



<b>REPORT TO:</b>	Planning Committee
<b>REPORT NO.</b>	HEP/11 /18
<b>DATE:</b>	5 November 2018
<b>REPORTING OFFICER:</b>	Head of Environment and Planning
<b>CONTACT OFFICER:</b>	Matthew Phillips (Ext 8780)
<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 – 5<sup>th</sup> NOVEMBER 2018**

<b>Community</b>	<b>Code No</b>	<b>Applicant</b>	<b>Recommendation</b>	<b>Pages</b>
HOL	P/2017 /0527	LIBERTY PROPERTIES DEVELOPMENT LTD	GRANT	12 – 37
BRY	P/2017 /0642	GOWER HOMES	GRANT	38 – 45
ESC	P/2017 /0687	MR JOHN LODWICK	REFUSE	46 – 51
WRR	P/2017 /0843	MR N CUNNINGHAM	GRANT	52 – 68
SES	P/2018 /0138	RESIDENTIAL LAND PROMOTIONS LTD	GRANT	69 – 78
RUA	P/2018 /0277	MRS L AISTON	GRANT	79 – 87
LLA	P/2018 /0426	MR J CHADWICK	REFUSE	88 – 95
BAN	P/2018 /0462	MR A REEVES	GRANT	96 – 101
GRE	P/2018 /0599	MR P HUGHES	REFUSE	102 – 107
RUA	P/2018 /0640	MR G HAMER	GRANT	108 – 113
WOR	P/2018 /0664	MR DORIAN HOPKINS	GRANT	114 – 118
WRR	P/2018 /0684	THE MANDALE GROUP	GRANT	119 – 126
WRC	P/2018 /0719	MR ALAN FRANCIS	GRANT	127 – 135
ESC	P/2018 /0724	TALWRN FARMS LTD MR PETER MOLLOY	GRANT	136 – 143
GWE	P/2018 /0738	LLAY UNITED YOUTH FC	GRANT	144 – 147
MIN	P/2018 /0740	AGL-LEISURE LTD MR JAMES BEAUMONT	GRANT	148 – 151
ABE	P/2018 /0762	MRS KAYLEIGH NICHOLLS	GRANT	152 – 154
WRO	P/2018 /0772	MR JENNIS KONADAN	GRANT	155 – 166
WRA	P/2018 /0793	THE SALVATION ARMY	GRANT	167 – 169
HAN	P/2018 /0795	MR R E FORRESTER	REFUSE	170 – 183
ISY	P/2018 /0825	MR DAVID BRERETON	GRANT	184 – 189
HOL	P/2018 /0836	MRS S LEA - MURRAY	GRANT	190 -194

Total Number of Application Included in Report = 22

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

All plans included in this report are re-produced from Ordnance Survey Mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

WCBC Licence No. LA0902IL

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 – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2017 /0527	<b>LOCATION:</b> LAND WEST OF WREXHAM GOLF CLUB HOLT ROAD LLANYPWLL WREXHAM, LL13 9SB	<b>DATE RECEIVED:</b> 06/04/2017
<b>COMMUNITY:</b> Holt	<b>DESCRIPTION:</b> OUTLINE APPLICATION (WITH ALL MATTERS RESERVED APART FROM ACCESS) FOR ROADSIDE SERVICES INCORPORATING A PETROL FILLING STATION WITH ANCILLARY KIOSK AND ASSOCIATED CAR PARKING AND WORKS	<b>CASE OFFICER:</b> SEH
<b>WARD:</b> Holt		<b>AGENT NAME:</b> DPP MR JONATHAN BURNS
	<b>APPLICANT(S) NAME:</b> MR EMYR WILLIAMS LIBERTY PROPERTIES DEVELOPMENT LTD	

---

**Background:** Members will recall that this application was presented to the August 2018 planning committee meeting. Members resolved at that meeting to defer the application to enable further details to be provided in respect of potential speed reduction measures at the roundabout, for further consideration.

