



<b>REPORT TO:</b>	Planning Committee
<b>REPORT NO.</b>	HEP/59/17
<b>DATE:</b>	6 <sup>th</sup> November 2017
<b>REPORTING OFFICER:</b>	Head of Environment and Planning
<b>CONTACT OFFICER:</b>	David Williams (Ext 8775)
<b>SUBJECT:</b>	Development Control Applications
<b>WARD:</b>	N/A

## **PURPOSE OF THE REPORT**

To determine the listed planning applications.

## **INFORMATION**

Detailed reports on each application together with the recommendations are attached.

## **RECOMMENDATION**

See attached reports.

## **BACKGROUND PAPERS**

None.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**6<sup>th</sup> NOVEMBER 2017**

<b>Community</b>	<b>Code No</b>	<b>Applicant</b>	<b>Recommendation</b>	<b>Pages</b>
LLA	P/2017 /0428	MR ROGER COTTER	GRANT	15 – 19
HOL	P/2017 /0429	PRM PROPERTY LTD MR P MATTHEWS	GRANT	20 – 30
WRA	P/2017 /0661	MR JAMES SMITH	GRANT	31 – 34
GRE	P/2017 /0663	MS LOUISE CLANCY	GRANT	35 – 37
LLR	P/2017 /0690	MR ANDREW HUGHES	GRANT	38 – 40
CHI	P/2017 /0700	KRONOSPAN LTD MR KEITH BAKER	REFUSE	41 – 46
HAN	P/2017 /0725	MR & MRS FORRESTER AND GRIFFITHS	REFUSE	47 – 55
BRO	P/2017 /0730	MR S DILLON	GRANT	56 – 61
GLY	P/2017 /0739	MR J MORRIS	GRANT	62 – 70
WOR	P/2017 /0746	MR KEITH MACINNES	GRANT	71 – 76
WRR	P/2017 /0749	S & P ESTATES LTD MRS STELLA JONES	GRANT	77 – 82
BRO	P/2017 /0787	MR & MRS JONES	GRANT	83 – 89
WOR	P/2017 /0794	MICHAEL PATON	GRANT	90 – 96

Total Number of Applications Included in Report - 13

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All plans are intended to be illustrative only and should be used only to identify the location of the proposal and the surrounding features. The scale of the plans will vary. Full details may be viewed on the case files.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**6<sup>th</sup> NOVEMBER 2017**

**APPLICATION NO:**

P/2017 /0428

**LOCATION:**

2 PINE GROVE LLAY WREXHAM  
LL12 0UD

**DATE RECEIVED:**

25/05/2017

**COMMUNITY:**

Llay

**DESCRIPTION:**

OAK TREE (T1) - USING HAND TOOLS ONLY, REMOVE EXISTING TARMAC DRIVEWAY AND EXPOSE ANY ENCROACHING ROOTS PRESENT BENEATH THE SURFACE, PRUNE BACK ENCROACHING ROOTS TO LAWN AREA, NO ROOTS GREATER THAN 25MM IN DIAMETER TO BE PRUNED WITHOUT PERMISSION OF TREE OFFICER. PRUNE INDIVIDUAL BRANCHES TO PROVIDE 1.0 METRE CLEARANCE FROM ADJACENT STREET LAMP AND COLUMN, REMOVAL OF EPICORMICS GROWTHS FROM LOWER MAIN TRUNK UP TO MAIN BRANCH STRUCTURE (PROTECTED BY TREE PRESERVATION ORDER NO. WCBC NO. 196, 2012)

**CASE OFFICER:**

JMB

**WARD:**

Llay

**AGENT NAME:**

MR ROGER COTTER

**APPLICANT(S) NAME:**

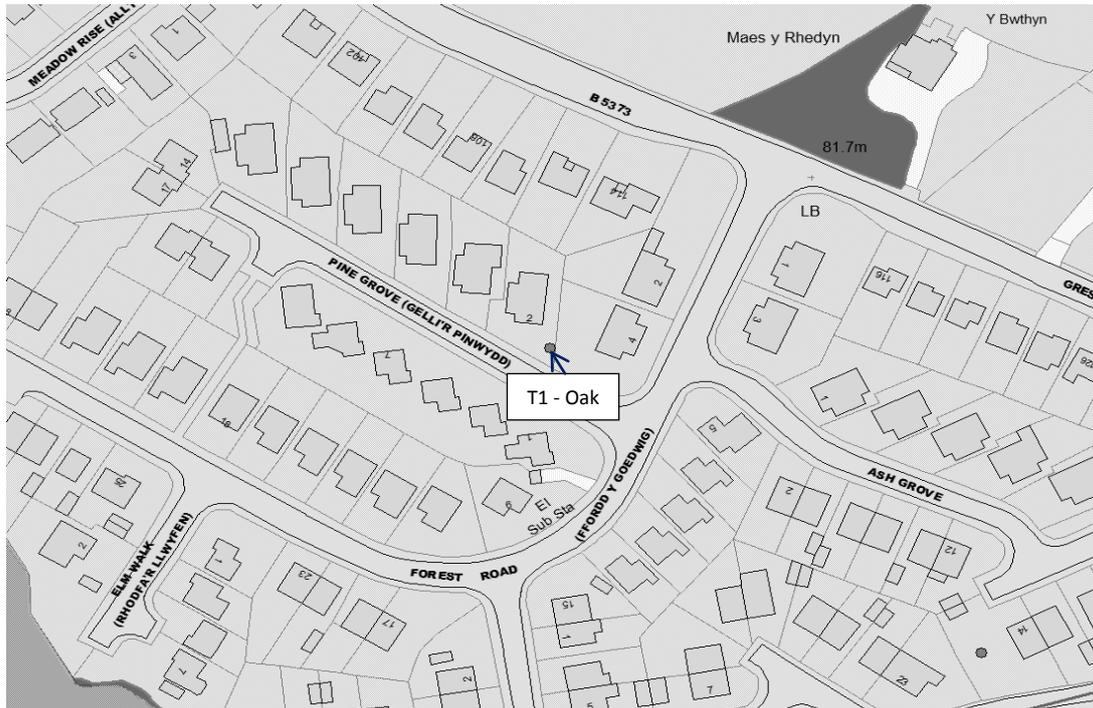
MR ROGER COTTER

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**THE SITE**

2 Pine Grove, Llay, Wrexham.

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The dwelling is a detached bungalow with an existing driveway providing access onto Pine Grove. A mature, protected oak tree, subject to a TPO 'Application for works' is located to the eastern boundary and adjacent to a small but formal lawn area.

### **PROPOSAL**

Using hand tools only, remove existing tarmac driveway and expose any encroaching roots present beneath the surface. Prune back encroaching roots to lawn area. No roots greater than 25mm in diameter to be pruned without permission of tree officer. Prune individual branches to provide 1.0m clearance from adjacent streetlamp and column. Remove epicormics growth from lower main trunk up to main branch structure. (Protected under TPO WCBC 196/2012)

### **HISTORY**

No recent history

### **DEVELOPMENT PLAN**

Policy EC4 'Hedgerows, Trees and Woodlands' of the Wrexham Unitary Development Plan and WCBC 'Tree & Woodland Strategy 2016- 2026' refers.

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**CONSULTATIONS**

- Community Council: Objects to the proposal on behalf of a resident neighbour who disputes the ownership of the tree and questions the reasons for undertaking works along with concerns over the potential damage which may occur to the tree as a result.
- Local Member: Consulted on the 25<sup>th</sup> May 2017. No objections and satisfied with the specifications for the proposed new surfacing of the driveway.
- Neighbours: Two additional letters of objections / concerns on the basis of:-
- Disputing ownership of the tree;
  - Questioning the reasons for the proposed works; and
  - Concerns regarding the impact of the proposed works on the tree itself.

**SPECIAL CONSIDERATIONS**

The applicant requested a pre-application site visit to discuss the proposed re-surfacing of their driveway with particular regard to the potential impact of the proposal, if any, on the adjacent oak tree subject to TPO 196/2012.

A brief inspection of the existing driveway indicated there to be no evidence of ground disturbance or root activity beneath the hard surface, the applicant was then informed that certain precautionary measures may, nonetheless be advisable to ensure that any unforeseen risks presented to the rooting system may be noted in advance and addressed accordingly with minimal or zero detriment.

As part of the advised precautionary measures, the applicant agreed to ensure that all works to remove the existing surfacing were to be undertaken using hand tools only.

Should the careful excavation of the existing hard surface of the driveway reveal any roots at all then it was agreed that no roots with a diameter over 25mm would be pruned without prior permission from the tree officer.

In advance of any unforeseen roots being found beneath the hard surface, the applicant was advised to submit a TPO 'application for work' as a precautionary measure only. It was considered that consent provided in advance by the council for potential root pruning only, would ensure no delay in operations and provide adequate protective measures for the tree.

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Whilst on site, it was noted that a small percentage of branches were potentially obstructing the efficiency of the adjacent street light and that small epicormic growth, noted around the base of the tree, was obscuring the lower trunk of the mature tree and consequently reducing the aesthetic impact that such a feature may provide. It was suggested that the applicant include within the 'application for work' two additional recommendations to address both a potential health and safety issue affecting the highway and a low impact maintenance issue to improve the amenity value of the tree itself.

All of the advice regarding tree work provided to the applicant by the council is considered either precautionary and recommended simply to provide an option regarding root pruning if found necessary and, secondly to address noted minor maintenance issues. None of the proposed works are expected have any detrimental impact upon tree health or amenity.

Concerns stated regarding the ownership of the tree are a civil matter between the relevant parties and the council would generally resist involvement in such matters. Secondly, actual ownership of the tree is not a material consideration for the council when determining an 'application for works'.

**CONCLUSION**

I am satisfied that the applicant has sought appropriate advice from the council and this approach is reflected in the text contained within the actual application form. The proposed tree work will have no detrimental impact upon the tree and any unlikely or unforeseen incidents regarding tree roots beneath the driveway will be addressed appropriately through dialogue and consent from the tree officer.

**RECOMMENDATION:** That permission be GRANTED

**CONDITION(S)**

1. All tree works hereby approved shall be undertaken to the standards set out in British Standard 3998:2010 Tree Works - Recommendations.
2. All tree works hereby approved shall be undertaken to the standards set out in British Standard 3998:2010 Tree Works - Recommendations.
3. The tree works hereby approved shall be commenced within two years of consent being granted.
4. The approved root pruning works shall not include the removal of any root of which any part is more than 25mm in diameter unless otherwise agreed in writing by the Local Planning Authority's Arboricultural Officer prior to any works being carried out.

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**REASON(S)**

1. To preserve the health, safety and amenity value of the tree(s).
  2. To protect trees which are of significant amenity value to the area.
  3. To ensure the work is completed within a reasonable time scale.
  4. To protect trees which are of significant amenity value to the area.
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**6<sup>th</sup> NOVEMBER 2017**

**APPLICATION NO:**  
P/2017 /0429

**LOCATION:**  
CLEOPATRAS THE CROSS HOLT  
WREXHAM LL13 9YG

**DATE RECEIVED:**  
30/05/2017

**COMMUNITY:**  
Holt

**DESCRIPTION:**  
USE OF REAR PATIO / GARDEN  
AREA AS ADDITIONAL SEATING  
AND TABLES AREA IN  
CONNECTION WITH THE EXISTING  
CAFÉ AND PARTIAL VARIATION OF  
CONDITION NO. 3 IMPOSED UNDER  
PLANNING PERMISSION  
P/2015/0475 TO ALLOW USE OF THE  
DRIVEWAY ONTO CROSS STREET  
FOR PEDESTRIAN AND CYCLE USE  
AND CYCLE PARKING BETWEEN  
THE HOURS OF 7.00 AND 20.30  
MONDAY TO SUNDAYS INCLUDING  
BANK HOLIDAYS (IN RETROSPECT)

**CASE OFFICER:**  
PF

**WARD:**  
Holt

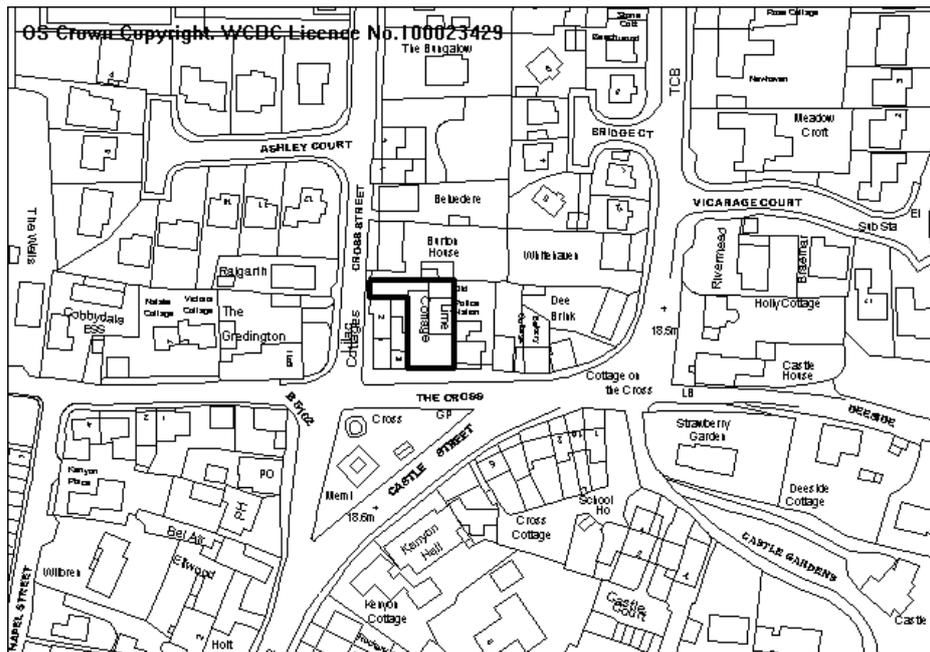
**AGENT NAME:**  
PRM PROPERTY LTD  
MR PETER MATTHEWS

**APPLICANT(S) NAME:**  
MR PETER MATTHEWS  
PRM PROPERTY LTD

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**THE SITE**

Cleopatras, The Cross, Holt, Wrexham, LL13 9YG



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**PROPOSAL**

Planning permission is sought for the change of use of the external area to the rear of the existing café/restaurant to be used as a seating area for customers and for the variation of condition number 3 imposed under planning permission P/2015/0475 to allow customers to access the business via a rear access drive between the hours of 0700 and 2030 on any day.

**HISTORY**

HOL 06791	Conversion of grocer's shop to bakery and shop. Granted 24.07.1980
CB00349	Alteration and partial change of use of dwelling to form shop and rear two storey extension to dwelling. Granted 01.11.1996
CB00972	Retention of chillers and associated compressors within existing covered way and extension of covered way and stationing of domestic oil tank. Refused 12.05.1997
CB01523	Retention of chillers and improvements of externally covered are and extension of covered way (revised proposals following application HOL CB0972). (Partly in retrospect). Granted 06.10.1997
P/2000/0326	Change of use to extend coffee shop and kitchen and form new toilet facility with access for disabled. Granted 12.06.2000
P/2004/0549	Change of use of first floor residential unit to become office, storage and staff facilities for the existing ground floor business. Granted 17.06.2004
P/2005/0563	Change of use of garage to store and preparation area and erection of new chiller/housing unit (in retrospect). Refused 05.09.2005
P/2006/0810	Certificate of Lawfulness for proposed development for:- 1. Use of the existing building to house chiller(s) and for other storage purposes in connection with the lawful retail and coffee shop use of the premises. 2. Existing use as chiller, dry storage and preparation area. Refused 14.09.2006
P/2006/0929	Variation of condition 6 of Planning Permission code no. P/2000/0326 to allow the kitchen, coffee shop and WC to be used from 0600 to 1900 Monday to Saturday. Withdrawn
P/2011/0432	Change of use of part of existing premises to additional cafe and food area and additional opening hours. Granted 18.08.2011
P/2015/0475	Application to vary condition 6 of planning permission P/2011/0432 (change of use of premises as cafe and food area) to allow opening times to be extended). Granted 07.09.2015

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**PLANNING POLICY**

The site is located in the Holt settlement and the Holt District Shopping Centre as defined by the Wrexham Unitary Development Plan. Policies PS2, GDP1, S5 and T8 are relevant. Guidance is also contained in Local Planning Guidance Note 16 – Parking.

**CONSULTATIONS**

Community Council:

To object on the following grounds:

- The application, if allowed, would be detrimental to the amenity of nearby residents and also the local area in what is a conservation area. A similar application was received from Vernon's, a previous owner of the property and this application was refused by WCBC on the grounds of affecting the 'Amenity of Residents' and this was upheld on appeal.
- Several properties have rear gardens which back onto the driveway and rear garden of this property and these residents have the right to enjoy their gardens in an evening and at weekends without the lack of privacy,

this application being granted would result in.

- Whilst restrictive covenant on part of the driveway exists this is not strictly a planning matter but by granting the application it would make enforcement extremely difficult;
- The 2015 planning application stated quite clearly that the 'Delineated Eating Area' was within the premises and the Holt Community Council feels this should be upheld.

Local Member:

Notified 31.05.2017

Site notice:

Expired 04.07.2017

Highways:

No objections:

- Whilst the on street parking congestion in the vicinity of the application site is noted, it is not considered that the proposed development will result in any significant increase in on street parking around The Cross.

Public Protection:

No comments.

Neighbouring occupiers:

11 neighbouring occupiers notified. 3 representations received raising the following objections:

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- Impact up on the character and appearance of the area by further increasing traffic and cyclists, customers and deliveries to an already overcrowded business;
- The existing owner is flouting existing planning conditions by offering the sale of food for consumption of the premises;
- The rear garden area of the premises has been used for commercial use since 2016 and to allow this development will increase commercial use of the rear access and change its character from residential;
- The proposal would leave commercial premises from operating outside the hours of the other commercial premises and would be an unwelcome compromise of the quiet residential centre that occurs in the evenings and weekends;
- The proposal potentially will introduce a large amount of commercial activity to the rear access resulting in nuisance as the hours of its use are outside the hours of opening of the café;
- Deliveries and other commercial activities caused chaos for the previous occupier and controls are required to control the character of the Conservation Area which is residential in character at The Cross;
- The amenity of the neighbouring occupiers will be disturbed as they enjoy peace and quiet in their garden areas due to increase noise levels;
- The noise, odour and light pollution will be detrimental;
- If rear access by customers is required until 2300 this will lead to the rear garden area being used until that time and will cause detriment to neighbouring amenity;
- The Cross is primarily residential. There is no need for additional eating and drinking establishments with later hours as Holt and Farndon are already oversubscribed with such establishments;
- The Old Police Station has a window directly overlooking the rear boundary with the proposed area which would be detrimental to children;
- The proposal will result in an increase in the number of vehicles and cyclists visiting the

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property causing congestion on The Cross and round onto Cross Street;

- There has already been an accident with vehicles leaving the rear access and additional cycle traffic will only exacerbate this issue;
- Available space for the proposed cycle store is unrealistic due to the storage of refuse bins on the rear access track;
- The impacts of loads coming in and out of the access brings back the same problems as the previous occupier in terms of noise parking, loading and turning problems;
- The current planning application is incompatible with the previous appeal decisions which upheld residents needs over the commercial interest of the site;
- Present planning conditions prevent nuisance outside of hours; and
- The proposal will represent an over intensification of the use of the site and past

evidence suggests that the occupiers are unwilling to abide by existing controls;

### **SPECIAL CONSIDERATIONS:**

**Background:** The unit subject to this application has a complex planning history and is a material planning consideration in the determination of this planning application. The building is currently used as a café/bistro. The previous occupier of the unit operated a café associated with a lawful A1 use (butcher/deli)

Planning permission was granted in 2011 to utilise the front area of the premises as a café and food sales area. This effectively resulted in the entire floor area of the building becoming a mixed use of A1 retail and A3 café/restaurant use – however it is now used for A3 purposes. As part of the 2011 approval, conditions were imposed which restricted the opening hours of the café from 0730 hrs to 2000 hrs Monday to Saturday or 0900 to 1700 on Sundays.

In 2015, planning permission was granted to allow the café to operate between 0830 and 2300 on any day. In granting this application, the Council imposed conditions to restrict the hours of any commercial use of the driveway to the rear of the building to between 0700 and 1800 on weekdays and 0700 and 1200 on a Saturday with no use at all on Sundays or bank/public holidays. A condition was also imposed to restrict the sale of hot food for consumption off the premises or to be used as a food manufacturing place. A final restriction was also imposed upon the serving of food or drink

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on the public highway before 0830 or after 2130 on any day should the Local Highway Authority grant permission under its own legislation for its use.

Of particular note is the planning history of the unit prior to its use as a café/restaurant. The unit was previously occupied by a butcher who operated an A1 retail use including a deli and an ancillary café. In 2006 enforcement notices were served, and subsequently upheld by the Planning Inspectorate on appeal, requiring the removal of the following:

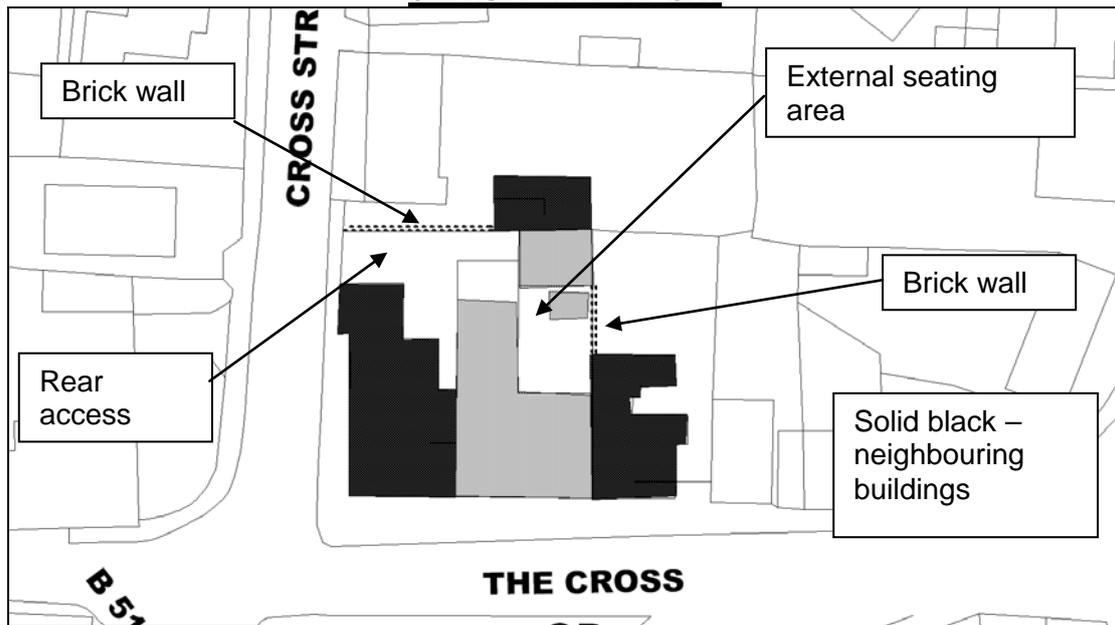
- *All structures, plant, machinery and items that relate to any commercial use of the garage as a store, cold store and food preparation area;*
- *All structures, plant, machinery and items that relate to any commercial use of the chiller unit.*

An appeal was also dismissed relating to the refusal of the Council to grant planning permission for the retention of the former garage as store and preparation area and new chiller/housing location (in retrospect). In dismissing the appeal, the Inspector considered that the use of the ancillary structures to the rear of the building for the preparation, wholesaling and distribution of foodstuffs fell outside the lawful retail and café use of the building. The use of the rear of the building and the associated access would result in staff arriving early in the morning, with access to the cold stores, meat preparation and the operations associated with the distribution of foodstuffs elsewhere. The sudden diversification of the business into the preparation, wholesale and distribution of foodstuffs along with the operation of chillers, manufacturing sounds from food prep and constant vehicle movements was considered to represent an unacceptable level of disturbance to the neighbouring occupiers.

