outcomes are strategic and spatial choices, productive and enterprising places, distinctive and natural places and active and social places. This is expanded on further in Chapter 4 ‘Active and Social Places’

#### Design (Chapter 3)

- 5.30 Paragraph 3.3 states that “good design is fundamental to creating sustainable places where people want to live, work and socialise”. Figure 7 splits good design into five

objective which are access, character, community safety, movement and environmental/sustainability.

#### The Best and Most Versatile Land (Chapter 3)

- 5.31 Paragraph 3.54 states that "Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile land and should be conserved as a finite resource for the future". Paragraph 3.55 goes on to say that "if land in grades 1, 2 and 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade".

#### Supporting Infrastructure (Chapter 3)

- 5.32 Paragraph 3.57 says that "Adequate and efficient infrastructure including services such as education and health facilities along with transport, water supply, sewers, sustainable management, electricity and gas (the utilities) and telecommunications, is crucial for economic, social and environmental sustainability".

#### Active and Social Places (Chapter 4)

- 5.33 Paragraph 4.1.8 says that "the Welsh Government is committed to reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport". Figure 8 defines the Sustainable Transport Hierarchy for Planning which shows Walking and Cycling at the top of the hierarchy followed by public transport, ultra-low emissions vehicles and other private motor vehicles.
- 5.34 Paragraph 4.1.18 states that "new development should improve the quality of place and create safe, social, attractive streets where people want to walk, cycle and enjoy, and children play". Paragraph 4.1.25 encourages active travel and says that "walking and cycling are good for our health and well-being. They support valuable social and recreational opportunities and are integral to placemaking, creating life and activity in public places and providing the opportunity to meet people".
- 5.35 Paragraph 4.1.31 places a duty on planning authorities to "ensure new housing, jobs, shopping, leisure and services are highly accessible by walking and cycling".
- 5.36 Paragraph 4.2.3 sets out the approach to Housing Requirement and outlines that "effective monitoring of these issues is essential to ensure that there is an adequate and continuing supply of deliverable housing land to meet the identified requirement



throughout the plan period. The housing requirement that has been identified by the planning authority must be realistic and deliverable". In March 2020, paragraphs 4.2.10 and 4.2.11 of PPW10 were amended to remove the five-year housing land supply policy and replace it with a policy statement making it explicit that the housing trajectory, as set out in the adopted LDP, will be the basis for monitoring the delivery of development plan housing requirements. It is stated in paragraph 4.2.17 that "maximising the use of suitable previously developed and/or underutilised land for housing for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites".

- 5.37 Paragraph 4.3.3 states that "Retail and commercial centres are central to community activity and local prosperity and in order to plan for them effectively it is important to understand their function, roles and relationships". Paragraphs 4.3.13 onwards discuss how a local authority will first need to establish whether a need can be identified. Paragraph 4.3.26 does outline that "all retail planning application of 2,500 sq. metres or more gross floorspace that are proposed on the edge of or outside designated retail and commercial centres should, once a need has been established, be supported by a retail impact assessment".

#### Distinctive and Natural Place (Chapter 6)

- 5.38 Paragraphs 6.1.8 and 6.1.9 say that there is a collective responsibility to ensure that the preservation of the historic environment is considered at the earliest stages of the planning process and that decisions affecting the historic environment must consider fully the impact of the proposals on the significance of any affected historic assets.

#### **Other Material Considerations**

There are a number of material considerations relevant to the Application as set out below.

#### Emerging Local Development Plan

- 5.39 WCBC is currently preparing a new Local Development Plan ("emerging LDP") to replace the existing UDP. The document is at an advanced stage, with WCBC having submitted the LDP for examination following approval by Members in November 2018. The initial hearings took place in September and October 2019 and subsequently additional hearings taking place in February and March 2020. The examination is currently suspended until 31<sup>st</sup> August and the Inspector's Report is anticipated to be ready for fact check by the

Council no later than 31<sup>st</sup> December 2020. Once adopted the LDP will cover the Plan period up to 2028.

- 5.40 The emerging plan fails to capture the aspirations of the Brymbo community as well as the applicant to complete the redevelopment of the former Brymbo Steelworks as promised over a number of years. Instead, part of the land remains allocated as employment even though evidence has been presented to WCBC through the plan making process to outline that there is an absence of viable employment interest in this Site. Representations have also been made to the Inspectors throughout the examination process.
- 5.41 During the course of the examination hearings, a number of action points have arisen which require WCBC to make changes. The examination is currently suspended until 31<sup>st</sup> August 2020 whilst the Council considers a number of action points outlined by the Inspectors. Regarding Matter 3 (Housing Provision), this further work includes the drafting of a regeneration policy for the Site, to be considered by the Inspectors once the examination reopens.
- 5.42 It was also raised at the examination that there are ongoing issues with the reliability of Welsh Government bringing forward improvements between junctions 3 and 6 of the A483 and the impact this has on allocated and windfall sites coming forward to the west of Wrexham and the overall impact on the soundness of the emerging LDP. BDL will be responding on this matter by the 31<sup>st</sup> August 2020 as requested by the Inspectors.
- 5.43 Although the emerging LDP is at an advanced stage, it is the Applicant's position that limited weight can be attributed to the emerging LDP given the level of unresolved objection.
- 5.44 The following relevant policies within the emerging LDP are outlined below.

*Policy SP1 – Housing Provision*

- 5.45 Policy SP1 states that 8,525 new homes will be provided over the plan period in order to deliver Wrexham's total requirement of 7,750 homes and to allow a 10% flexibility allowance. Table 5.1 sets out that 2,145 of this total provision will be achieved through windfall (including small and large sites).

*Policy SP2 – Location of Development*

- 5.46 New development is directed to the defined settlement limits and employment areas as identified on the Proposals Map.