Further information has now been received which I have set out below including the consultation responses. I have set out the consultation responses received only where they relate to the proposed improvements to the roundabout. I do not intend to return to the matters of principle etc. already discussed at length during the previous committee meeting, and this report refers only to the highway matters for which the application was deferred.

**Consultations:**

Community Council:	Notified 02/10/2018
Adjacent Community Council:	Has concerns about the camber at the Golf Club exit from the Holt Road Roundabout. It also wishes to highlight that the Draft Local Development Plan currently under consideration proposes 600 additional properties on land adjoining the Holt Road Roundabout. The main access to the proposed development will be via the Holt Road Roundabout and this will have a considerable impact on the level of traffic at this interchange. The Community Council objects to the findings of the Traffic survey and study which it believes to be untypical in

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

analysis and not truly representative due to the timing of the Study on a Thursday afternoon at the end of August as many regular users of this roundabout will have been on annual leave. The Community Council recommends that a further survey is carried out under more normal and representative traffic conditions.

Local Member:

Notified 02/10/2018

Adjacent Local Member:

Notified 02/10/2018

Highways:

Consulted 02/10/2018

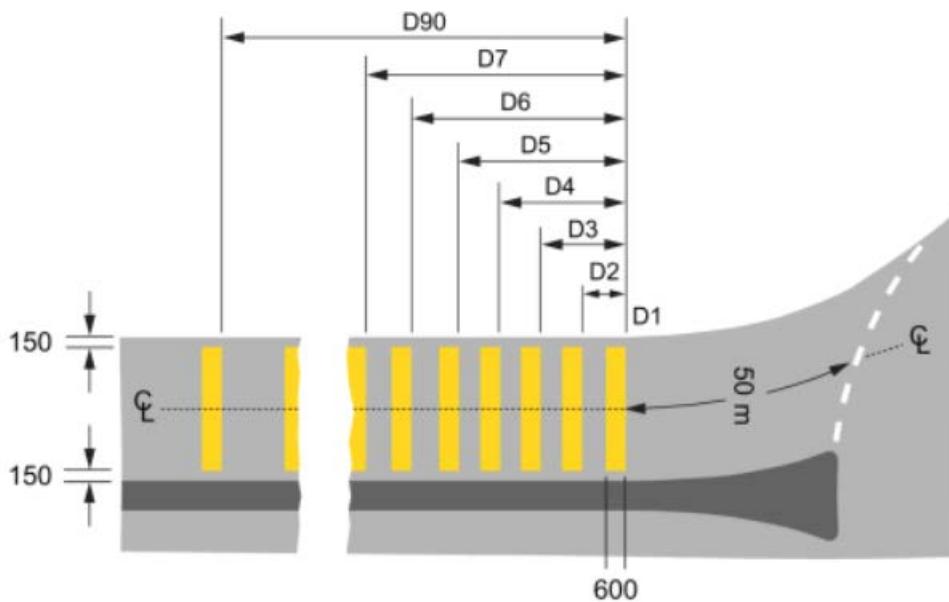
Neighbours:

3 responses received:

- The statement of the Applicant that 'speeds do not appear excessive based on the nature of the roundabout' is a subjective one, and also an expected one given that it supports the application. I can assure you that speeds are excessive and I anticipate that a major accident involving fatalities is already on the cards. Adding traffic to this exit will only exacerbate the situation;
- The report from Sanderson associates regarding speed and accidents on the roundabout of the A5156/A534 is outdated on the incidents on the roundabout in question, surely you need up to date information to provide a report , the records are up to September 2017, we are now approaching 2019 and there has been numerous incidents this year, with the increased traffic for the new prison;
- The radar speed reports are not a real life picture of the true speed of vehicles travelling that road up to the roundabout. At night when traffic is lighter, the speed at which people enter the roundabout is extreme, if no vehicle are coming from the right, they literally don't slow which would make vehicles exiting the proposed fuel station a real danger;
- There is no mention what so ever about pedestrian access to the site, which I find absolutely crazy, this sort of development will attract children from neighbouring estates and crossing to the proposed site would be extremely dangerous. I strongly recommend that this development be refused on safety grounds and duty of care for pedestrian access;

- Despite what the Applicant has submitted, the adjacent golf club staff and members have reported serious concerns about extra traffic using the access. The Crash Map site only reports police logged incidents and there are likely to be more accidents as a result of the considerable additional traffic which will be created by the proposed development using this access (which was only ever designed for access to the field).

