

APPLICATION NO:
P/2019 /0484

LOCATION:
UNIT 10 VAUXHALL INDUSTRIAL
ESTATE RUABON WREXHAM
LL14 6HA

DATE RECEIVED:
26/06/2019

COMMUNITY:
Rhos

DESCRIPTION:
CHANGE OF USE OF LAND FROM
BUS DEPOT TO PROVIDE
ADDITIONAL HGV PARKING
ASSOCIATED WITH AN EXISTING
STORAGE AND DISTRIBUTION USE
(IN RETROSPECT)

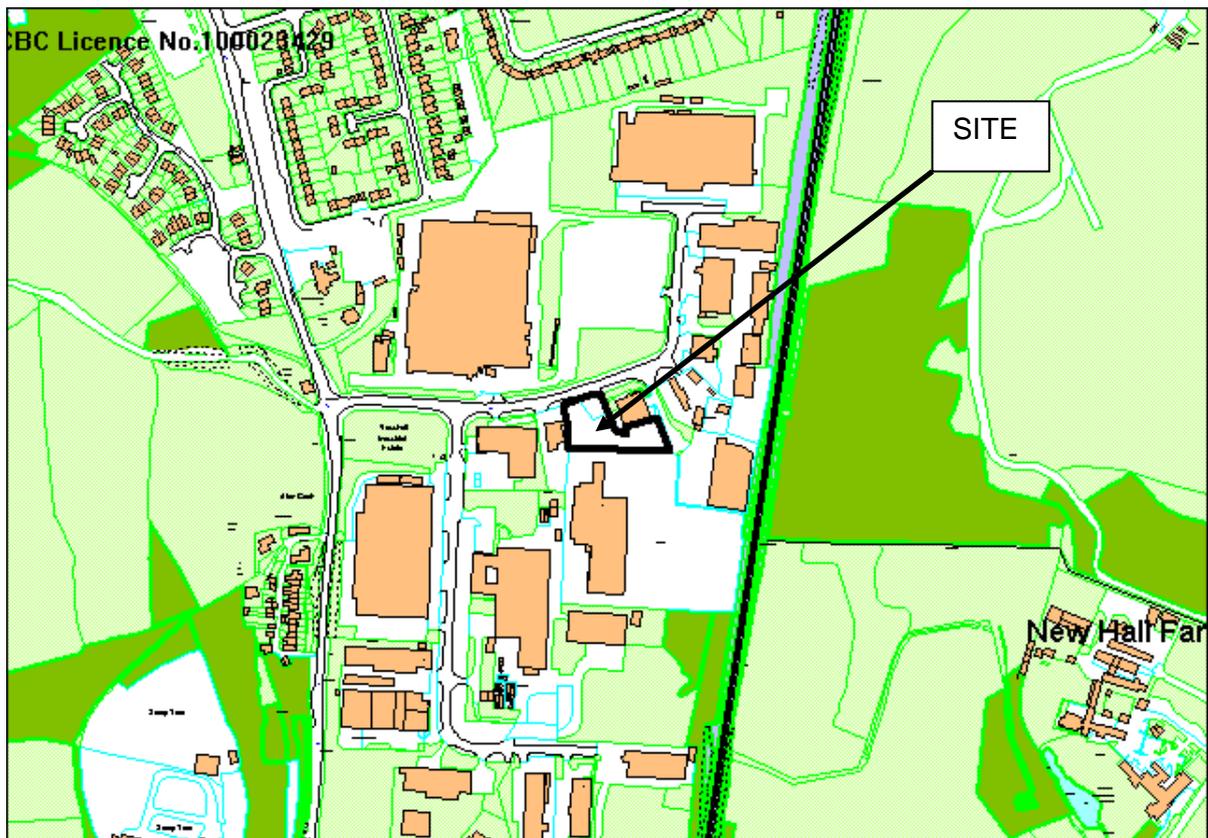
CASE OFFICER:
PF

WARD:
Johnstown

AGENT NAME:
HASTON REYNOLDS
LTD
DAVID HASTON

APPLICANT(S) NAME:
PN AND JA TOMLINSON
TOMLINSON'S DAIRIES LIMITED

THE SITE



PROPOSAL

Planning permission is sought in retrospect for the change of use of land for the purpose of parking heavy goods vehicles (HGVs) associated with the current use of the neighbouring building which is used as a storage and distribution building. The current lawful use of the land is as a bus depot, a *sui generis* use.

HISTORY

P/2012/0101 CHANGE OF USE OF UNIT 10 FROM PLANT HIRE BUSINESS TO BUS DEPOT. GRANTED 04.04.2012

Neighbouring land (within applicant's control)

P/2017/0938 CHANGE OF USE OF PART OF FORMER PASSENGER TRANSPORT DEPOT TO STORAGE USE OF DAIRY PRODUCTS. GRANTED 18.12.2017

P/2007/0144 CHANGE OF USE TO PASSENGER TRANSPORT DEPOT (BUSES AND COACHES). GRANTED 04.04.2007

CB02528 FACTORY EXTENSION. GRANTED 06.10.1998.

PLANNING POLICY

The site is located within the Johnstown settlement limit as defined by the Wrexham Unitary Development Plan. Policies PS2, GDP1 and T8 are relevant. Guidance is also contained in Local Planning Guidance Note 16 – Parking Standards.

CONSULTATIONS

Community Council:

No adverse comments.