*Policy SP6 – Planning Obligations*

- 5.47 This policy outlines that planning obligations will be sought to mitigate any impacts directly related to the development and will be assessed on a case by case basis in line with relevant planning legislation.

*Policy SP12 – Transport and Accessibility*

- 5.48 Wrexham's transport network will be developed in a safe, efficient and sustainable manner following the listed measures.

*Policy SP13 - Design Principles and Masterplanning Framework*

- 5.49 There is a requirement for all development to be of a high quality, sustainable design which makes a positive contribution to the creation of locally distinctive places by ensuring compliance with the masterplanning framework and KSS schematics. Proposals must demonstrate how they have taken account of the local characteristics of surrounding areas and how innovative design solutions will enhance the quality of the built and natural environment.

*Policy SP14 – Health and Wellbeing*

- 5.50 Development should seek to reduce health inequalities and provide opportunities for healthy lifestyles and improving health and well-being. This will be achieved by supporting proposals which provide access to services including primary and secondary healthcare, sports facilities and opportunities for recreation, as well as active travel opportunities, high quality sustainable design, open space, green infrastructure, food growing and allotments.

*Policy SP15 – Natural Environment*

- 5.51 Development will only be supported where it protects conserves and enhances the natural environment. The policy wording provides a list of circumstances that apply.

*Policy SP16 – Historic and Cultural Environment*

- 5.52 Development will only be supported where it conserves, protects and enhances the following cultural and heritage assets of the County Borough and, where appropriate, their settings.

*Policy SP17 – Minerals Supply and Safeguarding*

- 5.53 The majority of the Site is allocated as a Coal (Secondary Resource) Safeguarding Area. However, due to the historic use of the Site this allocation is not considered to be appropriate. This matter was addressed during the examination sessions.

*Policy SP19 – Climate Change*

- 5.54 To mitigate against the effects of climate change and adapt to its impacts, development proposals will need to demonstrate that they have taken into account the following; reducing carbon emissions, protecting and increasing carbon sinks, adapting to the implications of climate change at both a strategic and detailed design level; promoting energy efficiency and increasing the supply of renewable energy; and maintaining ecological resilience, avoiding areas susceptible to flood risk in the first instance in accordance with the sequential approach set out in national guidance; and preventing development that increases flood risk.

*Policy SP20 – Green Infrastructure*

- 5.55 Development will be required to maintain or enhance the extent, quality and connectivity of the County Borough's multi-functional green infrastructure network, and, where appropriate: create new interconnected areas of green infrastructure between the proposed site and the existing network, fill gaps in the existing network to improve connectivity, protect the features most valuable for both nature and people, and in instances where loss of green infrastructure is unavoidable, provide mitigation and compensation for the lost assets.

*Policy DM1 – Development Management Considerations*

- 5.56 Policy DM1 sets out a list of 12 considerations that all development must accord with and be tested against during the application process.

*Policy NE3 – Trees and Woodland*

- 5.57 Development will only be permitted where it does not cause unacceptable harm to trees, woodlands and hedgerows of significant public amenity, natural or cultural heritage value or those that provide important ecosystem services including mitigating the effects of climate change.

*Policy H2 – Affordable Housing*

- 5.58 The deposit version of the plan sets out that Affordable Housing contributions of 25% will be sought in the North West sub-market area (i.e. the sub-area in which the application site sits). However, since the deposit plan has been submitted for examination, further viability work has been produced by the Council and submitted to the Inspectors for their consideration. The Wrexham Viability Study (2019) produced for the Council by the District Valuer Service (DVS) recommends that emerging LDP Policy H2 should apply a 0% affordable housing requirement in the North West settlements of Wrexham.

*Policy T1 – Managing Transport Impacts*

- 5.59 Proposals for new development will be supported where they facilitate increased journeys by more sustainable modes of travel first by walking and cycling, then by public transport and finally by private motor vehicle. As well as mitigating any significant adverse effects upon the transport network that arise from the proposed development including improvements to transport infrastructure where required.

*Policy T2 – Active Travel*

- 5.60 To enable people to access employment, education, healthcare and other essential services, new development will be supported where walking and cycling infrastructure is an integral part of the overall design of the scheme and makes a positive contribution to the distinctiveness of communities and places, facilities that encourage and promote Active Travel.

*Policy T3 – Passenger Transport*

- 5.61 To reduce dependency on the private car, developments which provide for and promote the use of passenger transport services will be supported where it meets the requirements listed under Policy T3.

*Policy CF2 – Provision of New Open Space*

- 5.62 Developments of 10 or more dwellings must include provision for public open space. The open space must be accessible and integral to the proposed development and useable for both formal and /or informal play and recreation.

*Policy WL1 – Welsh Language and the Social and Cultural Fabric of Communities*

- 5.63 This sets out the development where Welsh Language Action Plans will be required. Brymbo does not fall within the Welsh Language Sensitive Areas as identified on the Proposals Map.

*Policy EM1 - Protection of Existing Employment Land*

- 5.64 Map 3 shows part of the Site to the east of Phoenix Drive (Former Steelworks Site, Brymbo) is allocated as a Protected Employment Area. This allocation covers 8 hectares of the Site. This matter has been addressed at the examination.

*Policy R1 – Retail, Leisure and Commercial Centre Hierarchy*

- 5.65 This informs the preferred locations where retail, leisure and commercial proposals will be supported.

Local Planning Guidance

- Landscaping and Design;
- Public Open Spaces on New Housing Developments;
- Parking Standards;
- Trees and Development;
- Designing out crime;
- Developer contributions to schools;
- Affordable housing;
- Design. A guide for developers and architects when designing residential development; and
- The Welsh language and Welsh communities.