**Highway Submission:** The A5156 / A534 / Holt Road roundabout has been enlarged in recent years and has been designed to conform to the design standards that applied at that time. The A5156 arm is provided with a roundabout ahead warning sign to reduce speed, a large roundabout map sign and 3 count down marker signs (100, 200 and 300 yards). The consultant has discussed with highway officers whether the introduction of yellow transverse bar markings on the A5156 would be considered as an improvements option to slow traffic speeds at the junction (see figure 1 below). Whilst this is an option for members to consider, there are concerns about the potential for noise disturbance for residential properties nearby. This though should be balanced against the background noise already associated with the traffic using the highway which is unlikely to significantly increase as a result of a scheme of bar markings.



*Figure 1. Example of Transverse Markings*

The consultant has also looked at alternative options should the committee feel that yellow transverse bar markings are inappropriate. Further site assessment work has been undertaken (on Wednesday 30 August) to review the prevailing

highway conditions and vehicle speeds. The results were that traffic conditions appeared regular with no extensive queues or delays. Throughout the site visit the weather was sunny/fine and the road surface was dry. Radar speed surveys were also undertaken on this date, recording vehicle speeds approaching the give-way line, vehicles on the circulatory (adjacent to the golf club arm) and on the A5156 at the 200 yard marker sign. The speed surveys were carried out in both lanes and in free flowing conditions. The data below provides a summary of the speeds recorded:

Average Speed

1. A5156 Give-way approach inside lane 104 23.3 mph - 21.9 mph
2. A5156 Give-way approach outside lane 32 20.8 mph - 19.7 mph
3. A5156 / A534 circulatory inside lane 100 26.8 mph - 23.3 mph
4. A5156 / A534 circulatory outside lane 100 27.8 mph- 26.0 mph
5. A5156 at 200 yard marker inside lane 100 55.9 mph - 51.3 mph
6. A5156 at 200 yard marker outside lane 37 61.2 mph - 56.2 mph

The speeds recorded were not excessive based on the nature of the roundabout and the connection it provides between the two strategic routes (the A5156 and the A534). The consultant then undertook to investigate why the reported accidents happened in this location. The Personal Injury Accident history within the vicinity of the site was studied using the Crash map website. This online tool identifies all recorded incidents which have occurred in the most recently available 5 year period (up to September 2017). The date revealed that four collisions have occurred at the A5156 / A534 roundabout (3 slight severity incidents and 1 serious incident). One incident occurred in 2013, one in 2014 (serious) and two in 2015. None have been recorded for 2016 and part (9 months) of 2017. No accidents are recorded involving pedestrians.

The most serious incident happened on the 31 October 2014 (ref: R171927), involving a car and pedal cyclist, and occurred on the A534 at its junction with the A5156 roundabout (in daylight and on dry road surface). The accident description indicated that a car was approaching the roundabout and clipped the rear wheel of the cyclist who fell off the cycle and broke his ankle. A summary of the slight severity incidents is given below:-