**Amenity:** The layout of the application site and its relationship with the neighbouring dwellings is shown in the map below. The main issues to consider are whether the use of the garden area to the rear of the café/restaurant for customer seating and the consumption of food and beverages and access by such customers along the rear access as shown between 0700 and 2030 on any day would be detrimental to the residential amenity enjoyed by the neighbouring occupiers.

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Turning to the seating area first, this is currently laid out as a gravelled area with 5 wooden picnic tables (at the time of my site visit). Access to this area is achieved internally from the serving area via a door in the rear of the building. There is also a pedestrian gateway which leads on to the rear access and then on to Cross Street.

Permission is sought in retrospect to allow customers to sit in this area to consume food and beverages sold at the café. The garden area is bounded to the north by a detached garage and wooden shed belonging to and within the curtilage of the café. This is approximately 2 metres high and 8.2 metres deep and adjoins the boundary with Burton House and the Old police station. On the other side of this garage within the curtilage of Burton House is a further detached structure some 5.5 metres wide. This effectively creates a solid mass structure between the proposed seating area and the garden area of Burton House of some 10.5 metres. To the east, the proposed seating area bounds the garden area with The Old Police Station which is a residential property. The boundary consists of a 1.8 metre high solid brick wall running between the rear elevation of the café building and the detached garage for a distance of approximately 2.5 to 3 metres.

The key issue is whether the noise of customers sitting within this area as well as staff bringing out food and collecting items will cause detriment to the neighbouring occupiers.

In considering the proposed variation of the conditioned times to allow customer access via the rear access track, the applicant wishes to do this in order to predominantly allow cyclists, a growing area of trade, to park cycles at the rear of the building off the footway and to eat and drink in an external area. At present, no 'commercial use' of the access is permitted outside 0700 and 1800 on weekdays and 0700 and 1200 on Saturdays. No use may occur on Sundays or Bank Holidays. It is considered commercial use includes customer access. For clarity, the applicant is seeking to partially vary this

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condition to allow **customers only** to access the rear of the premises between 0700 and 2030 on any day, **but not to change any other form of commercial access** along this drive.

The key issue is therefore whether the footfall of customers between these proposed hours is likely to be detrimental to the amenity of the neighbouring residential occupiers.

In both instances I have had regard to the findings of the Planning Inspectorate in 2006 relating the previous occupier's commercial activities and the comments made in representations pertaining to this. It is stressed that in making those decisions, whilst disturbance to the amenity of the neighbouring occupiers was considered unacceptable, the Inspector considered quite a different scenario. That being a manufacturing process, the delivery, storage and distribution of foodstuffs associated with the retail use of the site. Produce was being delivered and distributed to and from the site with staff visits occurring in an uncontrolled manner. There were noises associated with food preparation in a structure which effectively immediately adjoined neighbouring dwellings (a structure which has significantly been reduced in scale and now appears only to be used as ancillary produce storage for the café). There was significant plant within these buildings for the cool storing of wholesale products, the air handling element of which was considered to operate at detrimental noise levels.

I consider that adequately controlled, the use of the seating area and the customer access to the building will not be detrimental to the amenity of the neighbour occupiers. The footfall of customers accessing the premises via the access track could potentially impact upon the residential occupiers of Burton House and to a limited extent Lilac Cottages. However, this is purely pedestrian access. But for the physical passage of pedestrians and the short dwell time for parking of cycles, customers will not wait for long periods in this space. There would be little difference to the noise that could be experienced now by cyclists parking cycles on the footway which could happen at any time. Noise would be limited to voices/discussions etc. which could occur uncontrolled in garden areas associated with residential uses around the neighbouring properties.

The context of the layout of the seating area in relation to other outbuildings and boundary position is key. I do not consider that the likely number of customers that could occupy the seating area will result in detrimental noise levels and there are unlikely to be any odour issues as no food preparation will occur. However, I do acknowledge that given the gap in the boundary with The Old Police Station between the café and the detached outbuildings, customer usage of this external seating area should be restricted to 1900. I consider that this would strike a reasonable balance between the need for external customer seating and the needs of family occupation of the neighbouring dwelling, especially given the close proximity of the ground floor rear habitable windows.

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The hours restriction on the seating area and the customer access of the rear drive, for consistency and ease of enforcement should be harmonised to between 0830 and 1900. This would reflect the permitted opening hours of the business for customer use and strike a reasonable balance taking into account the residential amenity of the neighbouring occupiers. This has been discussed with the applicant who is in agreement with this alteration to the proposed usage times.

Public Protection have raised no objection or made any additional comments in relation to the proposal.

**Highways:** Highways have raised no objection to the proposed development. It is not anticipated that allowing the usage of the tables to the rear of the café would increase floor area significantly as to result in a marked increase in traffic generation or parking congestion. There is a public car park in reasonable walking distance along Cross Street. Allowing the rear use of the access for the parking of bicycles is likely to result in some benefit as they can be parked clear of the footway which is causing issues at present bearing in mind that cyclists can sit lawfully within the internal café area. Concerns regarding accidents from vehicles using the access (which they can lawfully do associated with the residential use above the café) are not relevant to this proposal as there would be no material change in the circumstances.

**Other matters:** The use of the seating area cannot be seen at all from any public vantage point. Pedestrian access on the drive does not constitute an action or form of physical change. I am therefore satisfied that allowing such a proposal would not impact upon the character of the conservation area and as such its character would be preserved.

Regardless of the level of existing business and service provision in Holt or neighbouring villages, it is not for the planning system to monitor and control a service provision - this is a matter for market forces to control and an A3 use is acceptable in a village setting, especially a District Shopping Centre in accordance with policy S5 and general amenity controls.

Any current breaches of planning control by the current occupier are a matter for further investigation and cannot be used as justification to resist this proposal.

**Conclusion:** I am satisfied that the rear seating area and access can be utilised by customers without causing adverse amenity impact subject to tight hours controls. I consider the proposal will accord with general development principles in relation to amenity and my recommendation is as follows.

**RECOMMENDATION:** That permission be GRANTED

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**CONDITION(S)**

1. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any statutory instrument revoking and re-enacting that Order with or without amendment), no part of the premises shall be used except for the precise purposes described in the application plans and documents.
2. The development shall only be carried out in accordance with the details shown on the approved drawing(s) dated 30 May 2017 as contained within the application documentation.
3. No public use shall be made of the cafe before 0830 or after 2300 on any day.
4. Notwithstanding the requirements of condition no. 3, there shall be no use of the driveway onto Cross Street or the external rear seating area for any form of customer use associated with the use of the premises outside the period of 0830 to 1900 on any day.
5. Notwithstanding the provisions of condition no. 3, in the event of the Highway Authority granting consent for use of the public highway, no food or drink shall be served outside the premises frontage before 08.30 or after 21.30 on any day.
6. There shall be no use of the driveway onto Cross Street for any form of deliveries or collections associated with the use of the premises outside the period of 0700 to 1800 on weekdays and 0700 and 1200 on Saturday. There shall be no use of the driveway for these specified purposes on Sundays or public holidays.
7. The premises shall not be used as a hot food takeaway or food manufacturing premises.
8. Within 3 months of the date of this permission, details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, its appearance and finish have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an effective condition.
9. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at the nearest noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

**REASON(S)**

1. To protect the amenities of the occupiers of nearby properties.
2. To ensure that the development fully complies with the appropriate policies and standards.
3. To protect the amenities of the occupiers of nearby properties.
4. To protect the amenities of the occupiers of nearby properties.
5. To protect the amenities of the occupiers of nearby properties.

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6. To protect the amenities of the occupiers of nearby properties.
  7. To protect the amenities of the occupiers of nearby properties.
  8. To protect the amenities of the occupiers of nearby properties.
  9. To protect the amenities of the occupiers of nearby properties.
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**APPLICATION NO:**  
P/2017 /0661

**LOCATION:**  
20 NORTHWOOD WREXHAM  
LL12 7SL

**DATE RECEIVED:**  
05/08/2017

**COMMUNITY:**  
Acton

**DESCRIPTION:**  
ERECTION OF DETACHED GARAGE  
(PARTLY IN RETROSPECT)

**CASE OFFICER:**  
MR

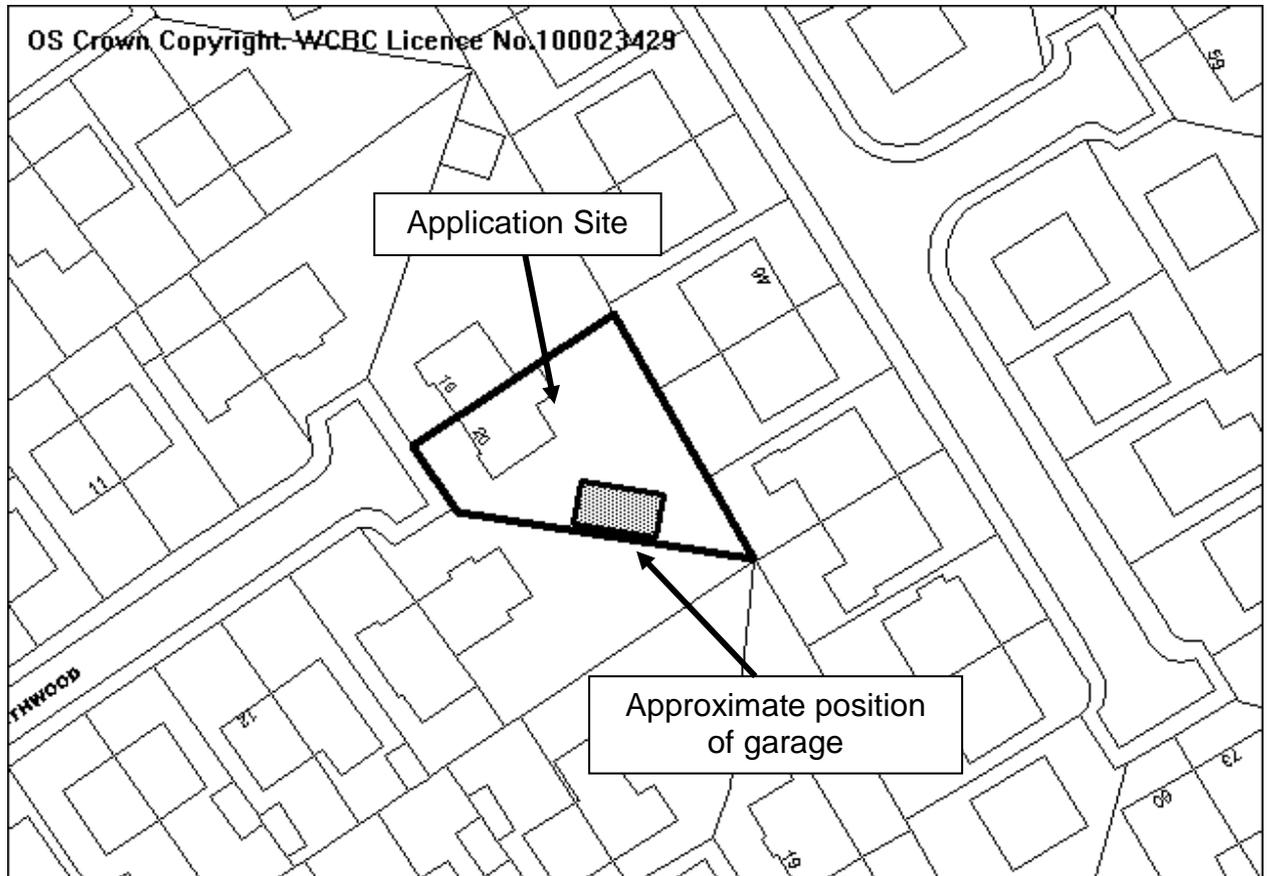
**WARD:**  
Borras Park

**APPLICANT(S) NAME:**  
MR JAMES SMITH

**AGENT NAME:**  
MR JAMES SMITH

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**SITE**



**PROPOSAL**

The application seeks householder planning permission (part retrospective) for the construction of a garage.

**HISTORY**

None relevant.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**6<sup>th</sup> NOVEMBER 2017**

**DEVELOPMENT PLAN**

Within Wrexham Settlement Limit. UDP policy GDP1 applies.  
LPG 20 – House Extensions, LPG 21 – Space Around Dwellings.

**CONSULTATIONS**

Community Council:	No comments to make.
Local Member:	No observations to make.
Site Notice:	Expired 07.09.2017
Neighbours:	1 no. representation received objecting to the proposal. Concerns raised include overshadowing and loss of views as a result of the development.

**SPECIAL CONSIDERATIONS**

**Design and Layout:** The garage would be sited behind the principal elevation of the main dwelling and set back within the curtilage. This is considered would help to lessen the massing of the garage on the street scene, particularly when viewed cumulatively with the main dwelling at No 20 and surrounding properties.

Materials would comprise rendered concrete blocks for the walls and ridge tiles for the roof, which are considered, would be commensurate to surrounding properties.

**Residential Amenity:** The rear elevation of the garage would measure approximately 8m away from the nearest part of the rear elevation of the neighbouring property to the east (No 50 Ffordd Cynan).

The property to the east is set at a higher level than the application site. The existing view from the nearest part of the rear of the neighbouring property is shown below.

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Given the difference in land levels between the neighbouring property and the application site, as well as the garage being single storey in height and therefore having a lesser height than the neighbouring properties, it is not considered that the proposal would result in undue overshadowing or overbearing impacts to the rear amenity space or habitable rooms serving the neighbouring property at No 50 Ffordd Cynan.

The roof would pitch away from the curtilage of the property at No 50, which would help to lessen the massing when viewed from the neighbouring property.

Further, the habitable windows in the rear elevation of No 50, as well as the amenity space, are south/south westerly facing, which results in this area of the property having the most sunlight throughout the majority of the day.

In terms of outlook, No 50 already looks out onto adjacent properties to the south and west of the site, and the proposal, in the context of its single storey height in particular, is not considered would significantly worsen the existing situation.

Having regard to the above, the proposal is not considered would adversely impact on existing levels of residential amenities of neighbouring occupiers, sufficient to warrant refusal of the application. The proposal would comply with UDP Policy GDP1.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
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**Access and Car Parking:** There is sufficient space on the curtilage of the property, to allow adequate turning and manoeuvring.

**CONCLUSION**

The proposal is not considered would result in adverse impacts to existing levels of visual and residential amenities of the surrounding area, sufficient to warrant refusal of the application. The proposal would comply with UDP Policy GDP1 and LPG 20 – House Extensions and LPG 21 – Space Around Dwellings.

**RECOMMENDATION:** That permission be GRANTED

**CONDITION(S)**

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 1:500 Proposed Block Plan, 1:50 Proposed Elevations, 1:50 Proposed Floor Plan) and as contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.

**REASON(S)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
  2. To define the scope of the planning permission
  3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
-

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**6<sup>th</sup> NOVEMBER 2017**

**APPLICATION NO:**  
P/2017 /0663

**LOCATION:**  
4A CHESTER ROAD GRESFORD  
WREXHAM  
LL12 8TN

**DATE RECEIVED:**  
21/07/2017

**COMMUNITY:**  
Gresford

**DESCRIPTION:**  
CHANGE OF USE OF FIRST FLOOR  
TO CLASS D2 (ASSEMBLY AND  
LEISURE)

**CASE OFFICER:**  
PF

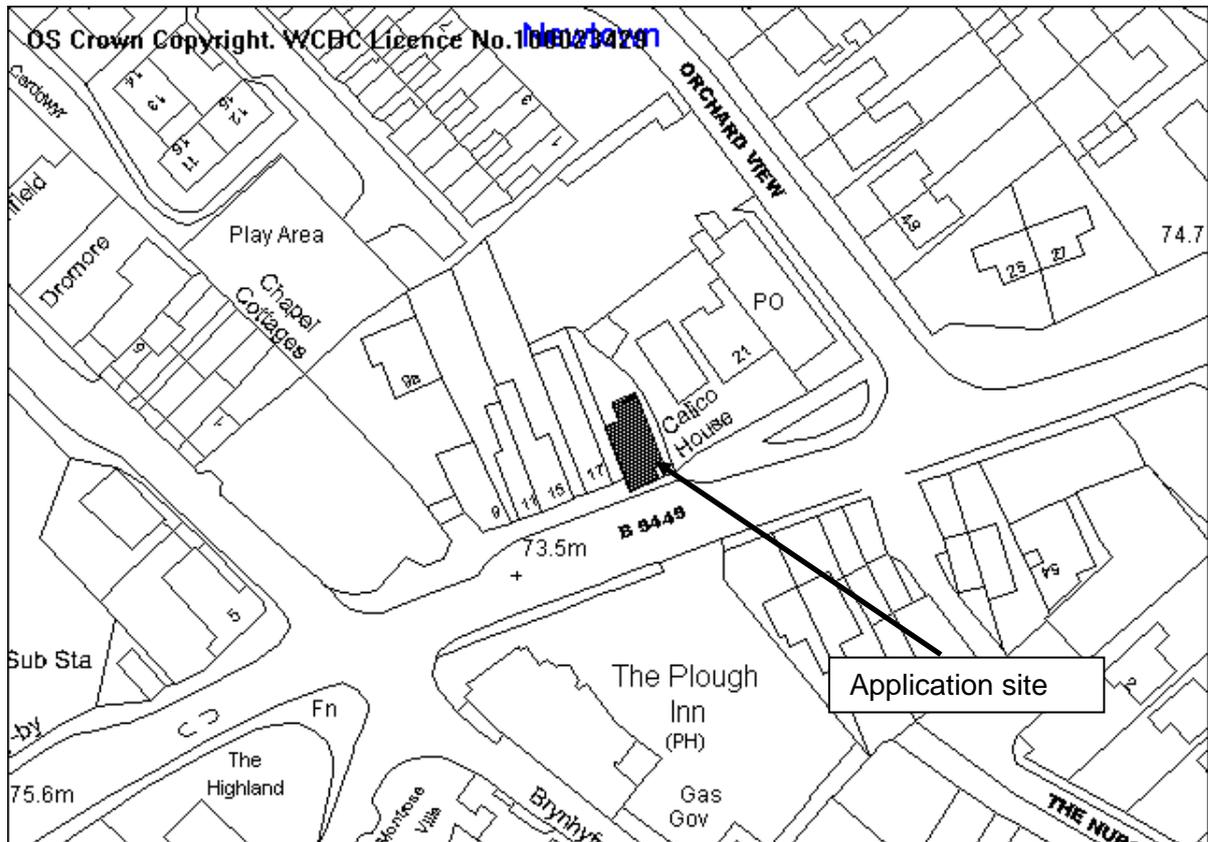
**WARD:**  
Gresford East & West

**AGENT NAME:**  
MS LOUISE CLANCY

**APPLICANT(S) NAME:**  
MS LOUISE CLANCY

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**THE SITE**



**PROPOSAL**

Planning permission is sought for the change of use of the first floor of the building from an A2 use (financial and professional) to a D2 use (assembly and leisure).

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**6<sup>th</sup> NOVEMBER 2017**

**HISTORY**

Various applications for signage in relation to the ground floor unit.

**PLANNING POLICY**

The site is located inside the Gresford settlement limit and the defined District Shopping Centre. Polices PS2, GDP1, S5 and T8 are relevant. Guidance is also contained in Local Planning Guidance Notes 16 – Parking Standards.

**CONSULTATIONS**

Community Council:	Concern that parking might be an issue if more than one client is visiting at a time.
Local Member:	Supports the application. It is an excellent diversification and good use of the property. Expired 13.09.2017
Site notice:	Expired 13.09.2017
Highways:	Although there may be a marginal increase in maximum parking requirements (1 space) there are no objections on highway safety grounds.
Public Protection:	Advise conditions to control any noise from air handling equipment.
Neighbouring occupiers:	5 neighbouring occupiers notified. No responses received.

**SPECIAL CONSIDERATIONS:**

**Policy:** The building is located at the heart of Gresford village and within the designated District Shopping Centre (DSC). In the DSC, priority is given to the shopping and leisure developments. Changes of use which would adversely affect the vitality and viability of these centres is not generally allowed (policy S5 refers).

This change of use relates to the upper floor of the building. At ground floor, uses at the site and the neighbouring buildings generally consist primarily of A1 uses. I do not consider that the change of use of the upper floor of the building will result in detriment to the level of footfall to this designated shopping area. A D2 use is considered to result in an increased footfall to the premises than the existing lawful A2 use.

**Highways:** Highways have noted that the occupation of the building by a D2 user would result in the maximum standard increase from 2 spaces to 3 in accordance with LPG16. There are no objections raised to this marginal increase. The site is within the DSC where it is accepted that there is a level of commercial use of the land deficient of dedicated off road parking provision. There is an unrestricted layby to the shop frontage which can accommodate up to 4 vehicles.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
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The applicant wishes to operate the D2 use as a fitness style business operating with one customer at a time. I am satisfied that the operation of this business is unlikely to result in significantly different traffic generation than the accountancy office that operated from the site.

**Conclusion:** I am satisfied that the proposed development will not be detrimental to the vitality and the viability of the DSC, nor will significant highway safety issues arise. I therefore recommend accordingly.

**RECOMMENDATION:** That permission be GRANTED

**CONDITION(S)**

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) dated 21 July 2017 and as contained within the application documentation.