### Technical Advice Notes

5.66 A number of Technical Advice Notes ("TAN") are of relevance to the Application.

- Technical Advice Note (TAN 4) – Retail and Commercial Development;
- Technical Advice Note (TAN 12) – Design;
- Technical Advice Note (TAN 15) – Development and Flood Risk;
- Technical Advice Note (TAN 16) – Recreation and Open Space;
- Technical Advice Note (TAN 18) – Transport;
- Technical Advice Note 20 (TAN 20) – Planning and the Welsh Language (October 2013) and (January 2016); and
- Technical Advice Note 24 (TAN 24) – The Historic Environment.

### **Wales Spatial Plan (Update 2008)**

5.67 The Wales Spatial Plan update sets out a 20 year agenda, role, purpose and principles which were established through the Wales Spatial Plan in 2004. It seeks to ensure that what is done in the public, private and third sectors in Wales is integrated and sustainable and sets out national spatial priorities including education, health, housing and the economy.

## 6.0 PLANNING ANALYSIS

### Sustainable Development

- 6.1 PPW10 has been imperative to the evolution of the proposed development. The proposed scheme is based on the concept of placemaking and incorporates key benefits that are considered to improve the economic, social, environmental and cultural well-being of Wales.

### Social

- 6.2 The proposed development fills the existing gap between 'upper and lower' Brymbo which is only currently linked by Phoenix Drive. It is visually apparent that this is not only a gap but is an oven ready regraded and remediated site with existing infrastructure that is ready to accommodate development. This will improve the cohesivity of the settlement and provide a main point of interest and sense of place that will encourage the community to come together.
- 6.3 The proposed development includes provision of a small district centre and up to 300 dwellings that will provide a new centre and the required connectivity to bring together the existing upper and lower parts of Brymbo. This will provide a range of services and facilities on the doorstep, as well as employment opportunities, that can be accessed through sustainable travel such as cycling and walking. A significant benefit is the 2FE primary school that sits within the small district centre, which is long awaited by the local community. The proposed development also acts as a catalyst for the delivery of the Heritage Centre, which has approximately £9 million of lottery funding, which is dependant on its timely delivery.
- 6.4 Up to 300 market dwellings will be provided as part of the proposals. As outlined in Section 5, WCBC are unable to meet their housing requirement, therefore, these market homes will provide necessary housing to local people in both regards at a location that does not require the release of greenfield land. As per the recommendations of the Wrexham Viability Study (2019) the proposals will not provide any affordable homes. It should however be noted that this development is providing significant community benefit and has previously funded infrastructure and community led development with little return to BDL.
- 6.5 The proposed development includes 1.52 hectares of open space. This is below the threshold of 0.4 hectares per 50 dwelling, which would equate to a minimum of 2.8



hectares. As shown in the Land Use Plan (drawing reference: RG-M-05 revision K (aerial version)) the Site is also surrounded by existing green infrastructure. Furthermore, the proposals for the wider area, to be promoted through the local plan, would provide a further 12.93 hectares of green infrastructure and public open space. Although, the proposed development is not in complete accordance with CLF5 of the UDP, the level of open space to be provided, in the context of the existing green infrastructure adjacent to the site and the long term vision for the wider area, is not considered to be detrimental to the amenity of future residents.

### Cultural

#### *Welsh Language*

- 6.6 The Site is not located within a Welsh Language sensitive ward, as defined in the Council's Guidance Note or within the emerging LDP Policy WL1. Nevertheless, the principles of Welsh Language have been used in terms of informed 'best practice'. This has demonstrated that there is an opportunity for the development to have an overall positive impact on the community characteristics of existing Welsh speakers overall. The proposals are sustainably located, provide a small district centre as well as a range and choice of housing to meet a diversity of local needs and achieve age structure balance, and incorporate a proportion of affordable housing.
- 6.7 There are a number of mitigation measures to be incorporated including bi-lingual street names and signage, local advertisement/marketing of the properties, preparation and submission of a Construction Method Statement and detailed lighting design to be provided at appropriate point to contribute towards community safety. The Welsh Language and Impact Statement provides further detail in this regard.

### Economic

- 6.8 The Retail Need and Impact Assessment, produced by Savills, concludes that the very high amount of surplus expenditure identified in the Retail Assessment as a result of the overtrading of existing stores is itself a clear indication that additional convenience goods floorspace is required. The proposal will enable a more sustainable form of development reducing the overall need to travel and forming a cohesive link between the existing communities to the north and south of Brymbo, in addition to the residential proposals. Further the Assessment sets out that given the scale of the proposed district centre there would be no threat to the vitality and viability of Wrexham town centre or any other centre in the adopted retail hierarchy. There is an emphasis within the report that a small district centre should be thought of as more than just retail as operator demand will

increase where there is local integration with other community uses such as a school or medical use.

- 6.9 It is also clear from discussions at the public consultation event that the community of Brymbo support the provision of a school, a medical centre or other D1 non-residential use, a restaurant/pub and various retail units that are incorporated within the masterplan. Residential development within the small district centre is also supported as it provides natural surveillance and provides the opportunity of additional footfall activity and movement. The location of this small district centre connecting upper and lower Brymbo will improve cohesivity between the existing and proposed development.
- 6.10 This residential element of the proposal provides up to 300 dwellings, which is a critical mass to support a viable and sustainable small district centre. This district centre is long awaited by the Brymbo community.
- 6.11 The proposed development will also provide a number of economic benefits including job creation both in the construction phase and long term within the small district centre. As well as increased expenditure from the new population and an increased number of homes paying council tax.

### Environmental

#### *Heritage*

- 6.12 There are no designated historic assets within the site boundary and the Site is not within a Conservation Area.
- 6.13 The following designated historic assets have been identified through site survey work and desktop research as having the potential to be affected by development. Full list descriptions are provided in Appendix 1:
- Brymbo Ironworks: Early Blast Furnace, Cast House & Foundry – Scheduled Monument (DE202)
  - Former Agent's House at site of Brymbo Ironworks – Grade II\* listed building (Reference: 1731)
- 6.14 A number of other designated historic assets were identified through desk-top research. However, following the site visit it was considered that as a result of the landscape and topography surrounding the Site that only the historic assets noted above have the

potential to be affected by the proposed development. No additional assets have been assessed at this time.