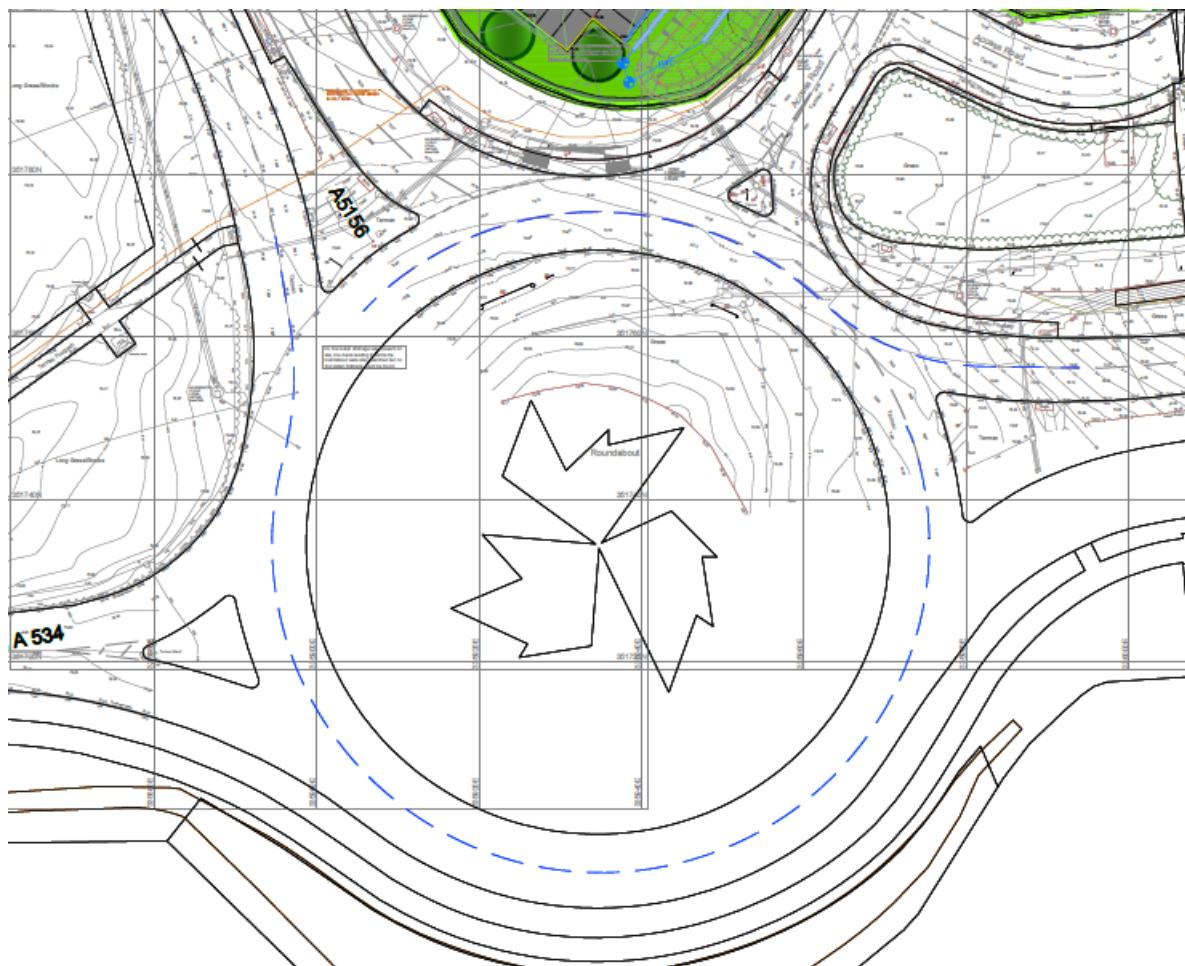
**A5156 / A534 / Holt Road roundabout junction**

- 1) Poor manoeuvre on roundabout, vehicle using lane 1 to perform a U-turn (ref: P064123, 2013);
- 2) Failure to give way on Holt Road approach to roundabout (ref: S094581, 2015);
- 3) Poor manoeuvre on roundabout after both vehicles enter roundabout, vehicle using lane 1 performs a U-turn returning to Holt Road (ref: S192530, 2015) colliding with second vehicle.

The accident analysis has not identified any material personal injury accident problems on the highway network at the roundabout. However, the highway officer has indicated that other incidents (damage only) have occurred at the roundabout exit on to the A534 which is a pre-existing issue after the

roundabout was improved to its present layout. No specific information about these incidents is available.