**REASON(S)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
  2. To define the scope of the planning permission
-

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**6<sup>th</sup> NOVEMBER 2017**

**APPLICATION NO:**  
P/2017 /0690

**LOCATION:**  
5 GEORGE AVENUE TREVOR  
LLANGOLLEN WREXHAM  
LL20 7UA

**DATE RECEIVED:**  
11/08/2017

**COMMUNITY:**  
Llangollen Rural

**DESCRIPTION:**  
CONSTRUCTION OF NEW  
VEHICULAR ACCESS TO ENABLE  
OFF-ROAD PARKING FOR 3  
VEHICLES

**CASE OFFICER:**  
PF

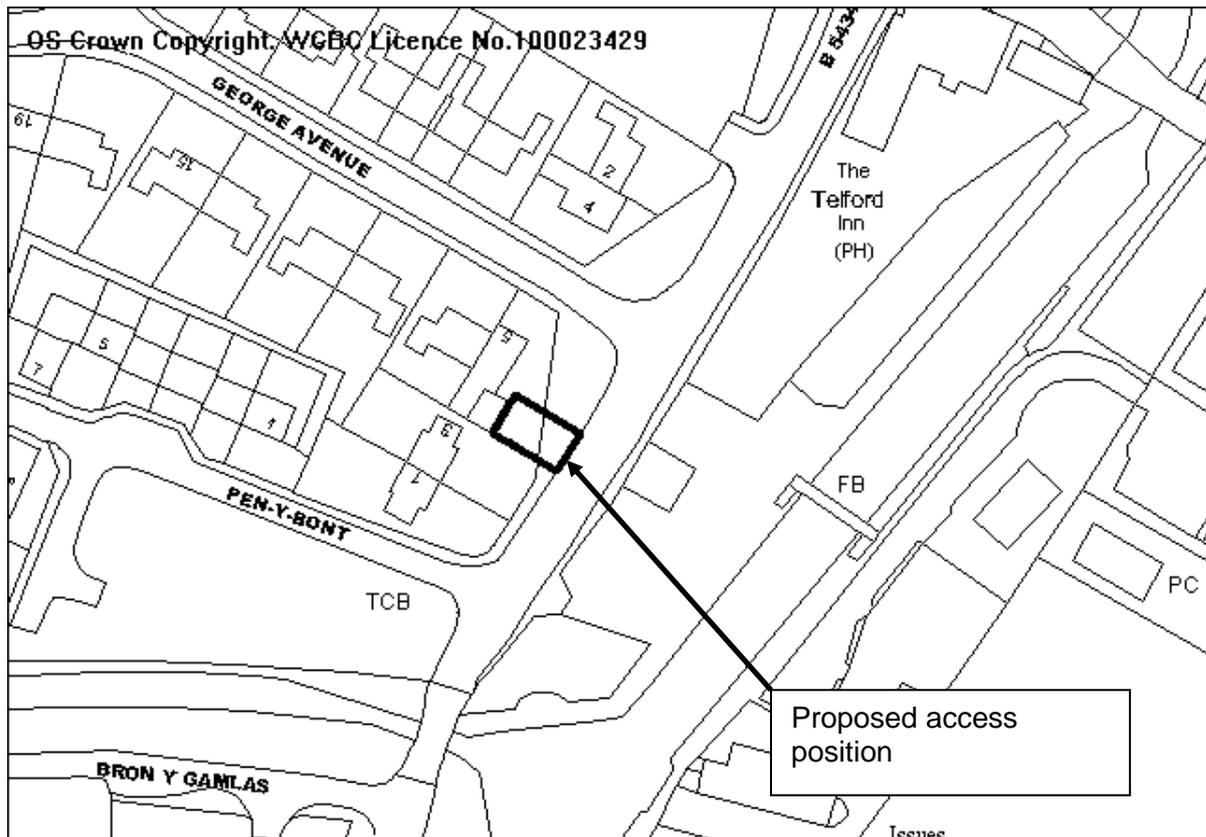
**WARD:**  
Llangollen Rural

**AGENT NAME:**  
MR ANDREW HUGHES

**APPLICANT(S) NAME:**  
MR ANDREW HUGHES

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**THE SITE**



**PROPOSAL**

Planning permission is sought for the creation of a new vehicular access to the dwelling. The application is being reported before the Planning Committee as the applicant is a close relative of the Local Member.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**6<sup>th</sup> NOVEMBER 2017**

**HISTORY**

None.

**PLANNING POLICY**

The site is located inside the Trevor settlement limit. Policies PS2 and GDP1 of the Wrexham Unitary Development Plan refer. Guidance is also contained in Local Planning Guidance Note 16 – Parking Standards.

**CONSULTATIONS**

Community Council:	No objections in principle to this application. However there are reservations, as the application is crossing Wrexham Council's owned land which is a green area, and a footpath. There are also two planters on this green area and it is hoped that these will remain if the application goes ahead.
Local Member:	Notified 17.08.2017
Site notice:	Expired 13.09.2017
Highways:	No objection.
Canal and River Trust:	No comment.
Neighbouring occupiers:	4 neighbouring occupiers notified. No responses received.

**SPECIAL CONSIDERATIONS**

**Highways:** Highways have raised no objection to the proposed access. As the highway fronting the site is B classified, the Council would normally seek the provision of an on-site turning area to ensure vehicles can enter and leave the site in a forward gear. This cannot be provided in this instance. However, there are a number of existing dwellings with accesses and parking areas with the same circumstances which are not considered to represent a significant danger to highway users. In this instance the scheme is considered to present some benefit in that the dwelling can be provided with some on-site parking provision where none currently exists.

**Other matters:** Some concern has arisen that the access will cross a Council owned verge and footway. The applicant will require the separate approval of the Council as Highway Authority under the Highways Act 1980 to ensure that the access is constructed to a suitable standard, to include the safe and convenient positioning of existing street furniture.

**Conclusion:** I am satisfied that the proposed access can be accommodated safely and will result in some benefit to the existing situation. I recommend accordingly.

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**6<sup>th</sup> NOVEMBER 2017**

**RECOMMENDATION:** That permission be GRANTED

**CONDITION(S)**

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) dated 11 August 2017 and as contained within the application documentation.
3. The vehicular access(es) hereby approved shall take the form of a dropped vehicular crossing.
4. No private surface water runoff shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

**REASON(S)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To define the scope of the planning permission
3. In the interests of highway safety.
4. In the interests of highway safety.

**NOTE(S) TO APPLICANT**

A licence will need to be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerblineline and cross the footpath at the new access position. The licence is a separate form and will need to be obtained from the Highways Department, Wrexham County Borough Council, telephone 01978 297158.

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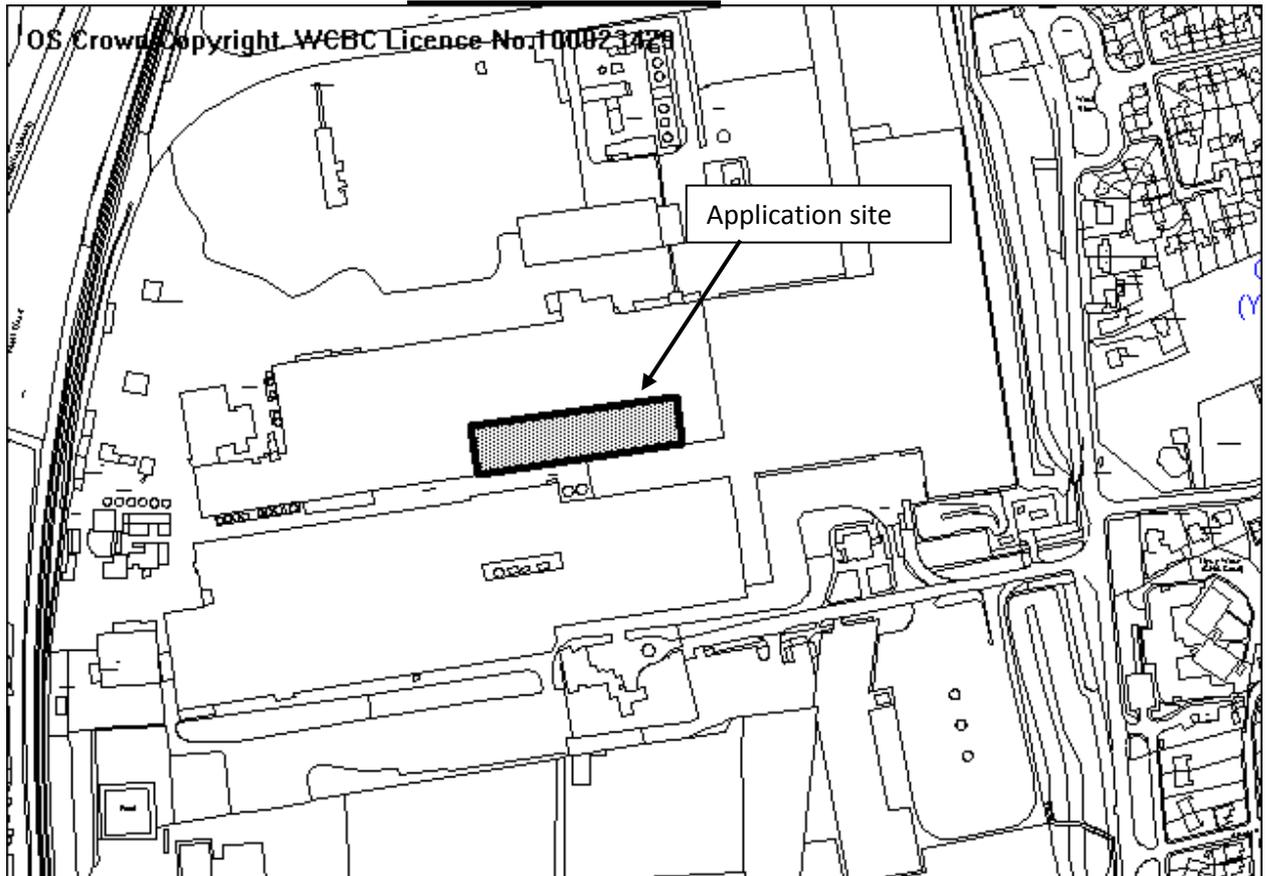
<b>APPLICATION NO:</b> P/2017 /0700	<b>LOCATION:</b> KRONOSPAN LTD HOLYHEAD ROAD CHIRK WREXHAM LL14 5NT	<b>DATE RECEIVED:</b> 15/08/2017
<b>COMMUNITY:</b> Chirk	<b>DESCRIPTION:</b> DEVELOPMENT OF A RAW BOARD STORE	<b>CASE OFFICER:</b> KH
<b>WARD:</b> Chirk South	<b>APPLICANT(S) NAME:</b> MR KEITH BAKER KRONOSPAN LTD	<b>AGENT NAME:</b> AXIS MR ANDREW RUSSELL

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**THE SITE**

The Kronospan Site is located on land adjacent to Holyhead Road, Chirk and covers approximately 40 hectares. The site comprises a number of large industrial process buildings, warehouse buildings, air emission stacks and storage areas for raw materials. The majority of the northern side of the site is used for the storage of timber logs, delivered to the site by HGV or rail, recycled wood for use in the manufacture process and chipped wood. The western perimeter of Kronospan is formed by the Shrewsbury to Chester Railway with the Llangollen Canal (World Heritage Site) located to the west of the railway line. The eastern perimeter of the site is formed by the Holyhead Road (B5070) with the main residential area of Chirk located east of Holyhead Road. Chirk Town Centre is approximately 500m to the South-East of the site.

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**6<sup>th</sup> NOVEMBER 2017**



**PROPOSAL**

The proposal is largely a re-submission of planning application Ref No. P/2016/0534, for a building extension to store medium density fibreboard and chipboard. That application was refused permission on the substantial increase in the mass of the building, a rise above tree level and industrial operators spreading outwards and away from the existing concentration of tall structures and increasing the visual influence of the industrial development within the wider landscape and key views from the AONB and WHS buffer zone as well as the setting of the Chirk Castle Estate.

The proposed development is part of an on-going improvement programme to deliver environmental improvements at the site. The proposed extension, as now submitted, has been slightly reduced in height by 3m and length by 27m.

**HISTORY (Most Recent)**

- |             |  |
|-------------|--|
| P/2017/0416 | Replacement of existing wood chip preparation facility to include a building to house new wood chip preparation equipment, development of a new wood chip dryer and assorted sifting, grading and transfer system and demolition of existing structures to facilitate the development. Granted 31.07.2017. |
| P/2016/0534 | Proposed extension to store medium density fibreboard. Refused 05.09.2016.   |

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**

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P/2016/0442           MDF wash water pre-heater. Granted 23.01.2017.  
P/2016/0336           Extension to house a new melamine facing (MF) press,  
following the demolition / re-location of the existing MF  
departments ventilation system, hydraulic oil and diesel  
storage tanks, a vehicle filling station, garage service  
building and other associated infrastructure. Allowed on  
Appeal 04.05.2017.

### **DEVELOPMENT PLAN**

Within settlement for Chirk. Policies PS1, PS2, GDP1, EC5 and EC7 of the Wrexham UDP refer.

Consideration is also required of the following documents:-

- Planning Policy Wales (Edition 8, January 2016) and TAN 12 Design (2014)
- Pontcysyllte Aqueduct and Canal World Heritage Site, Local Planning Guidance Note 22 (adopted June 2012).

### **CONSULTATIONS**

Town Council:	No objections.
Local Member:	Notified 21.08.2017.
Adjoining Local Member:	Notified 21.08.2017.
Public Protection:	The noise mitigation measures as detailed in Section 6 of the NVC Noise Report should be required by planning condition in order to ensure the development does not increase residual sound levels at sensitive receptors.
Highways:	Consulted 21.08.2017.
NRW:	Requested conditions on Contamination, SUDS and Piling.
Network Rail:	No comments.
CADW:	No objections in terms of impact on the historic assets listed in the Heritage Assessment. Pontcysyllte Aqueduct and Canal will not be visible from most of the canal; will not cause damage to the setting on the Scheduled Monument and the impact on the World Heritage Site – Pontcysyllte Aqueduct and Canal, negligible and not impact on the Outstanding Universal Value of the World Heritage Site and the cumulative impact with other proposed development negligible. No impact on the setting of Chirk Castle Historic Park and Gardens.
WHS:	Planning, Landscape and Conservation Delivery Group. The proposal is largely a re-submission of application P/2016/0534 and objects on grounds of size, height and mass. Warehouse building at

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**

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present is relatively low. The proposal would rise above tree level and spread outwards and away from existing concentration of tall buildings, increasing the visual impact within a wider landscape and key views from the AONB and WHS buffer zone as well as the setting of Chirk Castle Estate. More sensitive storage arrangements should be considered. Reductions in height by 3m and length by 27m do not address the concerns expressed above and on the previous application.

- Wales & West Utilities: No objections but apparatus may be at risk during construction works and Wales and West Utilities should be contacted directly. Note to applicant required regarding design, construction and maintenance of services / structures.
- Canal & Rivers Trust: Consulted 01.09.2017.
- Health & Safety Exec: Do not advise against the proposal.
- Other Representations: One objection on the ground of:-
- Residents living in fear given a recent fire at the factory
  - Concerns that Kronospan always have permission granted for their development and buildings should be monitored to ensure used for approved uses. Traffic and noise etc. increase with every application and whilst the company reiterate that the applications will improve the situation, things are as bad as they have ever been.
- 12 Site Notices: Expired 14.09.2017

### **SPECIAL CONSIDERATIONS**

**Visual impact:** The application is a re-submission of application P/2016/0534 which was refused by virtue of its scale, height, massing and siting which would have an adverse impact upon the wider-visual amenity, character and setting of the World Heritage Site and nearby AONB whilst having a detrimental impact upon Chirk Castle and particularly the setting of the Registered Park and Garden.

The previous refused proposal was 150m in length and 29m in width, with a height of 23m to the eaves and 26.5m to the ridge.

The current proposal involves a reduction in height of 3m and a 27m reduction in length. This does not overcome my previous concerns regarding the visual impact which are also reflected by the comments received from the W.H.S. Planning, Landscape and Conservation Delivery Group who object on the grounds of size, mass and height.

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The Warehouse building at present is relatively low measuring 11.5m in height to the ridge and 8.5m to the eaves. It presently forms a low lying building within the landscape set at the approximate height of the adjoining woodland belt which provides a degree of screening at certain times of the year. The proposed development would not only rise considerably above tree level but would result in larger industrial buildings spread outwards and away from the existing concentration of tall structures. This in my opinion would significantly increase the visual influence of the industrial operation within the wider landscape setting and from key views from the adjoining AONB and WHS Buffer Zone as well as the setting of Chirk Castle Estate.

This would be an unwelcome addition to the site with a sizable, wider visual impact than previous developments. Taller structures within the site have previously been justified and accepted on the basis that they formed more slender additions concentrated within one area of the site. This building has a significant mass and despite a reduction in size, would still extend to 123m in length. This would have a substantially greater dominance than other taller structures comprising stacks and flues of smaller overall volume.

The Councils Conservation Officer concurs with the above comments. Given the scale and mass of the proposed building the opportunities to mitigate the impact via additional landscaping are limited.

Whilst CADW have not formally objected the WHS, Planning, Landscape and Conservation Delivery Group have reiterated their objections to the proposal and as with the previous submission object on the grounds of size/scale height and mass.

Previous applications for expansion have generally been supported on the basis that the cumulative impact has not been significant given the industrial context of the site. However I believe the situation here is quite different given the scale of the proposal and its location within the industrial site.

**Noise:** A Noise Impact Assessment has been submitted with the proposal and results indicate that the proposed development would not result in any increase in existing residual sound levels. The proposed development would be designed to eliminate any unusual noise characteristics perceptible at nearest sensitive receptors by introducing for example, suitable building cladding, design and plant selection. Results show the proposed development would not result in any background noise 'creep' in accordance with relevant guidance.

The magnitude of the impact during daytime or night time is shown to be a low impact. The noise from the operation of the proposed development would result in noise levels complying with all relevant standards for noise at the nearest sensitive receptors. The results also show that the cumulative effect of all new plant consented since 2011 is at least 10dB below the baseline residual noise and therefore would not cause any increase in residual noise

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level. The cumulative noise level from consulted development is also at least 6dB below baseline background sound levels.

In terms of construction noise 'best practice would be applied in accordance with BS5228.2009' 'Code of Practice for Control of Noise and vibration on Construction and Open Sites to ensure that reasonable site generation is minimised. Construction noise is not considered to generate any significant impact. Should planning permission be granted a condition would be attached to include Noise Mitigation Measures.

**Traffic:** The proposed development will not result in any change to the existing site access arrangements and will not result in any change to the current number of vehicles entering and leaving the site other than for a short period during the construction period.

**CONCLUSION**

The visual impact is not acceptable in terms of the impact of nearby Heritage assets. Noise levels will not compromise nearby residential amenity and not increase traffic movements, other than a short period during construction.

**RECOMMENDATION:** That permission be REFUSED

**REASON(S)**

1. The proposed development, by virtue of its scale, height, massing and siting would have a detrimental impact upon the wider visual amenity of the area. This would have an adverse impact upon the character and setting of the World Heritage Site and nearby AONB. It would also have a detrimental impact upon Chirk Castle, particularly the setting of the Registered Park and Garden. To allow the development would be contrary to National Planning Policy TAN 6 and 12 and Policy GDP1 of the adopted Unitary Development Plan.

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## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**

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### **HISTORY**

P/2007/0291	Stable block with feed store. Granted 20.04.2007
P/2008/1067	General purpose agricultural building. Refused 07.11.08
P/2012/0380	Stable block and store, kitchen and toilet block. Refused 18.01.2013. – Appeal Dismissed
P/2013/0219	Stable, store and personal facilities area. Refused 07.10.2013 – Appeal Dismissed
P/2013/0393	Stable, store and personal facilities area. Refused 29.07.2013
P/2014/0421	Outline planning application for residential development (2 dwellings). Refused 01.09.2014 – Appeal Dismissed
P/2017/0426	Erection of detached dwelling with associated garage, parking and new access. Application Withdrawn

### **DEVELOPMENT PLAN**

Outside of a defined settlement limit and within open countryside. A Public Right of Way (PRoW) runs along the northern boundary of the site. UDP Policies PS1, PS2, PS3, PS4, GDP1, H5, H8, EC4, EC6, EC13 and T8 apply. Local Planning Guidance Notes Nos. 17 'Trees and Development', 21 'Space around Dwellings' and 32 'Biodiversity and Development' are also relevant.

### **CONSULTATIONS**

Community Council:	Objects to the granting of planning permission for the following reasons: <ul style="list-style-type: none"><li>• The site is outside of any settlement limit and not immediately adjacent to it;</li><li>• The site is 'Greenfield';</li><li>• The development would undermine local distinctiveness and be visually detrimental to the appearance of the locality;</li><li>• There is localised flooding and a lack of mains drains;</li><li>• Impact upon highway safety;</li><li>• Ecology concerns;</li><li>• Lack of access to services and amenities without the need to travel by car.</li></ul>
Local Member:	Notified 30.08.2017
Highways:	No objection to the scheme subject to the creation of a safe and satisfactory vehicular access and works to the highway to improve carriageway width and increase footway provision.
NRW:	No objection subject to the imposition of conditions to secure Reasonable Avoidance Measures (RAMs) in respect of great crested newts, and to

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- Senior Flood Officer: secure the submission of a biosecurity risk assessment.  
No objections to the development. The site is located in DAM Zone A, as defined within TAN15 and is not explicitly identified as being at risk of surface water flooding on NRW's updated flood map for surface water. There are a number of reported incidents of localised flooding that appear to be associated with blocked highway drainage infrastructure in the area but we do not hold any information regarding flooding incidents directly relating to the application site.
- Public Protection: No objection subject to recommended advisory notes and a planning condition to protect residential amenity from noise nuisance throughout the construction works.
- PRoW: A width of 3.5 metres measured from the centre of the hedge should be provided for Halghton footpath 3 where it passes through the proposed development. I note that the drawing indicates stiles where the path enters and leaves the proposed development. As there are no limitations recorded in the definitive statement for footpath 3, we would wish to see the least restrictive option at these boundaries using the gap-gate-stile hierarchy. If the path requires closing during the construction of the development, the developer should contact the Rights of Way section to apply for a temporary traffic regulation order.
- Ramblers: The development is close to PRoW footpath Halghton 3 which should not be diverted or blocked by the development, nor during its construction.
- Site Notice: Expired 26.09.2017  
Advert: Expired 30.09.2017
- Neighbours: **12 letters of objection received from local residents raising the following:**
- Hazardous, narrow highway serving the development;
  - Horseman's Green is a Hamlet not having the traditional Village facilities such as a bus service, doctors surgery, shop or Church etc.;
  - Site is outside of the settlement limit;
  - If granted, this permission would set an unwelcome precedent;
  - Noise pollution;

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**

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- The highway network to the larger settlements of Hanmer and Penley are not sufficient to cater for additional traffic and the site is not within a safe walking or cycling route;
- There are no amenities/facilities in Horseman's Green;
- Area is prone to flooding. Inadequate surface water drainage system as there are no mains drains;
- Not enough information has been provided in relation to waste disposal and drainage;
- The proposed development would detract from the local character and landscape setting;
- The site is not a natural extension to the settlement limit;
- Increase noise levels from the additional traffic;
- There is concern that this application has the potential to result in an adverse precedent for other development which would further harm the character of the hamlet;
- The proposed access driveway will conflict with the PRow which crosses the site;
- The focus should be on brownfield development before greenfield is used;
- Ribbon development should not be permitted;
- Inadequate infrastructure.

### **1 letter of support received from a resident of Penley, raising the following:**

- The development will help to reduce the decline in the number of local residents;
- The boundary of Horseman's Green has not changed in 25 years and this minor extension to it is acceptable, particularly because it is an affordable dwelling;
- The dwelling is single storey and so it will have no detrimental impact upon the area;
- Improvement to the economy and services of the Village by increasing resident numbers.

## **SPECIAL CONSIDERATIONS/ISSUE**

**Background:** The application site forms part of a larger piece of greenfield land, located outside of the settlement limit, upon which planning permission to erect a single 'L' shaped block containing 3 no. stables and feed store was granted in 2007 (P/2007/1291). Planning permission to erect a second building for additional facilities such as a kitchen, toilet, store etc. on the site has since been refused on three separate occasions and all subsequent

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
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Appeals to the Planning Inspectorate against these decisions have been dismissed. In reaching his decision, the Inspector agreed with the Council that the increase in footprint of the proposed built development would have a materially adverse impact upon the appearance of the site to the detriment of its character and that of the area generally, contrary to Policies PS2 and GDP1 of the Wrexham UDP.

In 2014, an application was received for Outline planning permission for the erection of 2 no. dwellings. The application related to part (approximately one quarter) of this greenfield site, adjacent to its frontage with the public highway. Planning permission was refused and a subsequent Appeal to the Planning Inspectorate was dismissed. The Inspector in reaching his decision agreed with the Council that the development of this site would be materially detrimental to the landscape and would fail to accord with the character of the site or make a positive contribution to the appearance of the nearby locality. To develop the site and extend the built form into an area of open field would extend the pattern of the built-up area out in a ribbon form and would have an urbanising effect that would erode the amount of open space at the edge of the settlement. Further, the Inspector agreed that this site was not sustainably located for the purposes of residential development.