6.15 The Heritage Statement produced by Barton Willmore concludes that there would be a limited impact on the significance of the scheduled Brymbo Ironworks, and listed Agent's house, by virtue of the proposed developments within their respective settings. The proposals are considered to result in a low level of harm to the significance of the scheduled Brymbo Ironworks and listed Agent's House, by impacting on their respective settings.

6.16 The potential scale of impact has been significantly mitigated through design features that can be secured by condition and at the reserved matters stage. This report has demonstrated that any harm would be of a low level and that the statutory tests set out in the 1990 Act have been met. The proposals are also considered to be in accordance with the national and local heritage planning policy framework.

#### *Landscape*

6.17 The proposed development would introduce a new, residential led, mixed-use neighbourhood on an area of post-industrial land, part restored and part derelict. It would tie together existing detached communities and provide positive enhancements to adjacent cultural heritage features, creating a strong sense of place for a landscape scarred by the closure of industrial activities, and it would reinforce local character through sensitive design based on a thorough understanding of context.

6.18 The Application Site is within the urban confines. As such, the proposal would lead to very little loss of characteristic landscape features which is limited to the removal of limited existing vegetation. The proposed development would be attractively landscaped, details of which will be provided in due course, with the submission of the Reserved Matters.

6.19 It is therefore concluded that the proposed development can be accommodated within the Application Site without undue adverse effects on landscape character and visual amenity as per the requirements of Policy PS2 of the UDP.

#### *Flood Risk*

6.20 A Flood Consequences Assessment produced by Wardell Armstrong is submitted as part of the planning application. This assessment is in accordance with TAN15. The majority

of the Application Site is located within Zone A, with a small section of the eastern area is shown to be located within Zone B.

- 6.21 Figure 2 of TAN15, residential developments and public buildings are categorised as 'Highly vulnerable' developments. Commercial and retail developments are categorised as 'Less vulnerable' developments. As the proposed development will be located within Zone A and Zone B, the Justification Test, which aims to direct new developments away from land within Zone C, is considered to be passed.
- 6.22 Surface water flood risk mapping shows that the majority of the site is very low or low risk of surface water flooding. Based on the topography, there are minimal pathways for runoff from higher ground to the west of the site to enter the site area. It is proposed that any overland flows from this area are retained within open ground within the site boundary and are not diverted to off-site areas previously unaffected by surface water runoff.
- 6.23 The Flood Consequences Report concludes that the flooding consequences to and from the site are negligible and the Justification Test is passed. The Site is, therefore, considered suitable for the type of development proposed and considered to be in accordance with Policies EC12 and EC13 of the UDP.

#### *Trees*

- 6.24 There are no veteran trees on and immediately adjacent to the Site. The Arboricultural Impact Assessment by Wardell states that there are no Category A trees or groups of trees on the site and only one group of Category B trees. The remaining trees were graded as Category C. Implementing the proposal will necessitate the removal of part of one tree group (G17) and part of one woodland (W6) both of which were graded as Category C. The retained trees and hedgerows on and immediately adjacent to the Site will be protected with tree protection fencing. The proposed development is therefore considered to accord with Policy EC4 of the UDP.

#### *Ecology*

- 6.25 The Preliminary Ecological Appraisal ("PEA") was produced by Wardell Armstrong in August 2020 and is submitted as part of the outline application.
- 6.26 There is one statutory designated site and 14 non-statutory designated sites within 2km of the Site, the closest being Coedwig Fossil Brymbo Fossil Forest SSSI, designated for

geological value rather than nature conservation. Development proposals are located entirely outside of the SSSI and will not impact upon the geological features for which the SSSI is designated. The other non-statutory designated sites are considered too distant and/or lacking ecological connectivity for proposals on the Site to impact upon them.

- 6.27 In regards to badgers, 42 records of the species were found within 2km of the site, however only two of which are less than 500m away from the site, one in 2017 at 425m, of a road casualty and one in 2008 at 475m from the site of a sett. The lack of closer records may not be indicative of presence or absence within the site, as absence of records is not conclusive evidence of the species not utilising the site. Limited evidence of the species was found during the initial survey in August 2018 and no evidence was recorded during the recent Phase 1 Habitat survey on 18th February 2020.
- 6.28 There are records of Great Crested Newts ("GCN") close to the Site. These are associated with a GCN receptor area located 115 metres west of the site, which was established in 2002 as part of a licenced GCN translocation scheme for the former steelworks. The Site is separated from the receptor area by a one-way permanent GCN exclusion fence.
- 6.29 The habitats present on Site are considered suitable to support low numbers of reptiles (such as grass snake *Natrix natrix* and slowworm *Anguis fragilis*). Much of the Site has historically undergone much disturbance, and the habitats lack the structural diversity to support notable populations of reptiles. The ecological record search returned records of adder *Vipera berus*, common lizard *Zootoca vivipara* and grass snake in the locality, but not on Site.
- 6.30 Bird breeding and bat survey reports are submitted as part of this planning application. The bird breeding survey concludes that the Site is considered of local value for breeding birds and recommends mitigation and enhancement measures. The bat survey report concludes that the provision of mitigation measures in the form of native planting, sensitive lighting and new areas of public open space, it is considered that the development will not deleteriously affect the conservation status of local bat populations. Additionally, with the replacement of disturbed land with residential development incorporating gardens, open space and landscaping, it is considered that the proposed development would provide enhanced habitat for local bat populations.