This analysis indicates that the accidents in this location relate to the exiting from the circulatory carriageway to the A534 arm. With this in mind, there is an option to introduce concentric-spiral markings on the circulatory, with the markings in this case designed to lead the outermost lane off at the desired exit (see figure 2 below).



*Figure 2. Concentric Markings*

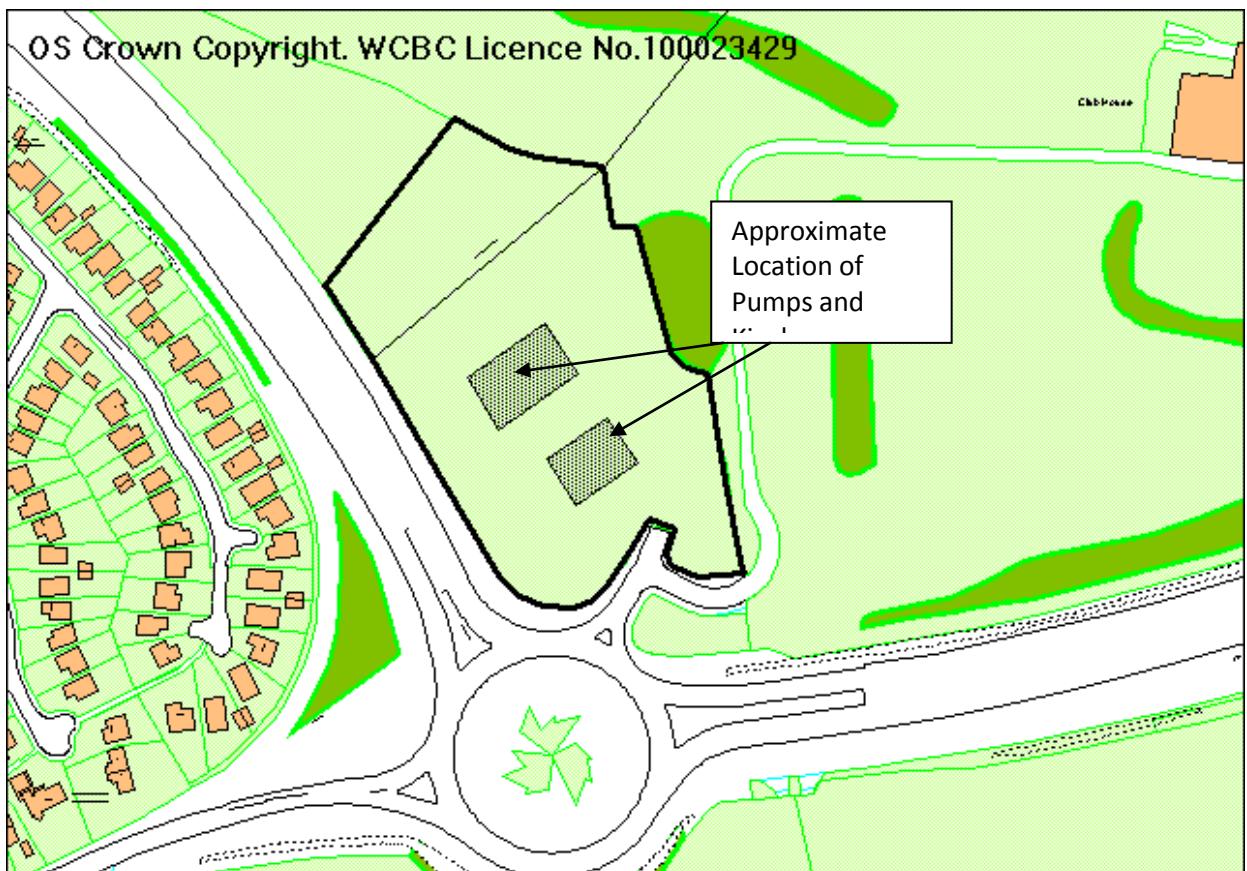
The committee is therefore requested to consider both the options to slow traffic (yellow transverse bar markings) and /or improve layout of the roundabout (concentric-spiral markings).