The Appellant also referred to the shortfall in the supply of housing within the County Borough. Nonetheless, whilst accepting that small sites such as this can make a contribution, the Inspector did not consider that in this case such a contribution, or the need to increase the supply of land for housing, would justify a development that would be contrary to the policies PS1, PS2, PS3, PS4, GDP1 and H5 of the Wrexham Unitary Development Plan

This application is now made in Full. The differences between this proposal and the 2014 proposal are that the number of units has been reduced from 2 to 1, the dwelling is reduced in height from two to single storey, and the dwelling is proposed to be an affordable unit. Along with the merits of the previous application for residential development of the land, it is necessary to consider whether the benefit of the development in contributing to the affordable housing land supply, would outweigh the harm of allowing development outside of the settlement limit.

**Policy:** Policy H8 states that in exceptional circumstances, where a proven need from persons unable to compete in the local housing market cannot be made in rural settlement limits, consideration will be given to other limited affordable housing proposals on the edge of settlement limits where it forms a logical extension to the settlement limit and reflects the surrounding landscape. The site is separated from the edge of the village by the side garden area of Boundary House and by a triangular area of land which is currently used as a paddock for keeping horses. The extension to the settlement limit is not considered to be logical, and the open fields on the edge of the settlement make a significant contribution to the rural setting of the village and form a distinctive edge to this part of Horseman's Green. To

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develop the land would not reflect the surrounding landscape. Further, no information has been submitted to demonstrate a proven need for affordable housing or to justify the development as being in exceptional circumstances and, as such, the development is contrary to UDP Policy H8.

The proposals do not accord with any of the limited circumstances set out in policy H5 that permit small scale residential development on sites outside of settlement limit (rural exception site, infilling and agricultural workers dwellings).

The principle of development in this location remains unacceptable when assessed against the applicable policies PS1, PS2, PS3, PS4 and GDP1 of the Wrexham Unitary Development Plan with respect to the broad location of development, re-use of brownfield land, sustainable modes of travel, development patterns and principles of housing in the countryside. The development of this site would be materially detrimental to the landscape and would fail to accord with the character of the site or make a positive contribution to the appearance of the nearby locality. Whilst the reduction in the height and number of dwellings proposed has lessened the visual impact, these concerns have not been overcome and the residential development of the site remains unacceptable. To develop the site and extend the built form into an area of open field would extend the pattern of the built-up area out in a ribbon form and would have an urbanising effect that would erode the amount of open space at the edge of the settlement.

The development would not maintain the existing settlement pattern or integrate with existing transport networks to help reduce the need to travel or encourage the use of alternatives to the car. The site is not brownfield and would result in the loss of land of ecological, landscape and amenity value. The development would therefore cause significant harm to the locality that the UDP policies already mentioned above were designed to protect and thus would not comply with the above mentioned policies.

**Housing Land Supply:** Planning Policy Wales (para 9.2.3) requires Local Planning Authorities to ensure that sufficient land is genuinely available or will become available to provide a 5 year supply of land, judged against the general objectives and the scale and location of development provided for in the development plan. TAN1 para 8.2 highlights that Local Authorities that do not have either an adopted LDP or UDP will be unable to demonstrate whether or not they have a 5 year housing land supply and effectively will be deemed to have a zero land supply.

The emerging Deposit LDP will need to make provision for approximately 8525 homes (which includes a 10% contingency allowance) to meet the housing requirements of the County Borough over the 2013-2028 period. Taking into account the existing housing supply (approx. 2027 Houses) and a windfall development allowance (approx. 2145 houses) and completions between 2013 and 2017 (approx. 980 houses) this equates to a requirement

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for additional land to be brought forward approximately 3373 new houses . Given that TAN1 deems this authority to have a zero housing land supply as a result of the UDP having expired and there being no adopted LDP in place, this should be treated as a material consideration in determining planning applications for housing.

TAN1 (paragraph 6.2) advises that the need to increase supply should be ***given considerable weight*** when dealing with planning applications, provided that development would comply with the Development Plan and national policy.

Local Planning Authorities are required to include a statement in the JHLAS study outlining measures it is taking to address the shortfall in housing land supply. In accordance with paragraph 3.3 of the 2017 Housing Land Monitor Statement, the Council will continue to take a pro-active stance in supporting appropriate growth in the County Borough where it meets policy objectives and identified local needs. However, it is important to understand that this is not just about increasing housing numbers, but to promote sustained growth in the right location which meets the needs of the local communities. Therefore each site that comes forward will be considered on its merits with the principal considerations focusing on whether the site meets all of the other planning considerations and represents a sustainable form of development.

**Sustainable Development:** Planning Policy Wales includes a ***presumption in favour of sustainable development***. There are no shops, churches, public houses, medical facilities or areas of public open space near to the site nor are there regular bus services to access these facilities. Occupiers of the development would need to access basic services elsewhere - the nearest settlements being Hanmer approximately 2.4 km away and Penley approximately 3.7 km away. Given the lack of public transport it is inevitable that private cars will be used to access essential services and facilities. Horseman's Green can therefore not be regarded as a sustainable settlement. The proposal would not comply with the objectives for sustainable development set out in paragraph 4.4.3 of PPW – particularly locating developments so as to minimise the demand for travel, especially by private car. Para 4.7.8 states that development in the countryside should be located within and adjoining settlements where it can be better accommodated in terms of infrastructure, access, and habitat and landscape conservation. As mentioned previously, the site is not adjoining the settlement limit being separated from the edge of the village by the side garden area of Boundary House and by a triangular area of land which is currently used as a paddock for keeping horses.

Given the small contribution the development would make to the overall supply of affordable housing in Wrexham, the unsustainable location of the site and the materially detrimental impact the development will have upon the character and appearance the area, the lack of a 5 year housing land supply is not sufficient to justify departing from UDP policies in this instance.

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**Deliverability:** For sites to contribute towards the 5 year housing land supply, sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development. I am not aware of any such constraints and have no reason to believe that the development would be unviable.

**Highways:** The site is located on Horseman's Green Road which is a narrow rural classified road subject to a 60mph speed limit. However typical speeds are thought to be around 30mph due to the geometry of the road. It would appear possible to achieve the necessary visibility splays which would ensure the creation of a safe and satisfactory vehicular access.

There is an existing footway which terminates to the north of the application site, and the highway authority has suggested that the footway be extended up to the site in the interests of protecting pedestrian safety/movement. I would have concerns that this would be to the detriment of the character of the area and do not think this to be necessary in this case.

The carriageway fronting the site is typically 3.5 metres wide and the highway authority has also suggested that this could be increased to 5.5 metres. I am concerned that these works would also have a detrimental impact upon the visual amenities in this rural location and I am not convinced that widening this small section would be of any real benefit to highway safety given that these alterations may potentially increase traffic speeds. The additional highway widening works are therefore not justifiable in this instance.

Halghton footpath no. 3 passes through the proposed development site. The site plan has been amended to increase the width of the path to 3.5 metres, measured from the centre of the hedge. Details relating to the design of the Stiles proposed at either end of the PRoW could be reserved for further approval, by planning condition.

**Ecology:** The site is located within an area known to support nationally high levels of great crested newt (GCN). A further report on GCN has been produced during the optimal period survey period and, subject to the submission of a suitable scheme of Reasonable Avoidance Measures, the proposal would not be detrimental to the maintenance of the favourable conservation status of any of the GCN populations present within the environs of the application site. A new native species hedgerow to the rear boundary of the site is proposed and there will be no removal of any of the existing hedgerows. The development therefore now accords with UDP policy EC6, Chapter 5 of Planning Policy Wales and Technical Advice Note 5: Nature Conservation and Planning.

**Surface Water Management:** The site is located in DAM Zone A, as defined within TAN15 and is not explicitly identified as being at risk of surface water flooding on NRW's updated flood map for surface water. There are a number of reported incidents of localised flooding that appear to be associated with

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blocked highway drainage infrastructure in the area but NRW do not hold any information regarding flooding incidents directly relating to the application site.

The Council's senior flood management officer has reviewed the objections in relation to local flooding and it would appear the section of road affected by flooding is not adjacent to the site. Although this is indicative of localised drainage issues within the area it is unlikely that an additional dwelling would have a detrimental impact if it has an appropriately designed surface water system that contains all water generated from new impermeable surfaces. This could be dealt with by a suitably worded condition if planning permission were to be granted.

**Conclusion:** The site is in an unsustainable location and the residential development of this greenfield land would have a detrimental impact upon the character and appearance the area. The proposals do not accord with any of the limited circumstances that permit small scale residential development on land outside of the settlement limit, and there remain insufficient grounds to warrant departing from UDP policies in this instance, despite the lack of a 5 year housing land supply in Wrexham.

**RECOMMENDATION:** That permission be REFUSED

**REASON(S)**

1. The site is greenfield and is located outside of any settlement limits as defined in the Wrexham Unitary Development Plan. The development would be materially detrimental to the countryside and would represent an undesirable visual intrusion into the rural landscape. The development would not maintain the existing settlement pattern and would not accord with the character of the site or make a positive contribution to the appearance of the locality. The proposals do not accord with any of the limited circumstances that permit small scale residential development on sites outside of settlement limit and the development conflicts with Policies PS1, PS2, PS3, PS4, GDP1, H8 and H5 of the Wrexham Unitary Development Plan.

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**APPLICATION NO:**  
P/2017 /0730

**LOCATION:**  
CARTREF OFF BERSE ROAD  
CAEGO WREXHAM  
LL11 6UE

**DATE RECEIVED:**  
31/08/2017

**COMMUNITY:**  
Broughton

**DESCRIPTION:**  
SINGLE STOREY EXTENSION TO  
DWELLING, CHANGE OF USE OF  
ADJOINING LAND TO RESIDENTIAL  
CURTILAGE AND ERECTION OF  
TWO-STOREY GARAGE AND  
STORE

**CASE OFFICER:**  
PF

**WARD:**  
New Broughton

**AGENT NAME:**  
MR S DILLON

**APPLICANT(S) NAME:**  
MR S DILLON

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**THE SITE**



**PROPOSAL**

Planning permission is sought to change the use of land to form part of the residential curtilage of Cartref, to erect a single storey extension to the front of

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
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the dwelling and to erect a two storey detached garage and store structure to the south of the dwelling footprint.

**HISTORY**

P/2004/1222 – Erection of single storey dwelling. Refused.

**PLANNING POLICY**

The site is located inside a 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 Notes 16 – Parking Standards and 20 – House Extensions.

**CONSULTATIONS**

Community Council:	Consulted 04.09.2017
Local Member:	Notified 04.09.2017
Site notice:	Expired 06.10.2017
Highways:	There is sufficient parking provision within the site curtilage to accommodate the parking demands within the site.
NRW:	No comments.
Neighbouring occupiers:	39 neighbouring occupiers notified. 3 representations received raising the following points: <ul style="list-style-type: none"><li>• The structure will block the light into garden and house at 13 Glasfryn Terrace and it is in very close proximity the property as well and once this has been built the owner can change it to a house which planning has already been denied on the site;</li><li>• Works should not infringe upon the vehicular access and no trees or fences in third party ownership should be damaged;</li><li>• Concerns regarding damage caused by general access to the building and damage caused by the construction phase;</li><li>• Access by other vehicles has occurred over the past without permission;</li><li>• The proposal will impact upon neighbouring amenity and pedestrian safety through increased traffic.</li></ul>

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**SPECIAL CONSIDERATIONS:**

**Background:** The site sits within the centre of a wider group of dwellings in the form of a triangle, predominantly with their backs facing the site. The nature of the settlement pattern in the locality is such that the majority of the dwellings, including the application site, are accessed by a network of unmade unadopted vehicular tracks.

The proposed development consists of three elements. Firstly, the proposal to change the use of a portion of land to the south of the existing dwelling curtilage. This area has recently been cleared of a significant amount of overgrown vegetation. It consists of boundaries on two sides with access tracks to other dwellings and a hedge boundary with the dwelling known as Cartref within the applicant's control. The land currently has no beneficial use but appears to have previously been used as a storage area. At present, I consider the lawful use to have reverted to agricultural land.

Within the area subject to the change of use, the applicant wishes to erect a detached building to be used as a store and garage. This is a relatively large building in comparison to the dwelling, measuring 12m by 7m to a maximum height of 6.7m.

A single storey feature gable extension is proposed to the front of the dwelling.

**Design and Amenity:** Other than being viewed from the rear elevations of existing dwellings, the site is not visible from a wider public vantage point or from an existing public realm.

I am satisfied that the change of use of the land will be of benefit to the locality. It will bring it back into beneficial use and be managed in terms of control over vegetation. This will be of benefit to wider security of the neighbourhood and the general visual amenity.

Whilst relatively large when compared to the dwelling it is to be associated with, I do not consider that the garage will appear overly incongruous given the scale of other buildings in the locality and the size of the land holding within which it sits. The building is designed in a manner which represents an ancillary structure with a utilitarian purpose. Proposed materials can be conditioned to match the existing dwelling. Conditions can be imposed regarding its future use i.e. should planning permission be granted, it can only be used for purposes associated with the domestic use of the site and not for business purposes.

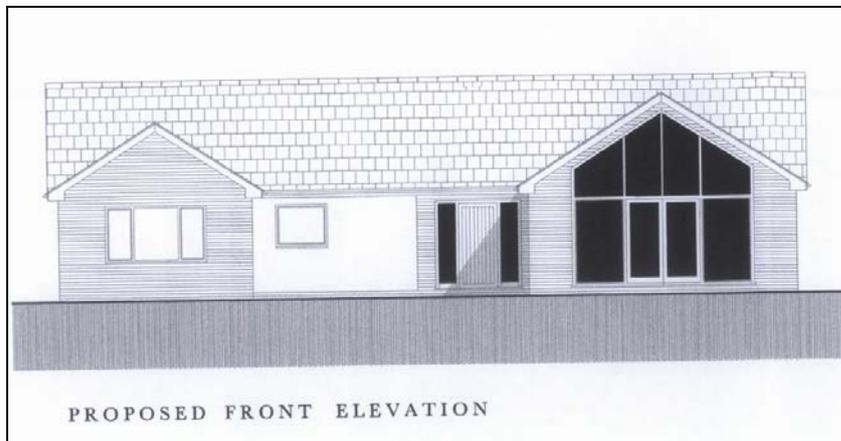
The scale and position of the building in relation to the amenity of neighbouring occupiers has been considered. It sits within 5 metres of the boundary and 15 metres to the ground floor and 20 metres to the first floor rear elevations of the nearest neighbouring dwellings. LPG20 usually requires

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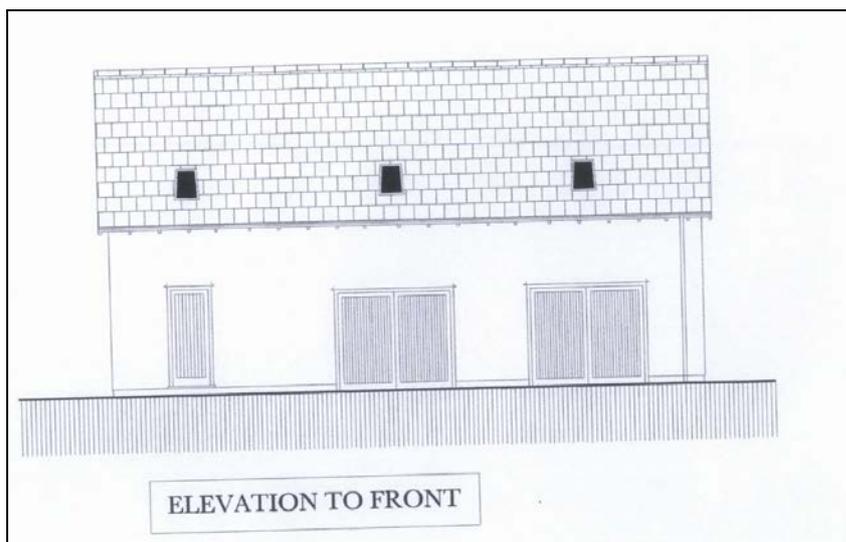
a separation standard of 13m where there are habitable windows facing a blank elevation and 22m where habitable windows face. There are skylight windows proposed in the rear elevation of the store building, but I am satisfied that, given their small scale and nature of the intended use as a store, that the separation distance offered is sufficient. For these reasons I do not consider that the erection of the outbuilding or change of use of the land will cause a detrimental impact to neighbouring amenity.

I am also satisfied that the extension to the existing dwelling to create a feature gable to the front elevation is acceptable. It conforms to the proportions of the existing dwelling and will not result in the loss of amenity to the neighbouring occupiers.

For the benefit of Members, front elevation images of the proposed built development follow.



**Proposed front extension to dwelling**



**Proposed front elevation of garage/store**

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**Other matters:** Issues relating damage to or unauthorised access along private access tracks or damage to the foundations to neighbouring buildings are not a material planning consideration. The granting of planning permission does not authorise interference with third party land or other assets.

**Conclusion:** I am satisfied that the proposed change of use of land and the nature of the proposed built development is acceptable in line with policy and guidance. I recommend accordingly.

**RECOMMENDATION:** That permission be GRANTED

**CONDITION(S)**

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) dated 31 August 2017 and as contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
4. No private surface water runoff shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.
5. No trade or business of any kind shall be carried out in or from the garage and store approved as part of this application. For the avoidance of doubt, the garage and store shall only be used for purposes ancillary to the use of the existing dwelling known as Cartref, off Berse Road, Caego, Wrexham.

**REASON(S)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To define the scope of the planning permission
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. In the interests of highway safety.
5. To ensure that the garage is not used in a manner prejudicial to or likely to cause nuisance to occupiers of nearby properties.

**NOTE(S) TO APPLICANT**

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

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You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control Section on 01978 292050.

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

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

The applicant should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

The development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**6<sup>th</sup> NOVEMBER 2017**

**APPLICATION NO:**  
P/2017 /0739

**LOCATION:**  
CAE MOR FARM LLWYN MAWR  
PONTFADOG LLANGOLLEN  
WREXHAM LL20 7BE

**DATE RECEIVED:**  
04/09/2017

**COMMUNITY:**  
Glyntrian

**DESCRIPTION:**  
ERECTION OF AGRICULTURAL  
BUILDING AND ASSOCIATED  
WORKS

**CASE OFFICER:**  
PF

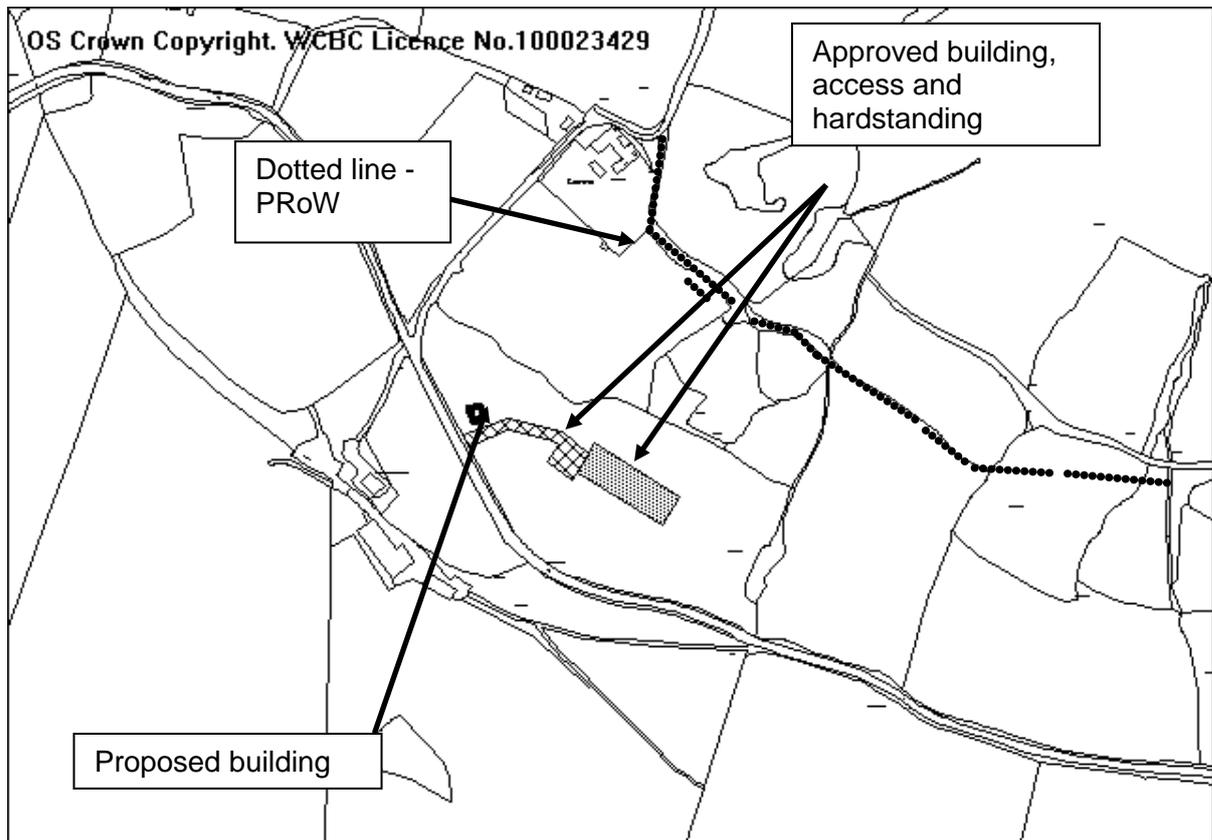
**WARD:**  
Ceiriog Valley

**APPLICANT(S) NAME:**  
MR J MORRIS

**AGENT NAME:**  
ROGER PARRY &  
PARTNERS LLP  
MR RICHARD CORBETT

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**THE SITE**



**PROPOSAL**

Planning permission is sought for the erection of an agricultural building to be associated with an egg laying unit which is currently under construction. The building would be located adjacent to the approved access.

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**HISTORY**

- P/2015/0513      Erection of free range egg production unit, access improvements and associated works (16,000 birds).  
Withdrawn.
- P/2015/0810      Erection of free range egg production unit (16,000 birds) including silos and associated works (including ground level alterations and alterations to existing vehicular access). Refused and allowed on appeal.

**PLANNING POLICY**

The site is located outside any defined settlement limit and within a Special Landscape Area as defined by the Wrexham Unitary Development Plan. Policies PS2, GDP1, EC4, EC5, EC13 and T8 are relevant. Guidance is also contained in Local Planning Note 16 – Parking Standards.

**CONSULTATIONS**

Community Council:

The following concerns have been raised:

- Why, if the building is needed, does it have to be so near the road and not the main building? It will have a detrimental visual impact for Cae Mor Ucha which is almost opposite the entrance. The development will also have a detrimental visual impact on the surrounding landscape.
- Concerns regarding whether this sets a precedent for sporadic development of the field.
- There is no existing farm complex. Cae Mor ceased to be a working farm many years ago when the land was sold off and farm buildings were converted for residential use. The land is no longer in agricultural use. As a result, there is no existing farm business to diversify from. This means the application does not comply with Policy EC3.
- Why have close neighbours not been informed of this further development?
- How will the development deal with things such as spent disinfectant and site specific protective clothing so to avoid contamination of the surrounding area?