## **Material Planning Considerations**

### Emerging Development Plan

- 6.31 The emerging LDP is currently at examination and is a material consideration albeit it with limited weight. The initial examination hearings took place in September/October 2019 and further hearings took place in February/March 2020. There are a number of concerns from the Inspectors and changes that need to be made prior to any further progress being made with the examination. The examination is currently suspended until 31<sup>st</sup> August 2020.
- 6.32 The Application Site (including Ty-Cerrig) has been promoted through the plan making process to highlight the ambition to complete the redevelopment of this area as promised to the community for 21 years. The plan currently disregards these clearly expressed vital objectives and any evidence submitted regarding the employment allocation. However, the Inspector has requested that the Council draft a regeneration policy for the Site and this is due to be considered by the Inspectors once the examination reopens.
- 6.33 Furthermore, the emerging LDP also includes a requirement for 2,145 of the 8,525 new homes to be provided within the period 2013-2028 through small and large windfall sites. This is high level of windfall development, complicated further by the current lack of reliability that the highway works to the A446 will take place within the plan period to release any capacity to the west of Wrexham. There is currently a lack of robust evidence provided by Welsh Government to the examination to support this delivery.
- 6.34 It should also be noted that there are also ongoing difficulties with draft allocations progressing to a planning permission due to Officer recommendations being overturned at planning committee. A recent example of this is draft allocation Key Strategic Site 2 (planning reference: P/2019/0005) that was refused at planning committee on 27<sup>th</sup> July 2020. This provides further uncertainty on the Council's ability to deliver their allocated site and potential further reliance on windfall site's coming forward if the Council or the allocation of additional site's if the Council is to meet its housing requirement.

### Well-being of Future Generations (Wales) Act 2015

- 6.35 The Well-being of Future Generations (Wales) Act 2015 places a duty on public bodies to carry out sustainable development. This is not a new concept however the concept of sustainable development is expanded under the Well-being Act and requires any

improvement in all four aspects of well-being: social, economic, environmental and cultural.

- 6.36 This Act was a catalyst for the latest update to PPW and has heavily informed the principles of PPW10.

### **Planning Balance**

- 6.37 The development plan consists of the UDP, which is time expired and not in accordance with the requirements of PPW10, and therefore given limited weight. However, this Site sits within the settlement limit and the principle of development of this brownfield Site is acceptable and in accordance with Policy EC16.
- 6.38 The emerging LDP is currently at examination, with the examination currently suspended until 31<sup>st</sup> August 2020, whilst the Council complete further work requested by the Inspectors. The emerging LDP is therefore given limited weight. Although the Application Site (and wider site) have been promoted to WCBC through the plan making process, the Council, to date, has not taken the opportunity to include this brownfield site as an allocation. enable the proposals through the local plan process. The current drafting of the emerging LDP therefore fails to capture the aspirations of both the applicant and local community to complete the redevelopment of the former Brymbo Steelworks. However, the emerging LDP does outline that 2,145 of the 8,525 new homes to be provided within the period 2013-2028 will be achieved through small and large windfall sites. Therefore, there is a clear need for housing to come forward through windfall development within this period.
- 6.39 PPW10 was published in December 2018 and reflects the aspirations of the Well-being of Future Generations (Wales) Act 2015. PPW10 introduces the concept of placemaking as well as giving clear direction through the definition of key planning principles and placemaking outcomes in Wales. These key planning principles are embraced through the proposed scheme and the proposals compliance with PPW10 should be given significant weight. As discussed between paragraphs 6.2 and 6.30 of the statement, the proposals encompass many benefits including social, economic, cultural and environmental.
- 6.40 PPW10, as well as the community of Brymbo, are supportive of the key principles of the proposals and the ambitions to provide key facilities such as a 2FE primary school, retail, a pub/restaurant as well as new homes and as a catalyst for delivery of the Heritage Centre to be delivered £9m of lottery funding secured. Considering the status of the

existing development plan and emerging LDP, significant weight is given to PPW10 and its principles. The proposals within this application accord with these principles.

- 6.41 It is considered that there are no adverse impacts that would be associated with the development that would significantly and demonstrably outweigh the many benefits it will achieve, when assessed against the policies in PPW10. This application should be supported by WCBC and approved without any further delay.



## 7.0 CONCLUSIONS

- 7.1 The proposals are for a residential led mixed-use development for up to 300 dwellings, provision of a 2FE primary school and a small district centre as well as multi-functional green infrastructure. The small district centre that will provide a cohesive link between existing communities to the north and south of Brymbo as well as the proposed residential development.
- 7.2 This proposed development brings forward the 'a significant piece of the jigsaw' following over 20 years of development and planning permissions that have failed to come forward because of the long standing and complex impacts associated with the economic downturn and poor commercial climate. The proposals bring forward the services and facilities that have been long awaited by the local community.
- 7.3 The planning balance at paragraph 6.37 clearly demonstrates the current status of the development plan and the emerging LDP, and that in light of this, significant weight should be given to PPW10, its key principles and policies. The proposals are considered to be in accordance with policies of PPW10 with the key principles at the heart of the scheme and BDL's ambitions.
- 7.4 The analysis has identified that the proposal will contribute to achieving sustainable development by meeting the four identified dimensions stated within PPW10 through the creation of jobs, investment and the regeneration of a derelict and long-term vacant site.
- 7.5 The key principles of PPW10 are aligned to meeting the requirements of the Well-being of Future Generations Act and emphasise the need for placemaking. Therefore, the proposed developments ambitions to create a new heart of Brymbo and a well-designed and functional place meets the ambitions of this policy as well as the requirements of the Well-being of Future Generations Act.
- 7.6 On the above basis, it is considered that there are no adverse impacts that would be associated with the development that would significantly and demonstrably outweigh the many benefits it will achieve, when assessed against the policies in PPW10.