For the benefit of Members, my original report follows along with my unchanged recommendation that planning permission should be granted.

*Original report*

### **THE SITE**

The site is bounded to the north and east by Wrexham Golf Club, to the south by A5156 and A534 roundabout with agricultural land beyond and to the west by the A5156 with residential properties beyond. Access to the site is taken off an arm of the A5156/A534 roundabout which is shared with the adjacent Wrexham Golf Club.



### **PROPOSAL**

Proposed is a petrol filling station with roadside services comprising an ancillary convenience store, a 'drive-thru' coffee dispensing facility, a 24 hour ATM, car washing facility, external seating area and associated car parking spaces.

### **RELEVANT PLANNING HISTORY**

P/2016/0630      Outline Planning Application (with All Matters Reserved apart from Access) for Roadside Services incorporating a Petrol Filling Station with ancillary Kiosk, Family Pub/Restaurant, Drive-Thru Restaurant and Associated Car Parking – Application Withdrawn on 07/04/2017

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

P/2008/0039	Change of Use of Land from Agricultural to Pitch and Putt Course for Junior Golfers (In Retrospect) – Granted on 10/03/2008
P/2007/0779	Change of Use of Land from Agricultural to Pitch and Putt Course for Junior Golfers (In Retrospect) – Withdrawn 14/08/2007
P/2004/0788	Change of use of land from agriculture to form extension to existing golf course - Granted on 26/10/2004
CB02893	Reserved Matters Approval (CB00001) – Refused on 11/09/2000. Appeal allowed on 30/07/2001. Development did not commence and the permission lapsed on 30/07/2003.
CB00001	Outline Planning Application for the erection of a Hotel/Leisure Complex, New vehicular and Pedestrian Access – Granted on 12/01/1998

### **DEVELOPMENT PLAN**

The application site is on Greenfield land and located outside of the settlement limit and within Green Barrier. Policies PS1, PS2, PS3, PS4, GDP1, GDP2, EC1, EC2, EC4, EC6, EC13, T8 and T9 of the Wrexham Unitary Development Plan (UDP) are applicable. These policies are amplified in Local Planning Guidance Notes (LPGN) 16 ‘Parking Standards’, 17 ‘Trees and Development’ and 32 ‘Biodiversity and Development’.

### **NATIONAL PLANNING POLICY**

National Planning Policy is contained in Planning Policy Wales (PPW) Edition 9 and the supplementary Technical Advice Notes (TANs) 5 ‘Nature Conservation and Planning’, 12 ‘Design’ and 18 ‘Transport’.

### **CONSULTATIONS**

Community Council:	<p>Re-iterate previous objections as stated in the application documents and to express concern that adequate conditions should be imposed about the prevention of nuisance to nearby residential areas by reason of emissions from cars idling at the proposed site if the application were to be approved. Previous concerns:</p> <ul style="list-style-type: none"><li>• It would set a precedent to develop the green field barrier on the land adjacent to the Llan Y Pwll Link Road to the west of Wrexham Golf Club;</li><li>• The Borras Park, Plas Goulbourne and Erlas Park Housing developments already form a natural settlement limit along the Llan Y Pwll link Road;</li></ul>
--------------------	---

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

- Highway safety concerns particularly as the development is proposed on a roundabout with an adverse camber on a continuing dual carriageway towards the Wrexham industrial estate. There is a lack of a slip road on the access roundabout and the Community Council has grave safety concerns for any pedestrians from the nearby residential estates that may try to access the development if allowed.