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- Concerns have been raised as to how the issue of biosecurity will affect the use of the public footpath which crosses the land. Will hens be allowed out in the area which will be crossed by the footpath? Is it considered to be part of the 'General' biosecure area?
- Did the original planning approval have any restriction regarding further buildings?

Local Member:

Notified 06.09.2017

Site notice:

Expired 06.10.2017

Highways:

No recommendations.

Public Protection:

Advise that informatives are imposed regarding construction nuisance.

Neighbouring occupiers:

2 neighbouring occupiers notified. 2 representations received raising the following points:

*Support*

- A local animal feed company supports the application.

*Objection*

- The building should be located on the opposite side of the access. As it is proposed it would be in full sight from the living room of the neighbouring dwelling;
- There is a public footpath which crosses the chicken ranging area therefore the building does not ensure compliance with the quality standard regulations used to justify the building and there is no detail to state that a footpath crossing the site is acceptable to the quality standard regulator;
- A similar smaller building could be justified if the flock size was larger.

**SPECIAL CONSIDERATIONS:**

**Background:** Planning permission was refused by the Council in 2016 for the erection of a 16,000 bird egg laying unit along with an access and hardstanding and associated ground works. An appeal was made to the Planning Inspectorate and following an informal hearing planning permission was granted subject to conditions (P/2015/0810 refers). In allowing the appeal, the Inspector accepted that the proposed egg laying building was an agricultural use and would be associated with the occupation of Cae Mor

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Farm as the main farmstead. The Inspector also accepted that the proposed building would not have an adverse impact upon the wider landscape character or the reasons for defining the land as SLA. Development has now commenced on the single egg laying building.

This application now before Members seeks to provide a detached building measuring 10m by 7.5m to a maximum ridge height of 4m. The applicant has provided an amended document to confirm that the proposed materials would match those of the existing approved egg laying building.

The applicant requires this additional agricultural building to be associated with the approved building in order to comply with the British Lion Code Quality Requirements issued in May 2017 in relation to Biosecurity requirements. A recognisable locked gate through which feed lorries or similar vehicles can pass is required with a facility for storage of protective clothing and washing facilities. A physical barrier for disinfecting is also required. These additional requirements are sought through standardisation to mitigate the following potential risks:

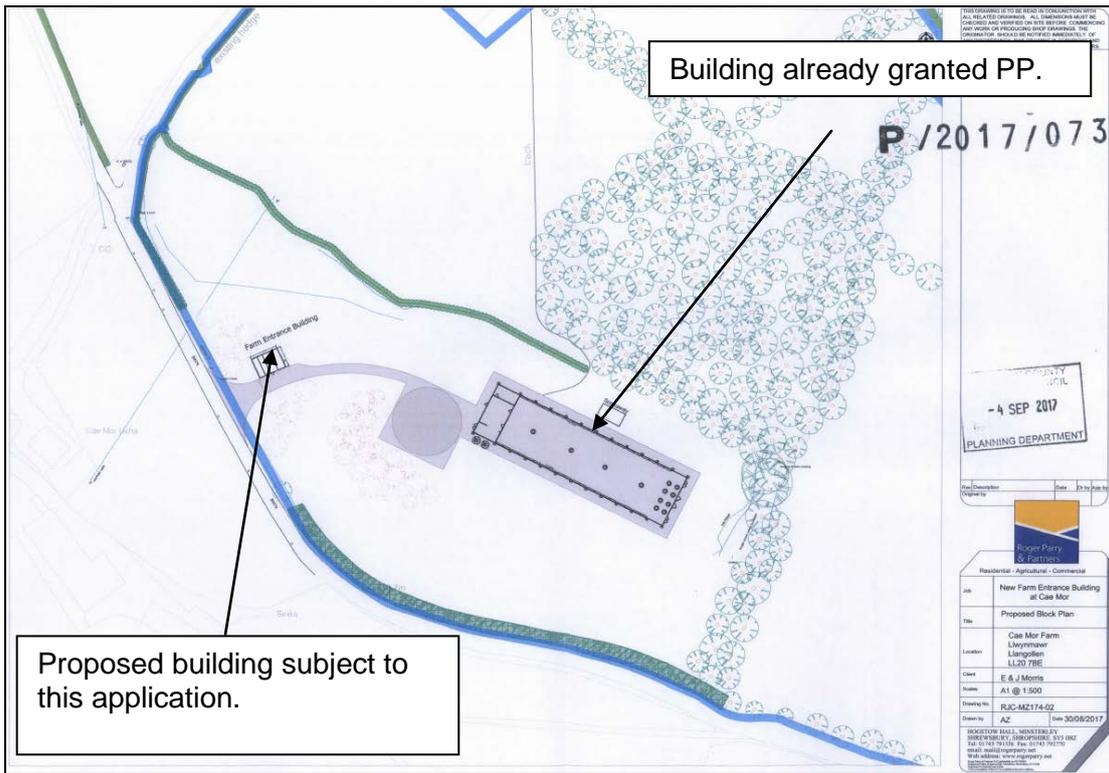
- Feed Delivery – These are vehicles come directly from other units and both driver and vehicle may be carrying disease;
- Egg Collection – This vehicle is carrying out collection from a number of farms in a day and both driver and vehicle can carry disease;
- Fallen Stock Collection – This vehicle and driver are collecting dead stock from other farms and have a high risk of carrying disease with the driver and vehicle;
- Service Engineers – The specialist engineers work on poultry units daily and may have come directly from a unit;
- Vets – Vets are moving frequently between other farms and units; and
- Inspectors (Lion Code, DEFRA etc.). These are moving frequently between other farms and units.

I am satisfied that the proposed building is required for purposes relating to the proper operation of the approved agricultural unit. There is sufficient justification before me to accept the remote location of the building from the main egg laying unit, primarily because it is needed at the site entrance at the interface of the site boundary. Its scale appears proportionate to reasonable storage requirements associated with a heavily regulated agricultural use.

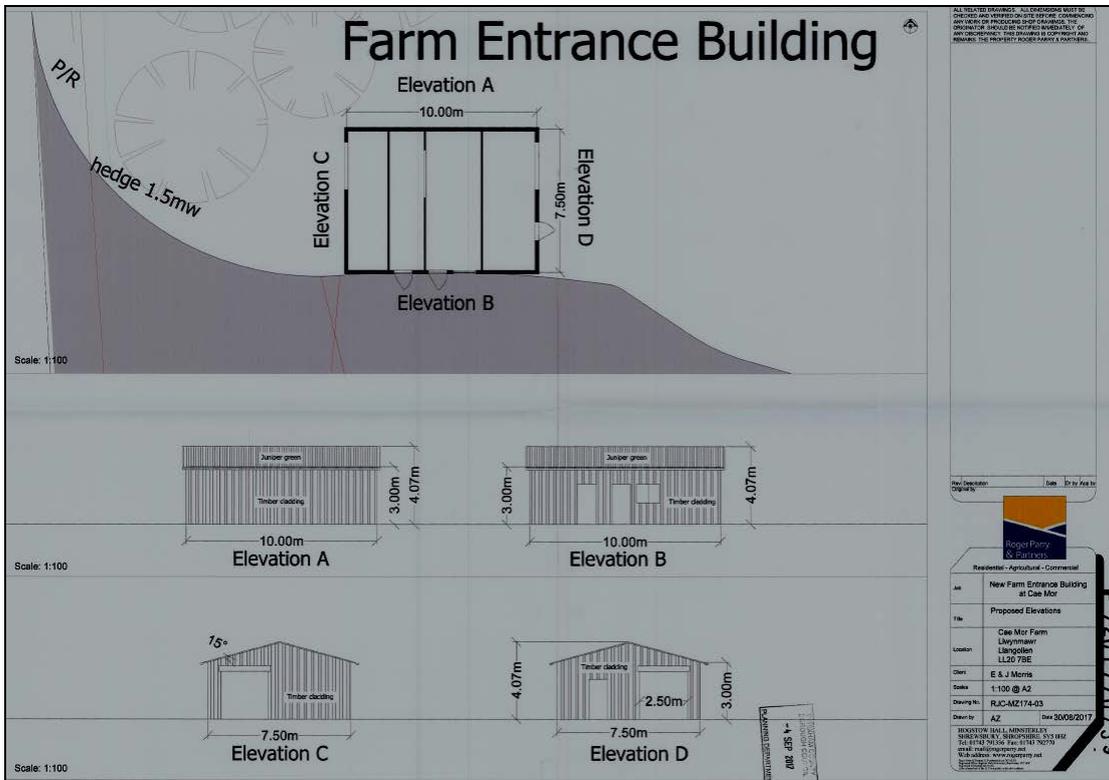
Policy EC3 permits agricultural buildings to be isolated from the main farmstead where there is an exceptional justification and limited visual impact (discussed later in the report). I consider that there is an exceptional circumstance given to accord with this element of policy EC3.

For the benefit of Members, a proposed site layout plan of the building and elevation detail is shown below.

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**Proposed site layout**



**Proposed floor plans and elevations**

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**Visual impact:** The building is proposed to the northern side of the approved vehicular access point and immediately adjacent to the hardstanding and pull in area. It appears logical to position the building at this location for operational purposes. Vehicles pulling into the site will stop on the left hand side of the track in accordance with the positioning they will have carried through from the highway. It will also allow vehicles leaving the site to be on the correct side of the access to negotiate on to the highway.

Land levels were approved as part of the scheme for the egg laying unit. In accordance with the approved topographical survey, it shows that the finished floor level of the proposed building will be some 0.5m below the adjoining road level and this would apply regardless of whichever side of the access the building was to be located.

I have had regard to the conclusions of the Inspector in relation to his acceptance of the main egg laying barn and the impact upon the wider landscape character. He concluded that *'the appeal proposal would be a contemporary structure that evidence confirms to result from, and responds to, changing agricultural markets and the economies of scale required to meet them. It would be a distinctive new feature in the landscape, but planning conditions could ensure that its presence would be substantially mitigated.* He went on to say *'...this location ensures that the appeal site is visible from various locations in the valley, but to differing extents given the screening effect of existing vegetation that the proposal would reinforce'*. It was also noted and accepted that *'...the nearest views of the proposal would be from the B4579, Cae Mor Ucha and Cae Mor'*. The Inspector further surmised that the overall egg laying barn would represent a new, large structure within the landscape, but the effective use of mitigation screening and materials would assimilate this new agricultural unit into the landscape.

I have accepted the exceptional circumstances have been justified in relation to the location of the proposed building subject to this application earlier in this report. The scale of the building to a maximum height of 4m, combined with some additional planting at the site access (as required by a condition of the approved egg laying unit) and the use of green facing materials is such that building will be somewhat indistinguishable from longer distance views within and around the valley. Shorter distance views from the highway and above from the nearest dwelling at *Cae Mor Ucha*, will undeniably occur. However, the scale of the proposed building will be seen as an ancillary agricultural structure in the context of the egg laying barn and will not be overly dominant or oppressive to passing motorists or neighbouring occupiers. I am satisfied that the proposed structure will not harm the character of the Special Landscape Area and will accord with policy EC5 for the reasons identified above.

**Highways:** Highways have raised no objection to the proposed building. It would be located within the site at a suitable distance behind a locked gate which allows vehicles to pull in clear of the highway. The building is required

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in association with an accepted use of the site. There is no indication that the provision of the ancillary operational building will increase vehicle movements to the site beyond those already assessed by the Planning Inspectorate.

**Other matters:** Consultations and notifications have been carried out in accordance with the requirements laid out in planning legislation, including the nearest neighbouring occupiers immediately adjoin the site. A site notice was also placed.

Representations have been made regarding operational matters and how they relate to the justification for the proposed need and positioning of the structure. These are addressed as follows.

*Footpath*

A public right of way crosses the site as identified in the map at the beginning of this report. Concerns have been raised that this footpath crosses the ranging area and would undermine the biosecurity measures put in place to control visitors to the site in the proposed building. I have raised this matter with the applicant who has confirmed that the public right of way running across the range is classed as a low risk. It is a risk that any free range egg producer has to accept along with wildlife and birds passing over the range area. The risk is lowered further by as the public footpath has a low use of walkers and range management of hens will not always be in the vicinity of the public footpath.

I am satisfied that the above does not undermine the exceptional circumstance for the need for the proposed building.

*Drainage and waste disposal*

I am satisfied that spent disinfectant and general controlled waste would be disposed of in the same manner than if it were housed in the main egg laying barn. However, in approving the egg laying unit, additional conditions were imposed to ensure that a drainage scheme and ground water protection measures were approved. As this proposal makes alterations to the operational phase of the development and includes the need to dispose of foul water a similar condition will be required to ensure that the design is fully scrutinised for suitability.

*Further development*

By allowing the proposed scheme, this does not set a precedent for further sporadic development. Any further proposed agricultural development, depending upon scale or position, would either require a full planning application or a notification to the Council under the permitted development regulations to determine whether prior approval is required for the siting and design of the structure. Consideration would be given to the same planning policies and guidance.

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**Conclusion:** I am satisfied that the proposed new structure associated with the developing new enterprise is wholly justified in operational terms. Its scale defines it clearly as an ancillary structure, the design of which along with approved mitigation planting, will assimilate it to within the landscape. For these reasons I consider that the scheme accords with the relevant local and national planning policies relating to agricultural development.

**RECOMMENDATION:** That permission be GRANTED

**CONDITION(S)**

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered RJC-M2174-01, RJC-M2174-02 and RJC-M2174-03 and as contained within the application documentation.
3. Notwithstanding the details contained on the approved plans, the facing elevations of the building hereby approved shall be faced in box profile sheeting finished in Juniper Green or any other similar colour.
4. No part of the development shall commence until a scheme for the comprehensive and integrated drainage and water disposal of the site indicating provision for foul water (including wash down), surface water and land drainage along with a scheme for the protection of surface water in accordance with the DEFRA publication entitled Protecting our Water, Soil and Air - A Code of Good Agricultural Practice for farmers, growers and land managers, or any successor Document has been submitted to and approved in writing by the local planning authority. The building hereby permitted shall not be occupied and stocked until the drainage scheme has been completed and the drainage and water disposal of the site shall thereafter be managed and retained in accordance with the approved scheme.
5. Subject to the exceptions detailed separately in this condition, all works in relation to the implementation of this permission, and deliveries to or from the site, shall be undertaken only between the hours of 07:30 and 18:00 Monday to Friday, and 08:00 to 14:00 on a Saturday and at no time on a Sunday, Bank or Public Holiday. Vehicles associated with the delivery or collection of the birds shall be allowed on the site from 06:30 hours with loading and unloading taking place from 07:00 hours. The removal of manure from the site shall not take place on Saturdays, Sundays, and Bank or Public Holidays.
6. The rating level of any noise generated by plant associated with the development shall not exceed the pre-existing background levels by more than 5dB(A) at any time. The noise levels shall be determined at nearby noise sensitive properties, and measurements and assessment shall be made in

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accordance with BS4142:2014 - Methods for Rating and Assessing Industrial & Commercial Sound, or any successor document.

7. No external lighting shall be erected on the building unless detail of its position, times of use and intensity have been submitted to and approved in writing by the local planning authority. Any lighting installed shall only be in accordance with detail as may be approved.

**REASON(S)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To define the scope of the planning permission
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. In order to ensure that there is a satisfactory method of water disposal from the site to prevent surface water flooding and ground contamination.
5. To protect the amenities of the occupiers of nearby properties.
6. To protect the amenities of the occupiers of nearby properties.
7. To protect the amenities of the occupiers of nearby properties.

**NOTE(S) TO APPLICANT**

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Environment and Planning Department on 01978 315300 for further advice and information.

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**APPLICATION NO:**  
P/2017 /0746

**LOCATION:**  
CORNERSTONES THREAPWOOD  
MALPAS WREXHAM  
SY14 7AN

**DATE RECEIVED:**  
05/09/2017

**COMMUNITY:**  
Willington and  
Worthenbury

**DESCRIPTION:**  
CHANGE OF USE OF SMALL AREA  
OF Paddock AS EXTENSION TO  
RESIDENTIAL CURTILAGE,  
ERECTION SUMMERHOUSE AND  
SHED FOR STORAGE AND TOILET  
BLOCK (IN RETROSPECT)

**CASE OFFICER:**  
MP

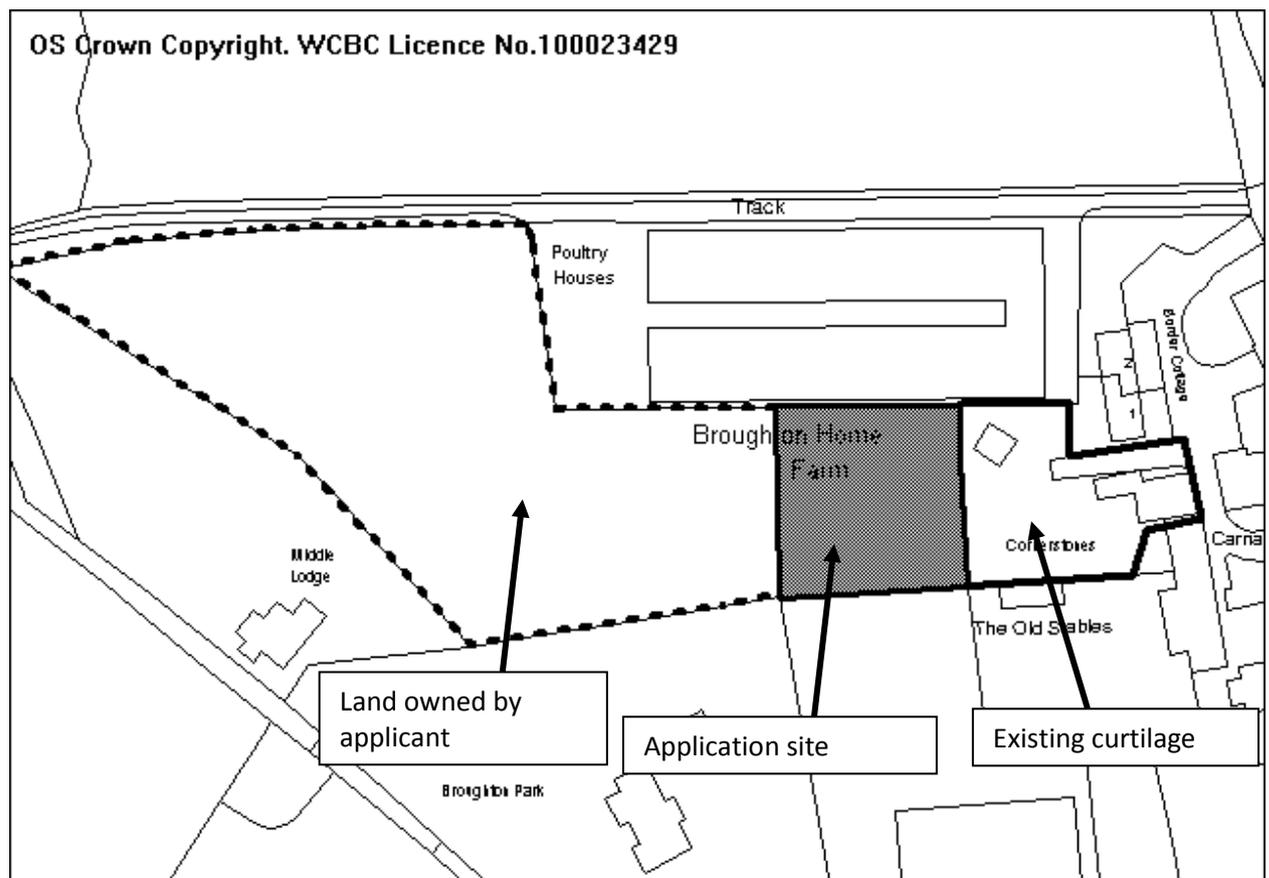
**WARD:**  
Bronington

**AGENT NAME:**  
MR KEITH MACINNES

**APPLICANT(S) NAME:**  
MR KEITH MACINNES

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**THE SITE**



**PROPOSAL**

As above

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
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**HISTORY**

No recent relevant history.

**PLANNING POLICY**

The site is in open countryside and within a Special Landscape Area. Policies GDP1 and EC5 apply.

**CONSULTATIONS**

Community Council:

Local Member:

Notified 6.9.2017

Site Notice:

Expired 5.10.17

Neighbours:

The owners/occupiers of 4 neighbouring properties notified 13.9.2017.

6 objections received expressing the following concerns:

- The project has been built without prior consultation with the Planning Department or neighbours;
- This is not for family use but will eventually become commercial
- The sheds are being/are intended to be used as holiday accommodation/for commercial purposes;
- Do not believe summerhouse and shed are intended for storage;
- Lack of foul drainage;
- Visual impact;
- Possible geological/structural impact of unqualified personal working wells/bore holes;
- Potential contamination from newly constructed pond;
- The applicant is advertising spare rooms;
- Lack of need for toilet/shower block;
- Light nuisance;
- Use of bridleway as their own private drive;
- Fly tipping by the applicants;
- Highway safety;
- Increase in traffic;
- Security worries of unknown people coming and going;
- Soakaway close to neighbours' garden;

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
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**SPECIAL CONSIDERATIONS**

**Background:** This is a retrospective application for the use of land as residential curtilage along with the retention of a summerhouse and two sheds, one of which being described as a toilet block.

The application has been presented on the basis that land is to be used as domestic garden (i.e. for purposes incidental to the occupation of Cornerstones as a single dwelling). Having sought clarification about the intended use of the buildings, the applicant has confirmed that they are to be used by him and his family (i.e. for purposes incidental to the occupation of Cornerstones) and are not intended for commercial purposes.

The summerhouse was used for a short period to accommodate the applicant's mother in law. The applicant also lets out a room in their dwelling, although this is outside of the scope of this application and in the absence of any information to demonstrate otherwise, would not constitute a material change of use.

The objectors are concerned that the development is being or is intended to be used for holiday accommodation. However I have been provided with no evidence to demonstrate that any of the buildings are being used as holiday accommodation nor do I have any evidence to suggest that is what the applicant is intending. It is therefore my intention to consider the application on the basis of how it has been presented.

**Visual Impact:** The application site is enclosed to the south by a boundary wall, to the north by poultry houses on adjacent land and to the east by the existing garden of Cornerstones. The buildings themselves are not unusually large for domestic outbuildings and are not prominent structures from near or distant viewpoints. I am therefore satisfied that the development does not represent a harmful intrusion into the Special Landscape Area.

Photographs of the summerhouse and sheds are included below:

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**Amenity:** The buildings are all in excess of 25m from neighbouring dwellings and therefore are not harmful to residential amenity by way of loss of light or by being overbearing. On the basis that their intended use is for purposes incidental to the occupation of Cornerstones they will also not result in any significant degree of noise, disturbance or loss of privacy. I have not been provided with any details to confirm whether the buildings have power for lighting, although by itself this is outside of the scope of planning control. Nevertheless I consider the use of electric or other lighting in the buildings as being unlikely to give rise to significant light pollution.

**Other Matters:** A number of other concerns have been raised by adjacent occupiers, including potential pollution from the toilet block and a pond the applicants have constructed, use of a bridleway and alleged fly tipping.

The toilet block is unlikely to generate a significant demand for foul drainage in its own right and I have no reason to believe that existing foul drainage arrangements for Cornerstones could not accommodate it.