**APPENDIX 1**  
**EIA SCREENING OPINION**

## STAGE 2 – DETAILED EIA SCREENING ASSESSMENT

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?  State any features of the development or measures to be used to avoid or prevent what might otherwise have been significant adverse effects.
CRITERION 1. CHARACTERISTICS OF DEVELOPMENT		
Question 1(a) Size and design of the Development		
Will construction, operation or decommissioning of the Project involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies, etc.)?	Yes. The eastern part of the site is vacant and the western part of the site comprises an agricultural field. The development would change the use of the overall site to urban development. However the proposed use is located within Settlement Limit and considered would be commensurate to the existing and surrounding uses and resultant effects are unlikely to be significant in EIA terms.	Significant effect unlikely.
Question 1(b) Cumulation with Existing and/or Approved Development		
Are there any other factors which should be considered such as: <ul style="list-style-type: none"> <li>consequential development which could lead to environmental effects?</li> <li>the potential for cumulative impacts with other existing or planned activities in the locality?</li> <li>any plans for future land uses on or around the location which could be affected by the project?</li> <li>transfrontier impacts?</li> </ul>	Although major development approved elsewhere, these are not considered to be in such close proximity to the site to result in cumulative impacts on the environment, sufficient to warrant EIA. A proposal for up to 70 no. residential units granted under P/2012/0817 south of the site, is still extant. However this application was granted in the context of the	Significant effect unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?  State any features of the development or measures to be used to avoid or prevent what might otherwise have been significant adverse effects.
	proposed spine road which has also been subsequently granted as well as other development either side of the spine road. The application for 70 no. units is considered to be limited in the context of the proposal and would not result in such cumulative impacts with the proposed development to warrant EIA. In any event, submission of a CEMP would outline mitigation measures during the construction phase of development, helping to minimise any adverse environmental impacts which may arise, if both development proposals were carried out at the same time.	
<b>Question 1(c) Use of Natural Resources, in particular land, soil, water and biodiversity</b>		
Will construction or operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?	Materials used in the construction phase of development – metal, wood, water, energy. Water used during operational phase of development. Change of use of some agricultural land to mixed urban uses as well as re-development of brownfield land.	Significant effect unlikely.
<b>Question 1(d) Production of Waste</b>		
Will the Project produce solid wastes during construction or operation or	Yes. Some solid waste may arise as	Significant effect unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?  State any features of the development or measures to be used to avoid or prevent what might otherwise have been significant adverse effects.
decommissioning?	a result of construction phase of development. Best practice in minimisation, disposal and recycling would be expected.	
Question 1(e) Pollution and Nuisances		
Will the Project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?	Yes. Air Quality Assessment and Noise Assessment reports would both be required to be submitted to accompany any formal application.  No significant environmental impacts in terms of ecology. Ecology Officer has been consulted and does not consider that the proposal would require EIA.	Significant effects unlikely.
Will the Project cause noise and vibration or release of light, heat energy or electromagnetic radiation?	Yes. Some noise impacts likely, however conditions could be secured on any grant of planning permission to mitigate against any noise impacts. Some noise and vibration may arise during construction phase of development/erection of proposal however these are considered would be localised and time limited. The resultant nature of the proposal would be commensurate to the existing, surrounding uses.	Significant effects unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?  State any features of the development or measures to be used to avoid or prevent what might otherwise have been significant adverse effects.
Will the Project release pollutants or any hazardous, toxic or noxious substances to <b>air</b> , or lead to risks of contamination of <b>land</b> or <b>water</b> (including surface waters, groundwater, coastal waters or the sea)?	Yes. Air Quality Assessment should be submitted to accompany any formal planning application. Public Protection would be consulted as part of any application. Contaminated Land Team do not consider that the proposal warrants EIA. Ground conditions reports already undertaken states no significant off-site pollution risks associated with residual matters and replacement engineered fill. Minor levels of ground gas found in some locations, however suitable gas protection measures to be provided in the design of the development. Updated contaminated land reports should also be submitted to accompany any planning application. Submission of CEMP would outline mitigation measures for dust.	Significant effects unlikely.
<b>Question 1(f) Risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge</b>		
Will there be any risk of major accidents and/or disasters during construction or operation of the development?	No	N/A
<b>Question 1(g) Risks to Human Health (for example due to water contamination or air pollution)</b>		
Will there be any risk to human health during the construction and/or operation of the development	Yes. Risk of accident associated with construction works, but best	Significant effect unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?  State any features of the development or measures to be used to avoid or prevent what might otherwise have been significant adverse effects.
	practice on site can reasonably be expected and construction of development should be carried out in accordance with relevant health and safety legislation. Level of risk is not considered to be significant.	
CRITERION 2. LOCATION OF DEVELOPMENT		
Question 2(a) Existing and Approved Land Use		
Will the Project result in social changes, for example, in demography, traditional lifestyles, employment?	Yes. The proposal would increase the local population in the area however the residential development is not aimed towards a specific demograph therefore not resulting in a substantial overall change to the demography. Employment opportunities would arise during construction phase of development. Increase in provision of services and facilities within walking distance for existing properties in the locality, as a result of proposed retail, commercial and new school uses.	Significant effect unlikely.
Are there any routes or facilities on or around the location, which are used by the public for access to recreation or other facilities, which could be affected by the project?	Yes. Offa's Dyke runs to the west and south of the site, however it already runs in close proximity to the existing Brymbo Sub-Station. The development would not affect this part of the path. The Council's	Significant effect unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	<p>For ‘Yes/Unknown’, are effects <u>likely</u> to be <u>significant</u>?</p> <p>State any features of the development or measures to be used to avoid or prevent what might otherwise have been significant adverse effects.</p>
	<p>Conservation Officer has been consulted and does not consider that EIA is required based on any impacts to Offa’s Dyke.</p> <p>PROW 38 is located adjacent to the site’s northern boundary. The PROW would continue to be operational during the construction phase of development. The developer is expected would have dialogue with the Council’s PROW team should any unexpected disruption or closure occur during the construction phase of development.</p>	
Are there any transport routes which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Yes. Increased traffic generation may have an impact in Brymbo village and more particularly at the Heritage Way junction with A525 Ruthin Road and at Junction 4 of the A483. Although the LDP has not yet been adopted, the designated Key Strategic Site 1 would be reliant on improvements made to these junctions. A Transport Assessment would be required as part of any formal planning application. The	Significant effect unlikely.