Local Member:

Has been approached by constituents who have raised the following concerns:

- The 24/7 operation of the site and the impacts upon local environment in terms of noise and pollution together with the disproportionate number of A483(T) bound HGV movements through the village of Johnstown;
- consideration of this planning application to place conditions on:
 - the number of HGV movements permitted during the hours of 22:00 and 06:00;
 - the proportion of HGV movements permitted to access Vauxhall Industrial Estate through the village of Johnstown and that the alternative access from the

A483(T) be considered as an alternative route.

Site notice:	Expired 26.07.2019
Public Protection:	No comments.
Highways:	No objection. The proposed traffic movements are significantly less than the previously approved use of the site. Adequate parking and turning facilities are proposed within the site.
NRW:	No objection but wishes to note that the site is in close proximity to a landfill site. Whilst groundworks are not proposed, any future groundworks may result in disturbance to ground gases. The application should be mindful of this risk.
Neighbouring occupiers:	<p>4 neighbouring occupiers notified. 1 representation received raising the following points:</p> <ul style="list-style-type: none">• the haulage depot has an operating licence for 70 vehicles and 80 trailers which is described as a substantial depot by the DVSA;• The heavy goods vehicles are very large being six axle 'slab sided' lorries;• The use of the site is 24/7;• The operator has informed that the traffic movements are through Johnstown village to access the A483;• The lorries can often be seen in convoys of 2 or 3;• There are two sets of traffic lights in the village and lorries can be seen queuing;• The size of the lorries dominates the street scene and look completely out of place;• The Vauxhall Industrial Estate is not the correct location for this scale of transport depot;• The depot should be relocated to the Wrexham Industrial Estate (WIE) where there is a dual carriageway access road built at vast public expense – removing the need for to pollute the village of Johnstown with fumes, noise and vibration and degrading the street scene.• Relocating to the WIE would not impact upon schools or villages; and

- The submitted documentation fails to scrutinise the environmental harm to the village.

SPECIAL CONSIDERATIONS

Background: This planning application has been submitted in retrospect. The use relates to the parking and operation of heavy goods vehicles associated with the permitted use of the neighbouring building for the storage and distribution of dairy products. The area is required to provide a stabling facility for the dairy's haulage contractor.

The site is located on the established Vauxhall Industrial Estate, the area having been used for commercial purposes for at least 40 years. The area of land in question has a planning history which is comparable with the use now proposed. Prior to the proposed use, it was utilised as a yard associated with bus depot. Prior to the bus depot use, it was used for the purposes of a plant hire yard.

As the site is located within a defined settlement and within an established industrial estate setting, I am satisfied that the proposed development is acceptable in principle.

Highways: There are no objections to the use of the site for the storage and movement of larger scale vehicles. As mentioned above, the lawful use of the site is as a public transport depot. Bus and coaches were previously stored and maintained at the site.

Access is gained to the site via an existing established opening on to the main estate road to which there are no changes proposed. Beyond the site, the main estate access road is suitable to cater for large HGV vehicles on to the main B5605 Ruabon Road.

Concerns have been made in representations that the use of the site for the parking and operation of the HGVs associated with dairy product distribution business is having an adverse impact upon the amenity of the residents of Johnstown and is also impacting upon its village setting.

The applicant has provided limited traffic flow analysis of the proposed use set against the previous use. The bus depot had approximately 120 buses/coaches operating from the site. Given their timetables around 60 vehicles would make one inbound and one outbound trip per day. 30 would take 3 outbound/inbound trips and the remaining 30 would take 4 outbound/inbound trips. The applicant anticipates a requirement of parking for up to 15 tractor units and 20 trailers with vehicle sizes varying depending upon operator demands. Vehicle movements are expected to equate to 40 to 50 HGV movements per day. In reality, these vehicles are contracted to serve the permitted storage and distribution use of the existing building, therefore the vehicles visit the site in any case. This application seeks to provide a stabling point effectively reducing the need for them to be transported

elsewhere. On this basis, I do not consider that the storage of the vehicles on site will have any further adverse impact upon the highway network than has previously been experienced by previous lawful uses.

Amenity: Representations also raise concerns that the increased presence of HGVs on the local highway network will have an adverse impact upon the village setting and would look out of place. I am unable to give this matter significant weight. It has already been established that the site has previously resulted in a greater volume of traffic movements and has included previous uses such as plant hire, coaches and bus movements. The village of Johnstown is punctuated by a key B classified highway which junctions with the A483 in the north and south. The passage of vehicles of all scales through the village must be accepted.

Suggestions have been made that vehicle movements should be restricted between 2200 and 0600 hours and that the number of vehicles should be restricted to and from the A483 via Johnstown. As discussed above, I am not convinced that the number of vehicles is significantly greater than previous uses of the site. It should also be noted that the site is proposed solely for the parking and operation of the vehicles to serve a neighbouring dairy distribution warehouse. There are no restrictions on delivery movements from this site, therefore it would be unreasonable to impose the same restriction on the application site for the movement of the HGVs which would otherwise be visiting the site from elsewhere if not stabled here.

Other matters: Whilst there may be other sites in the County Borough perceived to be better suited to this proposed use, the LPA are required to determine the application before it based on its own merits. In this regard consideration cannot be given to any site selection exercise.

Conclusion: I am satisfied that the proposed use is acceptable in this industrial location. The likely traffic movements are offset by the fact that such vehicles would be travelling to the site in any case. This proposal effectively seeks to reduce traffic movements by allowing the vehicles to be stabled nearby. I therefore consider that the proposal accords with planning policy and I recommend accordingly.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The approved drawing no. H0070-25-A3-PL-02 shall designate the parking and turning area within the site and shall be retained fully laid out, surfaced and drained for that purpose.

REASON(S)

1. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered

unnecessary in the interest of traffic safety in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