The pond is not specifically identified by the applicants as falling within the scope of this application. However it is not a development I consider it expedient to pursue a separate application for given that it is arguably can be considered as integral to the retrospective proposals to extend the domestic curtilage. Any pollution caused as a result of the works is outside of the scope of planning control. If the works directly or indirectly cause damage to neighbouring properties that is a civil matter. It may also be a matter that NRW would wish to investigate.

The nearest public footpath lies approximately 35m to the north of the application site. There are no public footpaths or bridleways crossing the application site. The development will therefore not impede access to any public rights of way by neighbouring occupiers or others.

I have no evidence that the applicant has carried out fly tipping however this is a matter outside of the scope of this application and indeed outside of the scope of planning control and would be something for Public Protection to investigate.

## **CONCLUSION**

The development does not adversely impact upon the character of the immediate area or wider Special Landscape Area and as such accords with relevant UDP policies.

**RECOMMENDATION:** That permission be GRANTED

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**CONDITION(S)**

1. Notwithstanding the provisions of Part 1, Class E of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking, re-enacting that Order with or without modification), no further development shall take place on the land subject to this permission other than the development hereby granted permission.
2. The buildings subject to this planning permission shall not be used for any purpose other than one incidental to residential use of the dwelling known as Cornerstones, Threapwood, Malpas.

**REASON(S)**

1. In the interests of controlling development which may impact upon the rural landscape.
  2. To ensure the buildings are not used for purposes that conflict with adopted policies and in the interests of protecting the amenity of the occupiers of neighbouring properties.
-

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**APPLICATION NO:**  
P/2017 /0749

**LOCATION:**  
36 RHOSDDU ROAD WREXHAM  
LL11 2NS

**DATE RECEIVED:**  
11/09/2017

**COMMUNITY:**  
Rhosddu

**DESCRIPTION:**  
CONVERSION OF BASEMENT TO 1  
BEDROOM SELF-CONTAINED  
APARTMENT AND GROUND AND  
FIRST FLOORS INTO 5 BEDROOM  
HOUSE IN MULTIPLE OCCUPATION  
(HMO)

**CASE OFFICER:**  
MP

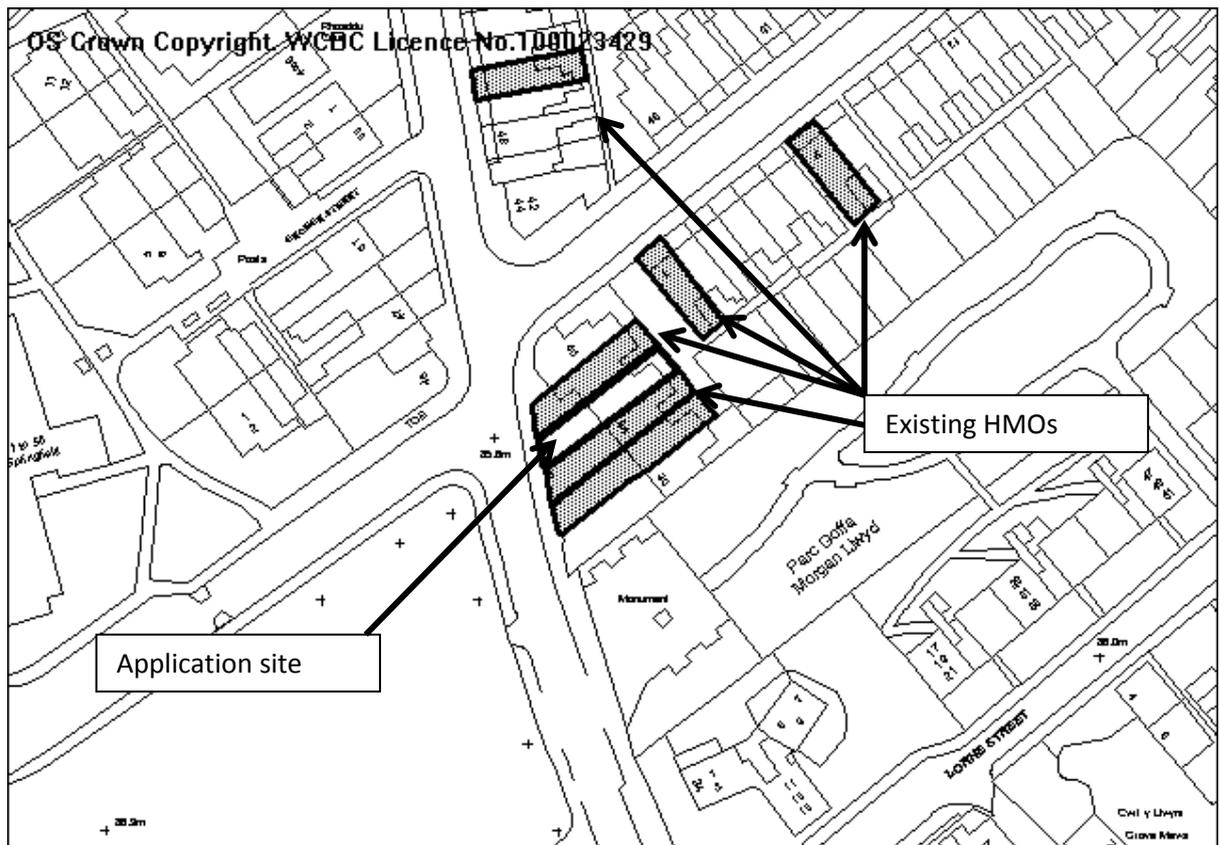
**WARD:**  
Grosvenor

**AGENT NAME:**  
HDS ARCHITECTURAL  
SERVICES  
MR CARL HUGHES

**APPLICANT(S) NAME:**  
MRS STELLA JONES S &  
P ESTATES LTD

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**SITE**



**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**6<sup>th</sup> NOVEMBER 2017**

**PROPOSAL**

The applicant is proposing to convert the existing 5 bedroom house into a 1 bedroom basement apartment and a 5 bedroom HMO at ground and first floor.

**HISTORY**

None.

**PLANNING POLICY**

Within settlement limit. Policy GDP1, H4 and T8 apply.

**CONSULTATIONS**

Community Council:	Object on the following grounds: 1. It would create and over concentration of HMOs in this area. There are already 3 HMOs adjacent; 2. There is inadequate parking. No additional parking is proposed for the additional residents. On street parking is up to capacity in the area which causes traffic congestion; 3. Loss of amenity to nearby residents; 4. The emerging Local Planning Policy for HMOs should be taken into consideration.
Local Member:	Notified 11.9.17
Public Protection:	No objection provided the owner ensures they make an application for a HMO licence prior to the property being occupied as a HMO.
Highways:	No objections.
Site Notice:	Expired 5.10.17
Neighbours:	The owners/occupiers of 7 nearby properties notified 14.9.17. 1 objection received expressing the following concerns: - Grosvenor Ward has more HMOs than any other ward in Wrexham Borough; - The houses adjacent to no.36 are run by Social Services and the Probation Service; - Wrexham Council Planning Dept. has a lot to answer for, in the past, Rhosddu has been blighted by bad planning decisions whereby most drug users and probationer facilities are sited in this ward; - Rhosddu Chemist is dealing with 30 so-called service users per day. If they are allowed to

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**

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occupy this HMO one dreads to think of the problems that could arise;

- Planning consent for another HMO will only exacerbate the very bad situation that exists at the moment. Please refuse planning consent.

### **SPECIAL CONSIDERATIONS**

**Background:** The applicant is proposing to convert the property from a 5 bedroom dwelling into a 5 bedroom HMO with 1 tenant per room, thus the proposals fall within Class C4. There will 3 bedrooms on the ground floor along with a shared bathroom and 2 bedrooms on the first floor with en-suite bathrooms. A shared kitchen is also provided on the first floor. In addition the applicant is proposing to convert the basement floor of the property into a separate one bedroom flat.

**Policy:** Policy H4 allows for the subdivision of dwellings where:

- sub-division is possible without major alterations, extensions, or additional new buildings which would significantly alter the character of the original dwelling; and
- proposals accord with Policy GDP1; and
- adequate private open space is available;
- the proposal would not result in the over-concentration of Houses in Multiple Occupation to the detriment of crime levels, the social fabric of the area, and the amenity of existing residents.

Dealing with each of the above in turn:

#### *a) Extent of extensions/alterations*

No extensions or external alterations are proposed.

#### *b) Compliance with policy GDP1*

I will deal with issues of amenity and parking separately;

#### *c) Private open space*

The property has a rear yard of approximately 17 square metres.

The property has a front garden approximately 35 sq.m in area which whilst not private could be used to store some bins. The storage of refuse bins in front gardens is not uncommon along Rhosddu Road, and as the property is set back just over 9m from the highway the use of part of the front garden for that purpose would not result in significant harm to the street scene.

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In light of the above I am satisfied that the curtilage of the dwelling is large enough to provide sufficient space for the occupiers of the property in respect of bin storage, cycle storage and some space for external drying.

*d) Concentration of HMO properties*

The Council does not have an adopted method or threshold for assessing HMO concentrations, although assessing the number of HMOs within a specific radius of an application is the method used in supplementary planning guidance adopted by a number of other authorities, with limits of between

10% and 20% being considered acceptable depending on local circumstances. It is also worth noting that The Housing In Multiple Occupation: Review & Evidence Gathering report published in 2015 by the Welsh Government found that concerns regarding the number of HMOs increases once concentrations rise above 10%. However in the absence of similar guidance in Wrexham each application must be looked at on a case by case basis.

Within 50 metres of the application site there are 41 residential properties (including flats above commercial properties) of which 6 or 14.6% are HMOs at present. This would increase to 7 or 17% if this application was granted. I recognise that this would be significantly above 10%, however Members are reminded that in the absence of an adopted threshold this would not, by itself, provide a valid reason for refusal.

Looking at the distribution of HMOs in the vicinity more closely, both of the adjoining properties no. 34 and nos.38 Rhosddu are HMOs, the former being an exempt HMO for the purposes of licensing. No.32 Rhosddu Road is a HMO and the dwelling to the rear of the site no. 1 Cunliffe Street is also a HMO. Accordingly there is already concentrated cluster of HMOs within the immediate vicinity of the application site.

Notwithstanding the above, in my opinion it would be difficult to justify refusal of this application. Given the concentration of HMOs in the immediate vicinity and indeed within the group of buildings comprising 30-40 Rhosddu Road, one additional HMO will not significantly alter the character of the area. Furthermore in a wider context, the property is within a mixed use rather than a primarily residential area. There are a number of commercial properties on the opposite side of Rhosddu Road and to the north of the site. There are also further commercial properties a short distance away at the junction of Rhosddu Road and Lorne Street and Rhosddu Road Spar is approximately 75m away to the north. In terms of the residential properties in the area surrounding the site there is a mix of flats, terraced properties and HMOs. In this context, the proposals will not significantly impact upon or harm the character of the area.

Finally, based on information obtained from Council Tax it would appear that the property has been unoccupied since at least 2011 and is therefore not

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providing any value to the area in terms of being actively used to provide accommodation. The development is therefore beneficial to the area in so far as bringing the property back into use.

**Amenity:** Given that no external alterations or extensions are proposed, the use of the premises as a HMO will not impact upon the privacy or visual amenity of nearby occupiers.

The fact that the property has adequate space for use as space for bin storage should assist ensuring the use of the premises does not prove

disruptive to nearby occupiers or harmful to the street scene. Whilst the rear yard is relatively small, it must be remembered that the property could be occupied by a family of 5 or 6 residents under the existing C3 use. In my opinion the occupiers of the proposed HMO and the proposed basement flat will not be afforded a materially worse standard of amenity than occupiers of the property under its existing use class.

I recognise that HMOs give rise to concerns about noise and anti-social behaviour but these are matters outside of the scope of planning control. However the applicant will need to obtain a licence issued from Public Protection in order to let the property as a HMO. Licenced HMOs are subject to conditions that require landlords to take all reasonable steps to control noise and anti-social behaviour. Breaching licence conditions can ultimately result in landlords being prosecuted and their licence(s) being revoked. Licence requirements are not material planning considerations however.

**Parking:** The property does not have any off-street parking and therefore like many other properties in the street, occupiers would be reliant on on-street parking.

The existing property has 5 bedrooms and in accordance with LPG16, the maximum parking provision for a dwelling of this size is 4 spaces. For the proposed basement flat the maximum parking provision is 1.5 spaces and for the HMO, which will have 1 occupier per room (as confirmed by the applicant), the maximum is 1 parking space per 2 bed spaces equating to 2.5 parking spaces making a total of 4 spaces.

Even if it is accepted that car ownership levels associated with the occupation of the property by up to 6 separate occupiers (1 in the flat and 5 in the HMO) has the potential to be higher than a family dwelling, given the location of the site in close walking distance of local services, the town centre and public transport, the property is well located for tenants who do not have access to or do not need to rely on private cars. As such I consider it unlikely that the development will increase demand for on-street parking in the vicinity of the site.

**Representations:** The objector has judged the proposals on the basis of the behaviour of the potential tenants of the property. This is not a material

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planning consideration and indeed the type of people who occupy the property is outside of the scope of planning control. The management of the property is primarily a matter for the landlord subject to compliance with the requirements of a licence issued by Public Protection.

I note that the Community Council had suggested the emerging Local Planning Policy for HMOs should be taken into consideration. Members are no doubt aware that Local Planning Guidance Note 5: Conversion of Dwellings to Houses in Multiple Occupation is in the process of being updated. Until the guidance note has been subject to external consultation and formally adopted it can be afforded **no** weight in the determination of planning application.

**CONCLUSION**

The development accords with policies GDP1, H4 and T8.

**RECOMMENDATION:** That permission be GRANTED

**CONDITION(S)**

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered RR/PD/02 and RR/PD/05 and as contained within the application documentation.

**REASON(S)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
  2. To define the scope of the planning permission
-

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**6<sup>th</sup> NOVEMBER 2017**

**APPLICATION NO:**  
P/2017 /0787

**LOCATION:**  
LONG VIEW BRYN ROAD MOSS  
WREXHAM  
LL11 6EL

**DATE RECEIVED:**  
20/09/2017

**COMMUNITY:**  
Broughton

**DESCRIPTION:**  
CONSTRUCTION OF EXTERNAL  
DECKING AREA IN REAR GARDEN  
(PARTLY IN RETROSPECT)

**CASE OFFICER:**  
MP

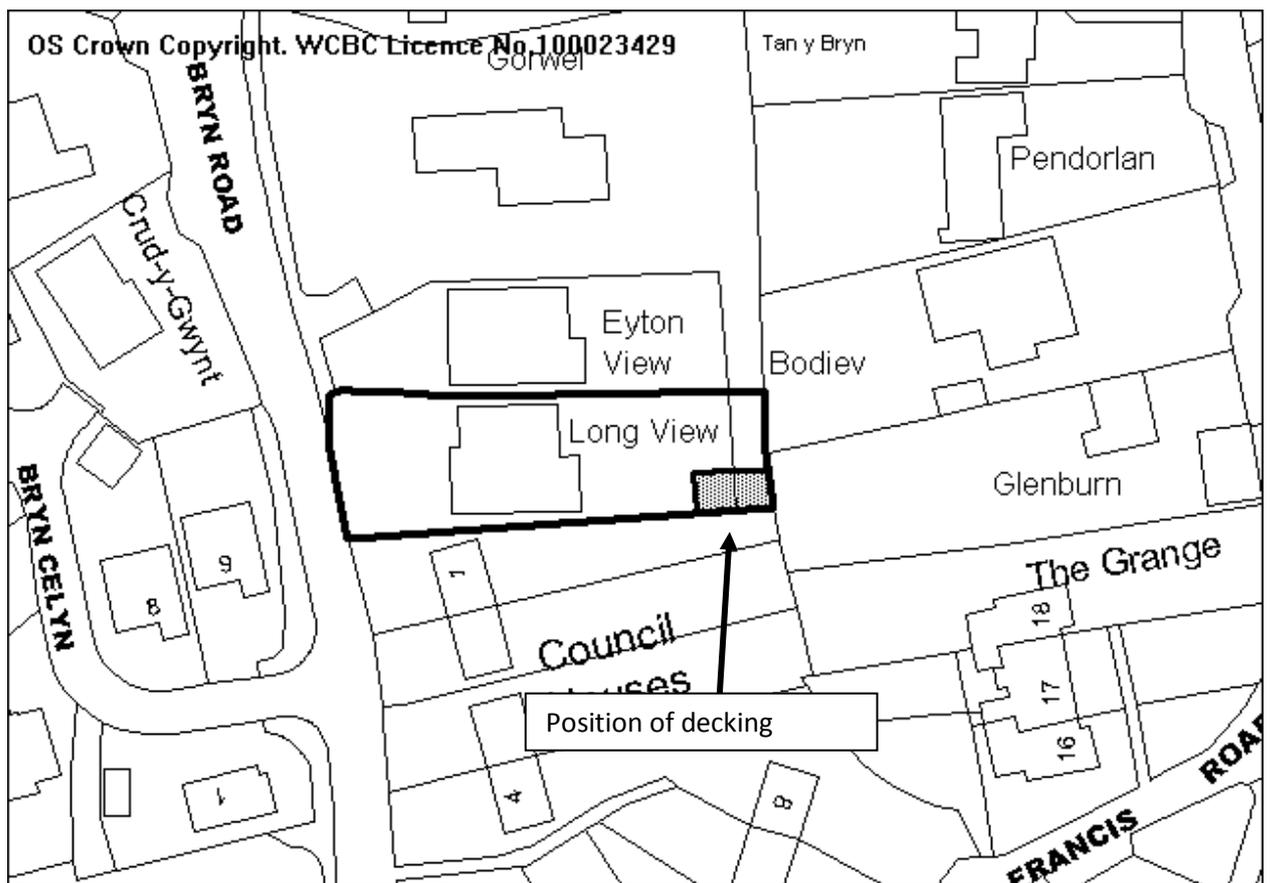
**WARD:**  
Bryn Cefn

**APPLICANT(S) NAME:**  
MR & MRS JONES

**AGENT NAME:**  
CULLIS  
ARCHITECTURAL  
DESIGN  
MR S CULLIS

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**SITE**



**PROPOSAL**

As above.

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**6<sup>th</sup> NOVEMBER 2017**

**HISTORY**

P/2011/0715            Demolition of existing dwelling (Long View) and erection of 2 No. dwellings. Granted 2.12.2011

**PLANNING POLICY**

Within settlement limit. Policy GDP1 applies.

**CONSULTATIONS**

Community Council:

Local Member:

Notified 22.9.17

Site Notice:

Expired 19.10.17

Neighbours:

The owners/occupiers of 5 neighbouring properties notified 26.9.2017 and 1 on 4.10.17

1 objection received expressing the following concerns:

- This elevated construction is cantilevered out off a retaining wall which was not in the original plans for the building of the house;
- The plans stated that the original house would have no impact on the houses below, but it did, a 2m and in some places 3m retaining wall was built so as to increase the height of the land thus dominating the property below;
- The construction of this comes right out to and above our boundary fence and will dominate our property and any privacy at the rear of our property.

**SPECIAL CONSIDERATIONS**

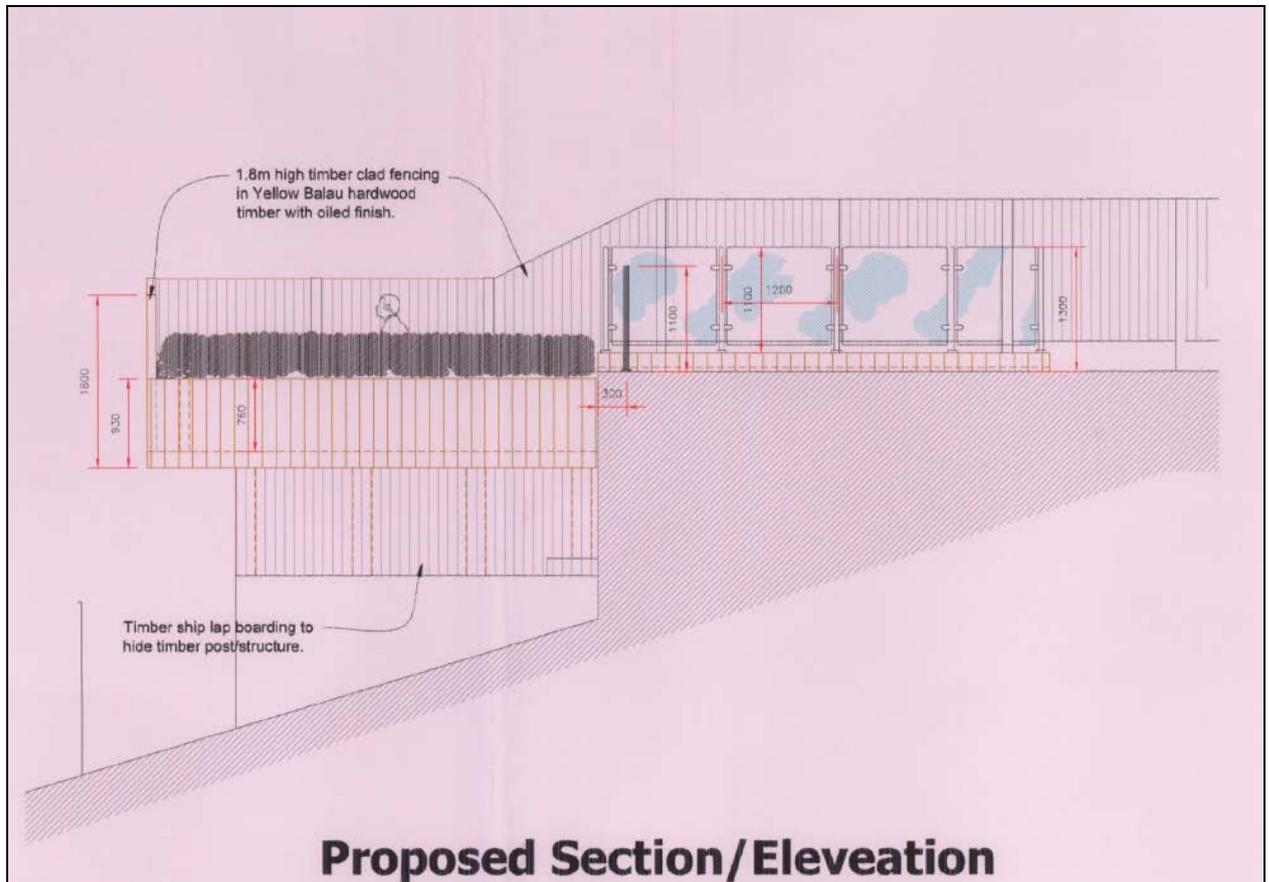
**Background:** Long View replaced a dwelling of the same name and along with the adjacent dwelling Eyton View, were granted planning permission in 2011.

During the construction of the dwellings a retaining wall approximately 2m in height was erected approximately 5m from the boundaries with the properties to the east. The ground levels behind the wall were also increased. The changes were not detailed on the approved plans, however the retaining wall would not have required planning permission. Based on topographical survey submitted with application P/2011/0715 the ground level changes behind the wall were not significant enough to require planning in their own right.

The decking subject to this application is partially complete and has two levels. The upper section occupies part of the garden behind the retaining wall. It is 20cm above existing ground level. The lower section extends

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beyond the retain wall and stops shortly before the boundary with the dwellings to the east. The floor level of the lower section is just over 1m below that of the upper section – see below.