5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?  State any features of the development or measures to be used to avoid or prevent what might otherwise have been significant adverse effects.
	<p>Highway Authority have been consulted and advise that whilst the proposal would be of huge local significance, an EIA would not be required given the proposal would not likely be of national significance.</p> <p>Any increase in HGV movements and associated construction traffic during the construction phase of development could be managed as part of a Construction Traffic Management Plan.</p>	
Is the project located in a previously undeveloped area where there will be loss of greenfield land?	The eastern part of the site comprises brownfield land where major earthworks have already been undertaken and completed. The western part of the site is currently in agricultural use, following site restoration. Materials were returned to the western part of the site. The western part of the site, given its current agricultural use class and restoration to a field would therefore result in a loss of greenfield land. Consultation responses from consultees indicate that the loss of this greenfield parcel of land would	Significant effects unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?  State any features of the development or measures to be used to avoid or prevent what might otherwise have been significant adverse effects.
	not give rise to any issues of national significance requiring EIA.	
Are there any areas on or around the location occupied by land uses which could be affected by the project, particularly sensitive land uses e.g. hospitals, schools, places of worship, community facilities?	Yes. Local schools in the locality as well as facilities and services in Brymbo itself. The submission of a Construction Environmental Management Plan and Construction Traffic Management Plan would help to limit any nuisance and disturbance to facilities within the immediate locality during the construction phase of development. Any disturbance to neighbouring land uses would be of a localised and temporary nature only.	Significant effect unlikely.
Question 2(b) Relative Abundance, Availability Quality and Regenerative Capacity of Natural Resources in the Area and its Underground		
Are there any areas on or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, which could be affected by the project?	Yes. Eastern part of site in agricultural use. However the size of the site is considered to be generally limited overall and would not result in a significant loss of agricultural land.	Significant effect unlikely.
Question 2(c) Absorption Capacity of the Natural Environment		
Are there any other areas on or around the location which are important or sensitive for reasons of their ecology, or are used by protected, important or sensitive species of fauna or flora, which could be affected by the project?	No. The Council's Ecologist has been consulted and does not consider that the proposal would result in such effects to be of national significance sufficient to	Significant effect unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?  State any features of the development or measures to be used to avoid or prevent what might otherwise have been significant adverse effects.
	warrant EIA.	
Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	No	N/A
Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?	Yes. Special Landscape Area and Dee Valley AONB within approximately 2.5km of the site. A Landscape Visual Impact Assessment would be required as part of any formal planning application. Major earthworks have already been undertaken on the eastern part of the site and the western part, whilst laid to grass and in agricultural use, is directly adjacent to the Brymbo Steelworks site. The site is not isolated insofar as development lies either side of the site and when viewed from vantage points, would be viewed in the context of existing built development. Mitigation can be provided as set out in the preliminary LVIA to screen views from the west and retain any visually sensitive areas as POS. Heights of buildings at highest land levels can also be controlled.	Significant effect unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?  State any features of the development or measures to be used to avoid or prevent what might otherwise have been significant adverse effects.
Is the project in a location where it is likely to be highly visible to many people?	Yes but the site would be read in context with the existing built development surrounding the site. Any visual impacts would be localised only and not of a significant national scale.	Significant effects unlikely.
Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	Yes. The site is surrounded by built development where there is residential development as well as other various uses, services and facilities in close proximity to the site. However these are commensurate to the proposed use and the proposal is not considered would alter the character of the existing site and Brymbo Settlement Limit as a whole. Any effects would be localised.	Significant effects unlikely.
Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?	Yes – Offa's Dyke which is a Scheduled Ancient Monument runs along the western and southern boundaries of the site. The Council's Conservation Officer does not consider that the proposal would impact on this monument so significantly as to be of national significance warranting EIA. A Heritage Statement should be submitted to accompany any full	Significant effects unlikely.

5	Detailed Screening Questions	
Questions to be considered	Yes/No/Unknown – provide description	For 'Yes/Unknown', are effects <u>likely</u> to be <u>significant</u> ?  State any features of the development or measures to be used to avoid or prevent what might otherwise have been significant adverse effects.
	planning application. A LVIA should also be submitted to demonstrate impacts of the proposal on the AONB. However as previously stated, the proposal would be read in context with the existing built development and form and would not be seen as an isolated development in this respect.	
Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	Yes. Engineering of the eastern part of the site has already been undertaken and development platforms created. Materials returned to western part of the site. Ground Conditions Reports completed to date identify low level of residual contamination on eastern part of site. Contaminated land reports would be required as part of any formal planning application. Contaminated Land Team do not consider that EIA is required.	Significant effects unlikely.
Is the project location susceptible to subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions, which could cause the project to present environmental problems?	No	N/A
Has there already been a failure to meet environmental quality standards that is relevant to the project?	No	N/A