**Amenity:** The development will not result in significant overlooking of the garden of the dwelling to the north due to its distance from the boundary. The proposed means of boundary treatment will also ensure the proposals do not result in significant overlooking of the garden of the dwelling to the south. The proposed boundary fence will also not prove overbearing to the latter, being a continuation of the existing boundary fence at the eastern end of the garden.

The properties to the east of the site on Francis Lane are built on ground that is considerably lower than the application site. All have sloping rear gardens that have some form of raised platform or terrace. The gardens of two of those properties, Glenburn and Bodieve, adjoin the application site. The decking is approximately 23 metres from Bodieve, the nearest dwelling.

The decking will afford some views into the gardens of neighbouring properties to the east as well as a habitable window in the rear elevation of Bodieve. However the views are limited as a result of existing vegetation and outbuildings. The eastern edge of the decking will also be partially enclosed by a fence 1.8m high and 1.6m higher than finished floor level of the decking.

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In my opinion the development will not significantly reduce the existing standard of privacy afforded to the dwellings the east, particularly as a similar degree of overlooking is already possible from the garden of Long View and the neighbouring dwelling Eyton View – see below:



**Existing view from garden of Long View towards Bodieve**

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**View towards Bodeive from upper part of decking looking through the lower part of the decking**

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**View from upper part of decking towards garden of Glenburn**

Views of the decking from the gardens of adjacent dwellings are largely obscured by the existing vegetation and outbuildings within their gardens. As such I do not consider the proposals to be unduly overbearing.

**Design:** Despite the elevated nature of the site, particularly in relation to the properties to the rear, the decking is not unduly prominent and once completed will not detract from the appearance of the area.

**CONCLUSION**

The development will not unduly prejudice the standard of privacy afforded to the occupiers of neighbouring dwellings and will not harm the appearance of the area. As such it accords with policy GDP1.

**RECOMMENDATION:** That permission be GRANTED

**CONDITION(S)**

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered H/07 and as contained within the application documentation.

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2. The 1.8m high timber clad fences as shown on approved drawing H/07 shall be provided in full along the southern boundary of the land subject to this planning permission and along the eastern edge of the decking subject to this planning permission. The fences shall thereafter be permanently retained and maintained at the heights shown on drawing H/07.

**REASON(S)**

1. To define the scope of the planning permission
2. To protect the amenities of the occupiers of nearby properties.

**NOTE(S) TO APPLICANT**

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

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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**APPLICATION NO:**  
P/2017 /0794

**LOCATION:**  
1 THE ELMS TALLARN GREEN  
MALPAS  
SY14 7HL

**DATE RECEIVED:**  
21/08/2017

**COMMUNITY:**  
Willington and  
Worthenbury

**DESCRIPTION:**  
OUTLINE APPLICATION FOR 1 NO.  
DWELLING ON LAND WITHIN THE  
CURTILAGE OF 1 THE ELMS

**CASE OFFICER:**  
MP

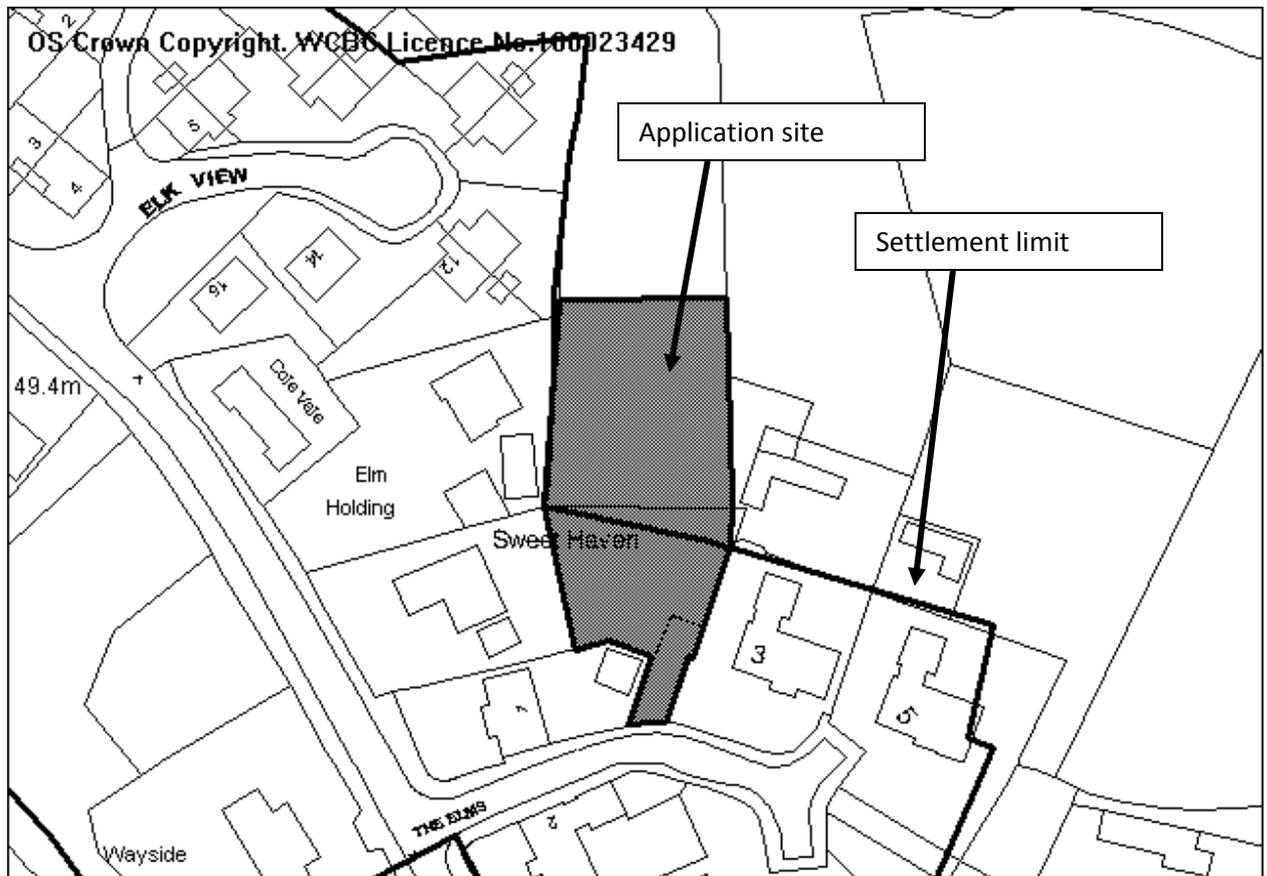
**WARD:**  
Bronington

**APPLICANT(S) NAME:**  
MICHAEL PATON

**AGENT NAME:**  
CARTER JONES  
CHARLENE SUSSUMS-  
LEWIS

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**SITE**



**PROPOSAL**

Outline planning permission is sought. Approval for access is sought at this stage, all other matters are reserved for subsequent approval.

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**HISTORY**

P/2001/0452            Change of uses of land from agriculture to domestic & grazing for horses. Granted 3.7.2001

**PLANNING POLICY**

Partly within settlement limit, partly outside. Part of site also lies within a Special Landscape Area. Policies GDP1, EC4, EC5, EC6, H2, H5 and T8 apply.

**CONSULTATIONS**

Community Council:	Consulted 25.9.2017
Local Member:	Notified 25.9.2017
Public Protection:	Advice of measures to limit impacts during construction.
Highways:	Have the following comments: <ul style="list-style-type: none"><li>- Visibility at the junction of The Elms onto Tallarn Green Road is adequate in the north westerly direction. Visibility in the south-easterly direction is inadequate. Visibility is impeded by the existing hedgerow;</li><li>- The width and visibility for the provide driveway intended to serve the proposed dwelling are considered adequate;</li><li>- There would appear to be adequate parking and turning space within the curtilage of the site;</li><li>- The existing estate road is 4.5m wide. Current adoptable standards require 4.8m;</li><li>- I would not normally support any proposed development that is likely to result in any significant increase in vehicle movements through this substandard access/junction. However the road was adopting in 2001 with no concerns raised in respect of visibility. Planning have also confirmed that there are no breaches of planning conditions at the junction;</li><li>- A study indicates that no accidents have been recorded within 150m of the junction since the road was adopted. It may therefore be difficult to defend a refusal at appeal;</li><li>- No objections on highways grounds. Conditions recommended.</li></ul>
NRW:	No objection.
Welsh Water:	Consulted 25.9.17
Site Notice:	Expired 19.10.17

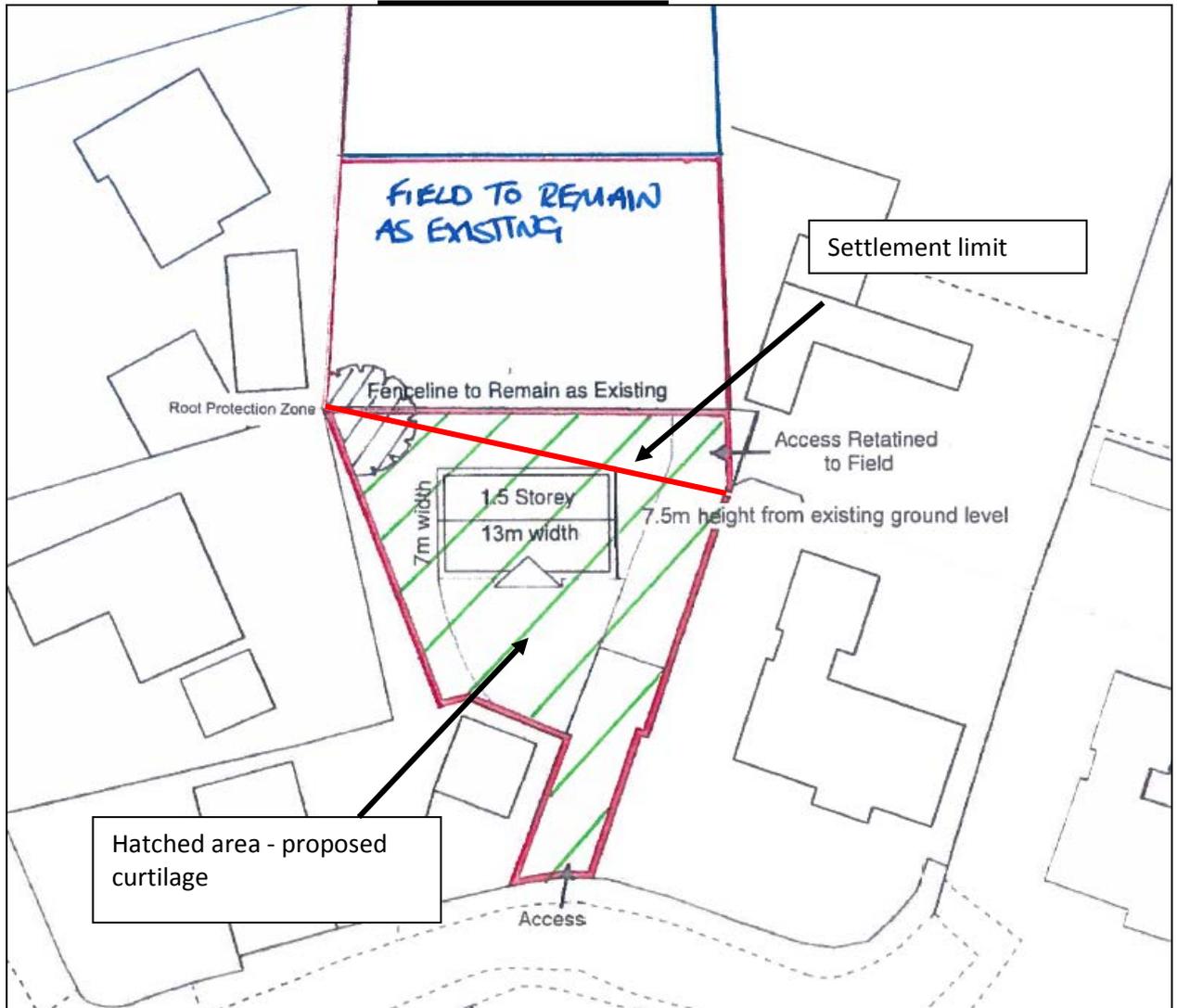
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- Neighbours:                      The owners/occupiers of 7 nearby properties notified 26.9.2017.  
2 objections received expressing the following concerns:
- The proposed development is shown on land located immediately to the rear of a neighbouring property and involves land outside of the settlement limit for use as a garden plot;
  - Loss of daylight;
  - Proximity to boundary;
  - Loss of privacy;
  - Surface water flooding;
  - Foul and surface water drainage due to ground conditions

**SPECIAL CONSIDERATIONS**

**Policy:** The application site straddles the settlement boundary for Tallarn Green, however based on the indicative plan submitted the proposed dwelling would be located entirely within the settlement boundary as would most of its curtilage, however around 15% of the curtilage would lie outside of the settlement limit. The boundary of the curtilage is to follow an existing fence line. Land subject to the application but lying outside of both the proposed curtilage and the settlement limit is to be used for a soakaway and for foul drainage (a septic tank) – see plan below.

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Based on the indicative plans, subject to complying with policy GDP1 in respect of access, siting, design and the impact upon neighbouring properties the position of the proposed dwelling accords with policy H2.

The fact that a small part of the curtilage extends beyond the settlement limit would not be a valid reason to refuse planning permission in this instance. The curtilage of the dwelling is already in use as domestic garden for no.1 The Elms, permission having been granted for that use in 2001. The development will therefore not result in any change in the use or character of that part of the application site.

The installation of surface and foul water drainage systems on land outside of the settlement limit is unlikely to result in any long term harm to the rural landscape.

**Design:** The proposed development is a back land plot located immediately to the rear no.1 The Elms and Sweet Haven, both of which front onto Tallarn

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Green Road, and to the side of no. 3 The Elms. The layout, scale, appearance and landscaping of the site are reserved for subsequent approval however based on the indicative plan a 1.5 storey dwelling is proposed (i.e. a dormer bungalow).

Whilst there are no other back land plots in the vicinity, the intended position of the dwelling does not represent a significant departure from the general pattern of development in the locality to the extent of adversely impacting upon the character of the area. Furthermore opportunities for other similar developments in the vicinity of The Elms do not exist so the proposals do not set an undesirable precedent. Being set back further from the highway than neighbouring dwellings and located behind the garage of no.1, the dwelling will not be unduly prominent within or detract from the street scene.

**Amenity:** Based on the indicative plan it is possible to achieve separation distances to neighbouring properties that accord with Local Planning Guidance Note 21. As such I am satisfied that the development is unlikely to significantly prejudice the standard of amenity afforded to the occupiers of neighbouring dwellings by way of loss of light, privacy or by being overbearing. Nevertheless this matter will be considered in more detail at reserved matters stage.

The access to the property passes between the garage of no.1 The Elms and the side boundary of no.3 The Elms and serves fields owned by the applicant. The erection of 1 dwelling is unlikely generate significantly number of vehicular movements and as such I am confident it won't result in noise or disturbance to the extent that the standard of amenity afforded to occupiers of the latter property is unacceptably reduced.

**Trees:** There is a large mature oak tree of reasonable amenity value in the garden of a neighbouring property but immediately adjacent to the north-west corner of the site. The applicant has submitted a tree survey which demonstrates that the indicative position of the dwelling would lie outside of the root protection area of the tree. Based on the details submitted I am satisfied that subject to protection measures being put in place it will be possible to development the site without adversely impacting upon the tree. The position of the tree is also unlikely to result in significant overshadowing of the garden of the proposed dwelling.

**Access and Parking:** Highways do not object to the application therefore I have no reason to conclude the development is likely to have an unacceptable impact upon highway safety.

There is sufficient space within the intended curtilage of the dwelling to provide parking for the proposed dwelling.

**Drainage:** A neighbour has expressed concerns regarding surface water drainage and based upon their comments it would appear that water has

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flooded the neighbouring garden. However I have not been provided with any detailed evidence for this.

I accept that the development has the *potential* to increase surface water run-off from the site as a result of the dwelling itself and hard-surfaced areas such as a driveway and parking areas. However provided the applicant makes adequate provision for surface water drainage then there is unlikely to be a significant risk of the development increasing the risk of surface water flooding in the vicinity.

Concern has been expressed that the ground conditions are not suitable for foul or surface water drainage systems, although other than the concerns previously referred to, I am unaware of any significant drainage problems arising from the existing dwellings in The Elms. Full details of proposed drainage arrangements will be required by condition.

**CONCLUSION**

The development of the site is unlikely to harm the character of the area, unacceptably harm the amenity afforded to the occupiers of neighbouring properties or give rise to highway safety issues. As such it accords with the relevant UDP policies.

**RECOMMENDATION:** That permission be GRANTED

**CONDITION(S)**

1. Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced:
  - a. the layout of the building(s)
  - b. the scale of the building(s)
  - c. the appearance of the building(s)
  - d. the landscaping of the site
2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
3. The development hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
4. No part of the land subject to this permission shall be used as domestic curtilage other than the area hatched green on the drawing no. 17-3-A4.
5. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating how foul water, surface water and land drainage will be dealt with has been submitted to and

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approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in accordance with a timescale to be agreed as part of the submitted details and maintained thereafter.

6. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 18 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

7. No private surface water run-off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

8. The development shall be carried out in strict accordance with the following plans and report(s) submitted and approved as part of this application:

1) Tree Protection Plan Ref No. SR2

2) Arboricultural Implication Assessment titled 'ARBORICULTURAL REPORT ON AN OAK ADJACENT TO A PROPOSED DEVELOPMENT SITE OFF THE ELMS, TALLARN GREEN, MALPAS', dated October 2017.

No development or other operations shall take place except in strict accordance with the reports as approved.

9. This permission provides for a maximum of 1 dwelling.

### **REASON(S)**

1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012

2. To comply with Section 92 of the Town and Country Planning Act, 1990.

3. To comply with Section 92 of the Town and Country Planning Act, 1990.

4. To avoid the garden area encroaching into the rural landscape.

5. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

6. To ensure that adequate visibility is provided at the proposed point of access to the highway.

7. In the interests of highway safety.

8. To protect trees which are of significant amenity value to the area.

9. To define the scope of the planning permission

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**LIST OF DELEGATED DECISIONS ISSUED**

ERB P/2017/0186 GRANTED 12/10/2017	OLD HALL FARM, ERBISTOCK, WREXHAM, LL13 0DD	ERECTION OF 2 NO. STEEL PORTAL FRAMED BUILDINGS FOR HOUSING LIVESTOCK AND HAY AND STRAW SHELTER)
WRR P/2017/0274 GRANTED 28/09/2017	COLEG CAMBRIA YALE, GROVE PARK ROAD, WREXHAM, LL12 7AB	REPLACEMENT WINDOWS IN COLEG CAMBRIA'S 'M BLOCK' BUILDING TO EAST ELEVATION AND PART OF NORTH AND SOUTH ELEVATIONS
ROS P/2017/0285 APPROVED 22/09/2017	GOLDEN GROVE INN, LLYNDR LANE, BURTON, ROSSETT, WREXHAM, LL12 0AS	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2016/0100: CONDITION 5 - SUBMISSION OF SURFACE WATER DRAINAGE SCHEME
OVE P/2017/0368 GRANTED 05/10/2017	DEANS FARM, KNOLTON BRYN, OVERTON, WREXHAM, LL13 0LF	CONVERSION OF PART OF FIRST FLOOR OF OUTBUILDING TO PROVIDE ACCOMMODATION ANCILLARY TO THE MAIN DWELLING
BRN P/2017/0439 REFUSED 06/10/2017	LAND NORTH OF HIGHER LANES, HIGHER WYCH, MALPAS, WREXHAM, SY13 3AX	ERECTION OF NEW STEEL PORTAL FRAMED LIVESTOCK AND FODDER BUILDING ON AGRICULTURAL LAND
ABE P/2017/0469 GRANTED 04/10/2017	LAND SOUTH EAST OF, SPECTRUM BUSINESS PARK, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9QA	CONSTRUCTION OF ENERGY STORAGE FACILITY AND NEW ACCESS
WRO P/2017/0473 GRANTED 02/10/2017	1-3, VICARAGE HILL, WREXHAM, LL13 7HN	CHANGE OF USE OF GROUND FLOOR FROM A1 TO A3 USE AND CHANGE OF USE OF FIRST AND SECOND FLOOR OFFICE SPACE TO 2 NO. SELF- CONTAINED FLATS
WRC P/2017/0546 GRANTED 02/10/2017	10, GWENFRO, WREXHAM, LL13 8TN	CHANGE OF USE TO RESIDENTIAL (SOCIAL HOUSING)
ROS P/2017/0554 GRANTED 12/10/2017	BURTON HALL, BURTON HALL ROAD, BURTON, ROSSETT, WREXHAM, LL12 0AR	STEEL FRAMED AGRICULTURAL BUILDING EXTENSION FOR STORING MACHINERY AND HAY
BRN P/2017/0559 GRANTED 03/10/2017	ISCOYD PARK, HALL GREEN, ISCOYD, WREXHAM, SY13 3AT	VARIATIONS TO PERMISSION P/2009/0127 TO COACH HOUSE SECTION, INTERNAL AND EXTERNAL VARIATIONS AND ADDITIONAL DETAILS OF CONSERVATORY

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BRN P/2017/0560 GRANTED 03/10/2017	ISCOYD PARK, HALL GREEN, ISCOYD, WREXHAM, SY13 3AT	LISTED BUILDING CONSENT FOR VARIATIONS TO CONSENT P/2009/0128 TO COACH HOUSE SECTION, INTERNAL AND EXTERNAL VARIATIONS AND ADDITIONAL DETAILS OF CONSERVATORY
ROS P/2017/0580 GRANTED 04/10/2017	ROSEMARY GARDENS, BURTON, ROSSETT, WREXHAM, LL12 0LH	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION CODE NO. P/2014/0292: CONDITION 14 - FULL DETAILS OF BOTH HARD AND SOFT LANDSCAPE WORKS
MIN P/2017/0591 GRANTED 28/09/2017	CAE HAIDD, OLD ROAD, BWLCHGWYN, WREXHAM, LL11 5UF	CONVERSION OF BARN TO HOLIDAY LET INCLUDING REBUILDING OF EXISTING OUT-RIGGER AND NEW ROOF
ROS P/2017/0593 GRANTED 18/10/2017	1, MOSS GREEN, ROSSETT, WREXHAM, LL12 0DZ	CONVERSION OF EXISTING GARAGE INTO ADDITIONAL ACCOMMODATION AND ERECTION OF NEW DETACHED GARAGE
ISY P/2017/0612 GRANTED 12/10/2017	GRASSMERE, BOWLING BANK, WREXHAM, LL13 9RR	APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED DEVELOPMENT OF SWIMMING POOL BUILDING
CEF P/2017/0622 GRANTED 22/09/2017	CEFN BYCHAN CHAPEL, NEWBRIDGE ROAD, NEWBRIDGE, WREXHAM, LL14 3JA	LISTED BUILDING CONSENT TO AMEND PREVIOUSLY APPROVED SCHEME CODE NO P/2012/0665 TO INCLUDE INSERTION OF 2 NO. CONSERVATION ROOF LIGHTS TO FORMER SCHOOL ROOM ON SOUTH WEST ELEVATION, NEW SECONDARY TIMBER STAIRCASE WITH OPEN RISERS AND VERTICAL TIMBER NEWEL POSTS TO MATCH THE MAIN STAIRCASE AND FOR THE RELOCATION OF THE BALUSTRADE TO THE LOWER SECTION OF PULPIT AND REMOVAL OF SMALL RAISED PLATFORM
RHO P/2017/0629 GRANTED 23/10/2017	SEION CHAPEL, BANK STREET, PONCIAU, WREXHAM, LL14 1EN	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2014/0200 CONDITION 17 - SUBMISSION OF DETAILS OF ALL NEW AND REPLACEMENT WINDOWS AND DOORS
RHO P/2017/0632 GRANTED 28/09/2017	2, ROSSE AVENUE, JOHNSTOWN, WREXHAM, LL14 2TG	CONSERVATORY EXTENSION

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PEN P/2017/0634 GRANTED 03/10/2017	PANT PLAYING FIELD, OFF STRYT ISSA, PENYCAE, WREXHAM, LL14 2PN	ERECTION OF COMMUNITY FACILITY FOR RHOS RFC
GWE P/2017/0638 GRANTED 02/10/2017	RAILBRIDGE COURT, MAIN ROAD, RHOSROBIN, WREXHAM, LL11 4RL	CHANGE OF USE FROM OFFICES TO BEAUTY AND HAIRDRESSING SALON
BRY P/2017/0646 GRANTED 02/10/2017	FORMER BRYMBO STEELWORKS SITE, BLAST ROAD, BRYMBO, WREXHAM, LL11 5BT	CONVERSION OF FORMER MACHINE SHOP TO EXHIBITION AREA (USE CLASS D1), BUSINESS USE (USE CLASS B1) AND GENERAL INDUSTRIAL USE (USE CLASS B2), INCLUDING CONSTRUCTION OF NEW FLOOR LEVEL, INTERNAL AND EXTERNAL ALTERATIONS, ACCESS AND PARKING ARRANGEMENTS, ERECTION OF 2 TEMPORARY SHIPPING CONTAINERS AND 3 TEMPORARY CABINS
CEI P/2017/0647 REFUSED 06/10/2017	WEST ARMS HOTEL, LLANRHAADR ROAD, LLANARMON DYFFRYN CEIRIOG, LLANGOLLEN, LL20 7LD	LISTED BUILDING CONSENT FOR DEMOLITION OF EXISTING EXTENSION AND ERECTION OF NEW TWO-STOREY EXTENSION
CEI P/2017/0648 REFUSED 06/10/2017	WEST ARMS HOTEL, LLANRHAADR ROAD, LLANARMON DYFFRYN CEIRIOG, LLANGOLLEN, , LL20 7LD	DEMOLITION OF EXISTING EXTENSION AND ERECTION OF NEW TWO-STOREY EXTENSION
CEF P/2017/0649 REFUSED 02/10/2017	5 BANK COTTAGE, WATERLOO PLACE, CEFN MAWR, WREXHAM, LL14 3AS	ERECTION OF 1 NO. 3 BED DWELLING
LLR P/2017/0660 GRANTED 19/10/2017	THE MOORINGS, LIMEKILNS, HOLYHEAD ROAD, FRONCYSYLLTE, LLANGOLLEN, LL20 7RA	LISTED BUILDING CONSENT TO DISPLAY SIGN AND PROVIDE ENCLOSURE TO KILN (IN RETROSPECT)
ROS P/2017/0676 GRANTED 28/09/2017	THREE ACRES, ROSEMARY LANE, BURTON, ROSSETT, WREXHAM, LL12 0LA	TWO-STOREY AND SINGLE-STOREY EXTENSIONS TO DWELLING
LLR P/2017/0681 GRANTED 20/09/2017	LLWYNFAN, GARTH ROAD, GARTH, WREXHAM, LL20 7UY	ERECTION OF TIMBER SUMMERHOUSE/SHED (PARTLY IN RETROSPECT)
CHI P/2017/0683 GRANTED 02/10/2017	THE LODGE, BLACK PARK, CHIRK, WREXHAM, LL14 5AU	ERECTION OF TIMBER SHED
HOL P/2017/0685 REFUSED 28/09/2017	CAE FFYNNON, HOLT ROAD, LLAN Y PWLL, WREXHAM, LL13 9SA	ERECTION OF DETACHED TRIPLE GARAGE
HOL P/2017/0686 GRANTED 02/10/2017	THE CHIMES, 5 VICARAGE COURT, HOLT, WREXHAM, LL13 9AL	REPLACEMENT OF ALL WOODEN WINDOWS WITH UPVC WINDOWS (ON A LIKE FOR LIKE BASIS)

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WRA P/2017/0688 GRANTED 09/10/2017	THE COTTAGE, 2 MAESYDRE ROAD, WREXHAM, LL12 7AS	T8 CHERRY - REMOVE 5 IDENTIFIED SECONDARY BRANCHES FROM OVER ROADSIDE, REMOVE ALL BRANCH STUBS, PRUNE INDIVIDUAL BRANCHES TO PROVIDE 1M CLEARANCE FROM UTILITY LINE (PROTECTED BY TPO WMBC NO. 21)
GWE P/2017/0689 GRANTED 02/10/2017	RAILBRIDGE COURT, MAIN ROAD, RHOSROBIN, WREXHAM, LL11 4RL	DISPLAY OF 2 NO FASCIA SIGNS (IN RETROSPECT)
OVE P/2017/0692 GRANTED 04/10/2017	KNOLTON HALL, OSWESTRY ROAD, OVERTON, WREXHAM, LL13 0LG	ALTERATIONS AND SINGLE-STOREY EXTENSION TO DWELLING
RUA P/2017/0694 GRANTED 02/10/2017	RUABON BUSINESS PARK SITE, ADJACENT TO A483, RUABON, WREXHAM, LL14 6TE	APPLICANT FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2014/0021: CONDITION 15 - CONFIRMATION OF COMPLETION OF UPGRADE OF SEWERAGE NETWORK CONDITION 22- SUBMISSION OF A FARMLAND BIRD MANAGEMENT PLAN INCLUDING DETAILS OF OFF-SITE HABITAT CREATION
COE P/2017/0697 GRANTED 12/10/2017	FRONDEG, HIGH STREET, COEDPOETH, WREXHAM, LL11 3UF	FRONT PORCH EXTENSION
WRR P/2017/0698 GRANTED 19/09/2017	35, HOPE STREET, WREXHAM, LL11 1BB	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION REF NO. P/2017/0485: CONDITION 4 - DETAILS OF ENTRANCE DOOR
ISY P/2017/0701 GRANTED 12/10/2017	THE GABLES, HOLT ROAD, BOWLING BANK, WREXHAM, LL13 9RN	ERECTION OF GARAGE
RUA P/2017/0703 GRANTED 28/09/2017	LAND SOUTH OF EXISTING SUBSTATION, PLAS BENNION ROAD, PENYCAE, WREXHAM, LL14 6RN	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PERMISSION P/2015/0623 TO AMEND SITE LAYOUT AND DESIGN ELEVATIONS
WRO P/2017/0706 GRANTED 03/10/2017	6B, BELMONT ROAD, WREXHAM, LL13 7PW	CONVERSION OF GARAGES BLOCK AND FLAT OVER INTO 3 BEDROOM DWELLING
WRA P/2017/0707 GRANTED 28/09/2017	37, ELM GROVE, WREXHAM, LL12 7NR	TWO-STOREY SIDE EXTENSION
RUA P/2017/0710 GRANTED 05/10/2017	LLWYN HOWEL COTTAGE, 20 WYNNSTAY COURT, WYNNSTAY HALL ESTATE, RUABON, WREXHAM, LL14 6LA	LISTED BUILDING CONSENT FOR INSTALLATION OF REPLACEMENT UPVC WINDOWS ON FRONT OF PROPERTY

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RUA P/2017/0711 GRANTED 05/10/2017	LLWYN HOWEL COTTAGE, 20 WYNNSTAY COURT, WYNNSTAY HALL ESTATE, RUABON, WREXHAM, LL14 6LA	INSTALLATION OF REPLACEMENT UPVC WINDOWS ON FRONT OF PROPERTY
WRO P/2017/0712 REFUSED 03/10/2017	EDEN HOUSE, 2 BATH ROAD, WREXHAM, LL13 7PN	DISPLAY OF 1 NO. FREE-STANDING DOUBLE SIDED-SIGN
GRE P/2017/0716 GRANTED 05/10/2017	ROFTLEE, SPRINGFIELD LANE, MARFORD, WREXHAM, LL12 8TF	REMOVAL OF 3 NO SELF-SEEDED HOLLY TREES ALONGSIDE CHESTER ROAD. CROWN REDUCTION BY 1.0 - 2.0 M AND RE-SHAPING OF 3 NO. YEW TREES TO CREATE ONE SINGLE FEATURE. RAISE CROWN OF BEECH TREE TO PROVIDE 6 M CLEARANCE FROM GROUND LEVEL AND 2M CLEARANCE OVER ADJACENT GARAGE ROOF AND CROWN THINNING BY UP TO 15% (PROTECTED BY MARFORD CONSERVATION AREA)
WRA P/2017/0717 GRANTED 02/10/2017	STRATHMORE SURGERY, 26 TO 28, CHESTER ROAD, WREXHAM, LL11 2SA	EXTENSION AND ALTERATION TO ENTRANCE LOBBY TO INCLUDE NEW ACCESS RAMP AND STEPS
ERB P/2017/0718 GRANTED 03/10/2017	THE PLASSEY CARAVAN PARK, EYTON, WREXHAM, LL13 0SP	AMENDMENTS TO PLANNING PERMISSION REF: P/2015/0387 TO REDUCE NUMBER OF GLAMPING PODS FROM 18. NO TO 10. NO, ADDITION OF 4 NO. SAFARI TENTS, AND AMENDMENTS TO LAYOUT AND LANDSCAPING WORKS
WRO P/2017/0719 REFUSED 01/10/2017	BEECHLEY HOUSE, 73 RUABON ROAD, WREXHAM, LL13 7PU	INSTALLATION OF REPLACEMENT WINDOWS
GRE P/2017/0720 GRANTED 10/10/2017	CASTLE STABLES, SPRINGFIELD LANE, MARFORD, WREXHAM, LL12 8TF	1 NO. OAK TREE - REMOVE DEAD BRANCHES AND REDUCE HEIGHT AND SHAPE BY 15% (TREE PROTECTED BY GRESFORD CONSERVATION AREA)
WRO P/2017/0721 GRANTED 20/10/2017	EDEN HOUSE, 2 BATH ROAD, WREXHAM, LL13 7PN	WALNUT TREE (T1) REMOVE OF TWO LOWER LIMBS, OVERHANGING PARKING AREA, BACK TO TRUNK (OBSTRUCTING VEHICLES, CCTV AND REDUCING LIGHT) TREE PROTECTED BY TPO WMBC NO. 158 AND WITHIN FAIRY ROAD CONSERVATION AREA

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WRO P/2017/0722 GRANTED 09/10/2017	44, PERCY ROAD, WREXHAM, LL13 7EF,	SECTION DISMANTLE LABURNUM TREE AND SYCAMORE TREE ADJACENT PUBLIC FOOTPATH AND EITHER STUMP GRINDING OR CHEMICAL APPLIES TREATMENT TO TREE STUMPS (TREE PROTECTED BY FAIRY ROAD CONSERVATION AREA)
WRA P/2017/0724 REFUSED 03/10/2017	188, CHESTER ROAD, WREXHAM, LL12 8DS	ERECTION OF FENCE ON TOP OF EXISTING STONE WALL (IN RETROSPECT)
GRE P/2017/0726 GRANTED 09/10/2017	THE CHANCEL, 4, CHURCH GREEN, GRESFORD, WREXHAM, LL12 8RJ	1 NO. SYCAMORE TREE - REDUCE MID AND LOWER PORTION OF CANOPY, OVER GARDEN AREA ONLY, APPROX IN LINE WITH BIRD BATH/FOUNTAIN, PRUNE TO MAINTAIN EXISTING FORM 1 NO. ASH TREE - POLARD TO PREVIOUS POINTS (APPROXIMATELY 5.0M IN HEIGHT) ENSURE RETENTION OF JUVENILE SHOOTS AND YOUNG EPICORMICS WHERE POSSIBLE
ISY P/2017/0727 REFUSED 19/10/2017	HIGHER OAK, OAK ROAD, WREXHAM, LL13 9RG	CONVERSION, INCLUDING EXTENSIONS AND ALTERATIONS TO EXISTING BARN BUILDING TO FORM 2 NO. SELF CONTAINED UNITS FOR FAMILY NEEDS, ERECTION OF DETACHED DOUBLE GARAGE WITH BAT LOFT ABOVE AND CONSTRUCTION OF NEW VEHICULAR ACCESS FROM OAK ROAD TO SERVE UNIT NO. 2
OVE P/2017/0729 GRANTED 10/10/2017	1 MILLWOOD RISE, SALOP ROAD, OVERTON, WREXHAM, LL13 0EL	REMOVE 4 NO. BLUE CYPRESS TREES OVERHANGING PAVEMENT (PROTECTED BY OVERTON CONSERVATION AREA) AND PLANT REPLACEMENT HEDGE
RUA P/2017/0731 GRANTED 19/10/2017	WYNNSTAY ARMS HOTEL, HIGH STREET, RUABON, WREXHAM, LL14 6BL	LISTED BUILDING CONSENT FOR ALTERATIONS AND REFURBISHMENTS TO INCLUDE NEW LAYOUT, NEW STAIRCASE AND FORMATION OF 5 NO ADDITIONAL LETTING BEDROOMS, CONSTRUCTION OF EXTERNAL PAVED AREA / BEER GARDEN ADJACENT TO REAR ENTRANCE AND ENCLOSED BIN STORE AROUND KITCHEN ENTRANCE AND ALTERATIONS TO EXISTING VEHICULAR ACCESS FROM HIGH STREET

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RUA P/2017/0732 GRANTED 19/10/2017	WYNNSTAY ARMS HOTEL, HIGH STREET, RUABON, WREXHAM, LL14 6BL	ALTERATIONS AND REFURBISHMENTS TO INCLUDE NEW LAYOUT, NEW STAIRCASE AND FORMATION OF 5 NO ADDITIONAL LETTING BEDROOMS, CONSTRUCTION OF EXTERNAL PAVED AREA / BEER GARDEN ADJACENT TO REAR ENTRANCE AND ENCLOSED BIN STORE AROUND KITCHEN ENTRANCE AND ALTERATIONS TO EXISTING VEHICULAR ACCESS FROM HIGH STREET
CHI P/2017/0733 GRANTED 28/09/2017	130, BRON Y WAUN, CHIRK, WREXHAM, LL14 5PW	SINGLE-STOREY REAR EXTENSION
RUA P/2017/0735 GRANTED 04/10/2017	1, LINDISFARNE CLOSE, RUABON, WREXHAM, LL14 6BQ	CONSERVATORY EXTENSION
WOR P/2017/0737 GRANTED 02/10/2017	OAKS FARM, WILLINGTON, MALPAS, WREXHAM, SY14 7LD,	APPLICATION FOR PRIOR NOTIFICATION OF PROPOSED AGRICULTURAL BUILDING - OPEN-FRONTED BARN TYPE BUILDING FOR STORAGE OF STRAW / MACHINERY
WOR P/2017/0740 GRANTED 12/10/2017	WHALEBONE HOUSE, PLASSEY LANE, WILLINGTON, MALPAS, SY14 7LS	ERECTION OF MACHINE STORE AND WORKSHOP BUILDING FOR AGRICULTURAL PURPOSES
BRY P/2017/0741 GRANTED 02/10/2017	10, RUTHIN ROAD, BWLCHGWYN, WREXHAM, LL11 5UT	GROUND AND FIRST FLOOR EXTENSION TO DWELLING, CHANGE OF USE OF COMMERCIAL GARAGE AND ASSOCIATED LAND TO DOMESTIC USE AND INCORPORATION INTO RESIDENTIAL CURTILAGE
LGC P/2017/0745 GRANTED 12/10/2017	LAST EAST OF CEMETERY, CHURCH HILL, GLYN CEIRIOG, WREXHAM, LL20 7DN	INSTALLATION OF 2ND UNDERGROUND SUPPLY TO BE TAKEN FROM EXISTING OVERHEAD SERVICE LINE (IN RETROSPECT)
BRY P/2017/0748 GRANTED 03/10/2017	CEFN FARM, CEFN ROAD, BWLCHGWYN, WREXHAM, LL11 5YD	CONVERSION OF REDUNDANT FARM BUILDING TO DWELLING
WRR P/2017/0751 GRANTED 05/10/2017	TY NI, NEW ROAD, WREXHAM, LL11 2HD	CHANGE OF USE FROM PUBLIC OPEN SPACE TO GARDEN USE
HOL P/2017/0752 GRANTED 09/10/2017	CORNISH HALL BARNES, WREXHAM ROAD, HOLT, WREXHAM, LL13 9SW	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2017/0341: CONDITION 4 - SUBMISSION OF ECOLOGY COMPLIANCE AUDIT REPORT

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WRA P/2017/0753 GRANTED 19/10/2017	8, WESTMINSTER DRIVE, WREXHAM, LL12 7AU	SINGLE-STOREY EXTENSION
GRE P/2017/0754 GRANTED 02/10/2017	SUNNYCROFT, BORRAS ROAD, BORRAS HEAD, WREXHAM, LL13 9TN	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2015/0497 TO ALLOW EXTERNAL FACING MATERIALS TO BE RENDER TO MATCH THE EXISTING ASSOCIATED DWELLING
RUA P/2017/0757 GRANTED 05/10/2017	Y BERLLAN, DININLLE FARM ROAD, RUABON, WREXHAM, LL14 6LP	RELAXATION OF CONDITION NO 2 IMPOSED UNDER PLANNING PERMISSION P/2016/0987 TO ALLOW AMENDMENTS TO APPROVED PLANS
HOL P/2017/0763 GRANTED 19/10/2017	THE COTTAGE, SMITHFIELD STREET, HOLT, WREXHAM, LL13 9YY	DEMOLITION OF LEAN-TO, REMOVAL OF BAY WINDOW TO KITCHEN AND UPVC REAR PORCH AND ERECTION OF TWO-STOREY EXTENSION
ESC P/2017/0766 GRANTED 19/10/2017	ESCLUSHAM HALL FARM, TALWRN ROAD, LEGACY, WREXHAM, LL14 4ES	LISTED BUILDING CONSENT FOR THE CLOSURE OF AN OPENING WITHIN THE NEW SEPARATING BOUNDARY
RHO P/2017/0768 GRANTED 27/09/2017	LAND NORTH OF, 8 GRANGO LANE, PONCIAU, WREXHAM, LL14 1ER	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2017/0604 TO CHANGE THE SITE LAYOUT AND TO DELETE CONDITION NO. 9 RELATING TO LAYOUT DETAILS, AND TO VARY CONDITION NOS. 1 RELATING TO PLAN REFERENCES AND 3 RELATING TO GROUND MOVEMENT REMEDIAL STRATEGY
HOL P/2017/0773 GRANTED 12/10/2017	HILLSIDE FARM, HOLT ROAD, LLAN Y PWLL, WREXHAM, LL13 9SA	CONSTRUCTION OF NEW VEHICULAR ACCESS
BRO P/2017/0774 REFUSED 19/10/2017	STATION HOUSE, SOUTHSEA ROAD, SOUTHSEA, WREXHAM, LL11 6PP	TWO-STOREY SIDE EXTENSION
WRA P/2017/0775 GRANTED 11/10/2017	212, CHESTER ROAD, WREXHAM, LL12 8DT	APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED DEVELOPMENT - SINGLE- STOREY REAR EXTENSION
BRN P/2017/0777 PRIOR APP NR 05/10/2017	NEW HOUSE FARM, AROWRY LANE, EGLWYS CROSS, WREXHAM, SY13 2JU	APPLICATION FOR PRIOR NOTIFICATION OF PROPOSED AGRICULTURE BUILDING - EXTENSION TO EXISTING BUILDING TO HOUSE LIVESTOCK (CALVES WELFARE)
MIN P/2017/0784 GRANTED 04/10/2017	PARK FARM, MINERA MOUNTAIN ROAD, MINERA, WREXHAM, LL11 3DR	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2014/0347 TO ALTER EXTERNAL APPEARANCE OF DWELLING

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LLA P/2017/0786 GRANTED 04/10/2017	SITE OF FORMER SHARP PRECISION WAREHOUSE, DAVY WAY, LLAY INDUSTRIAL ESTATE, LLAY, WREXHAM, LL12 0PB	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2015/0583 TO AMEND THE DESIGN OF THE BUILDING THE STAFF CAR PARK AND ATTENUATION POND
BRY P/2017/0788 GRANTED 25/09/2017	KARINYA COTTAGE, WESLEY ROAD, BWLCHGWYN, WREXHAM, LL11 5UY	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2016/0513 TO ALLOW ADDITION OF 3 NO. ROOF LIGHTS
BAN P/2017/0791 GRANTED 19/10/2017	TRISTAN, 5 ABBEYGATE WALK, BANGOR ON DEE, WREXHAM, LL13 0BA	SINGLE-STOREY SIDE EXTENSION
BRO P/2017/0793 GRANTED 12/10/2017	1, PENRALLT, PENTRE BROUGHTON, WREXHAM, LL11 6BQ	APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED DEVELOPMENT OF A SINGLE STOREY REAR EXTENSION
HOL P/2017/0797 GRANTED 28/09/2017	GOURTON HALL, BORRAS HALL LANE, BORRAS, WREXHAM, LL13 9SH	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION 3 IMPOSED UNDER PLANNING PERMISSION P/2017/0422: CONDITION 3 - SUBMISSION OF SAMPLE(S) OF THE FACING AND ROOFING MATERIALS
MAR P/2017/0810 REFUSED 10/10/2017	PLAS EYTON, SONTLEY, WREXHAM, LL13 0YD	APPLICATION FOR NON MATERIAL AMENDMENT TO PLANNING PERMISSION P/2015/0537 FOR ROOF LINE TO BE RAISED TO MATCH EXISTING ROOF LINE OF REAR PROJECTING WING OF THE HOUSEHOLD CHANGES TO SIZE AND SHAPE OF SOME WINDOWS
SES P/2017/0811 GRANTED 12/10/2017	MAELOR FOODS, PICKHILL LANE, CROSS LANES, WREXHAM, LL13 0UE	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2015/0838 TO AMEND DETAILS OF SITING AND DESIGN
PEN P/2017/0812 GRANTED 20/10/2017	PENYCAE INFANTS SCHOOL, COPPERAS HILL, PENYCAE, WREXHAM, , LL14 2SD	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2016/0530 :- CONDITION 2 - SAMPLES OF ALL EXTERNAL FACING AND ROOFING MATERIALS CONDITION 4 - SUBMISSION OF VERIFICATION REPORT

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SES P/2017/0815 GRANTED 04/10/2017	FORMER CROSS LANES HOTEL, BANGOR ROAD, CROSS LANES, WREXHAM, LL13 0TF	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2016/0953 TO CHANGE WINDOW FRAME MATERIAL TO PVCU FRAMES TO SIDE AND REAR ELEVATIONS OF APPROVED EXTENSION (FRONT ELEVATION TO REMAIN IN TIMBER AS APPROVED)
BRN P/2017/0854 GRANTED 19/10/2017	TYBROUGHTON HALL, TYBROUGHTON HALL ROAD, TYBROUGHTON, WREXHAM, SY13 3BB	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2015/0780 TO ENLARGE THE GLAZED DINING AREA LINK FROM 3.4M TO 5.0M