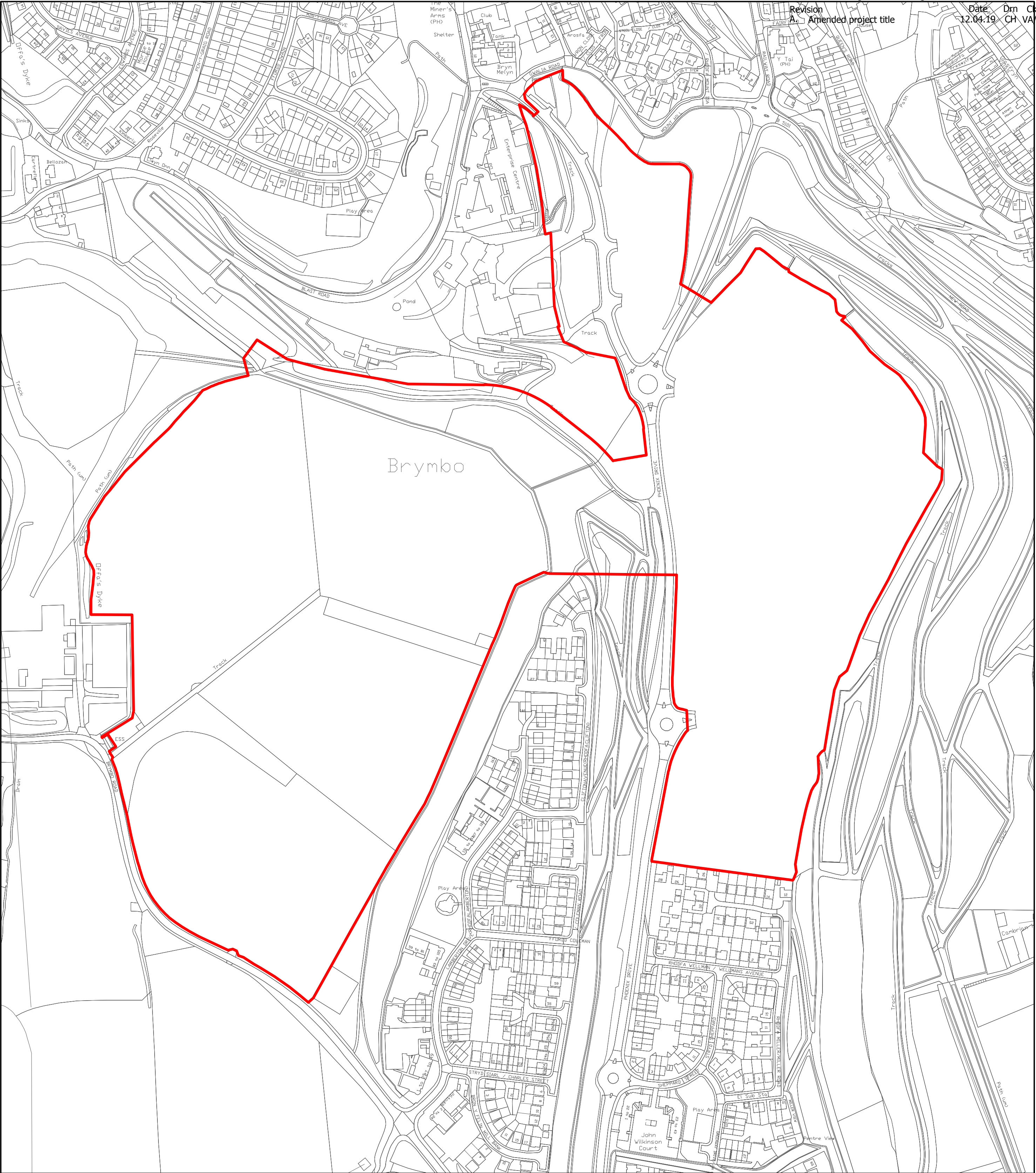
**Statement of reasons – insert into Screening Direction**

<b>6</b>	<b>Outcome of assessment</b>	
(ii)	If a SO/SD has been provided do you agree with it?	Yes
(iii)	Is EIA required?	No
<b>Outcome</b>		<b>Action</b>
<b>Schedule 2</b> development – threshold exceeded/ criterion met or Sensitive Area but <b>not</b> likely to have significant effects on the environment		Issue direction stating EIA <b>Not</b> Required ( <b>Letter 1</b> )
<b>Schedule 2</b> development – threshold exceeded/ criterion met or Sensitive Area <b>and likely</b> to have significant effects		Issue direction stating EIA Required ( <b>Letter 2</b> )
Project does not fall within the EIA Regulations as either: (a) it is listed within the descriptions of development Column 1 of Schedule 2 of the EIA Regulations but does not meet relevant threshold/criterion; or (b) it does not fall within the categories of development in Column 1 of Schedule 2 of the EIA Regulations.		EIA Not Required - Issue direction stating either: (A) project listed within descriptions of development in Column 1 of Schedule 2 of the EIA Regs but does not meet relevant threshold/criterion; or (B) project does not fall within the categories of development in Column 1 of Schedule 2 of the EIA Regs ( <b>Letter 3</b> )
<b>Schedule 2</b> development but effects not clear at this stage – file to be reviewed at a later stage		No action – review when appropriate i.e. on receipt of new information/case progress
<b>Schedule 2 development</b> – appeal is at an advanced stage – referred for Direction; <b>likely</b> to have significant effects		Issue direction stating EIA Required ( <b>Letter 4</b> )
Development relates to a called in application.		Regardless of conclusions reached, forward completed screening checklist with recommended action identified above to the Welsh Government for consideration
<b>Name and Job Title of Assessor</b>		Mared Rees-Jones – Area Planning Officer
<b>Date of Assessment</b>		12/03/2019

## **APPENDIX 2**

### **SITE LOCATION PLAN**





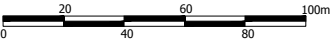
 Site Boundary

Project  
Brymbo Park



Drawing Title  
Site Boundary

Date	Scale	Drawn by	Check by
06.09.18	1:2500@A2	ALC	VA
Project No	Drawing No	Revision	
27968	RG-M-04	A	



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