Adj. Community Council:	Notified 29.06.2017
Local Member:	Notified 29.06.2017
Adj. Local Member:	Notified 29.06.2017
Highways:	No objection to the proposed development subject to planning conditions (see Special Considerations section below).
WW:	No objection subject to conditions relating to the comprehensive drainage of the site.
NRW:	No objection provided that conditions are attached in respect of foul and surface water, oil and petrol disposal including oil and petrol interceptors.
Flood Officer:	The submitted FCA, SuDS & Foul Drainage Assessment clearly identifies a viable sustainable drainage scheme for the site that is design to compliment the National SuDS Standards for Wales. If permission were to be granted for this application I would request the inclusion of conditions to ensure surface waters are managed appropriately over the lifetime of the development.
PP:	No objection to the scheme subject to conditions relating to noise, dust management and restrictions on hours of construction works.
PRoW:	This development may affect Bieston public footpath 2. The legal line of footpath 2 runs further to the south of the line shown on Ordnance Survey mapping. The kissing gate on the boundary adjacent to the A5156 was located in the wrong place when the works to widen the road were completed – it should be 37 metres to the south east of its current position.
Ramblers:	Footpath Bieston 2 borders the western side of the development and it should be protected.
Head of Economic Development:	Consulted 12/07/2018
WG – Land Classification:	Consulted 12/07/2018
Site Notices:	Expired 21/07/2017
Press Notice:	Expired 05/08/2017

- Neighbours: 26 responses received sharing the following concerns:
- There are significant issues with the supporting transport information which does not follow best practice;
  - Traffic survey was carried out at the quietest time of the day;
  - There are a number of highway safety concerns in relation to visibility at the access, traffic generation and highway capacity;
  - The speed at which traffic approaches the roundabout is of concern to those exiting the filling station;
  - The scheme is not economically viable;
  - There is no need for this development as there are at least 8 filling stations within approx. 2 miles of the site (Asda, Tesco, Smithy Garage, Derosa Service station, Sainsbury's, Gresford and Morrison's);
  - The land is Grade 3a, Best and Most Versatile (BMV) agricultural land and should be protected as such;
  - It is important to protect BMV land for future resilience and ability to grow food as most of the land in Wales is Grade 4 and 5;
  - The land is not 'rank grassland' as described by the Applicant. The Applicant has left the site unmaintained to become overgrown to make it fit the description of 'rank grassland'. The site is more accurately described as an area of permanent pasture;
  - The green barrier land should be protected and only appropriate development should be allowed here;
  - The proposed development conflicts with the objective of the Green Barrier Policy in terms of maintenance of its openness;
  - The development has been reduced in scale since the previous application. However, a development of this type is difficult to design to be attractive and fit into the landscape, particularly as it will be lit at night;
  - The proposal looks like 'Phase 1' of a larger scale development;

- The development does not sit discreetly in the area and would be highly visible;
- This site should be protected from urban sprawl;
- This was a candidate site in the LDP but was considered unacceptable for houses as there are site constraints which were unlikely to be overcome;
- Noise and light pollution would be unacceptable;
- Stray golf balls could enter the site from the adjacent golf club which is considered dangerous;
- There isn't enough soft screening for this unattractive development;
- Surface water and pollutants are a potential hazard and source of flooding;
- Litter would cause a problem;
- The development should not interfere with the PRoW – Bieston Footpath 2;
- There are no safe pedestrian crossing points for those choosing to visit the site on foot;
- The entrance and exit from the filling station will cause a tail back up the bypass;
- This is a Minerals Extraction site;
- There is no concrete evidence that supports the need for a new PFS facility. The DPP '*Road Side Services Needs Assessment*' merely focuses on the need to serve HGV's. It should also be noted that in most circumstances, on similar road types, HGV's on equate to 5% (or lower) of the vehicles on the network;
- No visibility splays have been illustrated, no swept paths of cars or HGVs utilising the pumps or car parking spaces at the PFS, or any servicing strategy for oil/ petrol tankers to service the site have been provided;
- Considering that the A5156 is a main 'A' road and a link road to the A483 then it is likely that some 'diverted' trips will take place;
- The capacity of at the junctions will be taken to their limit and although there is in theory capacity to support the filling

station, this does not account for any other potential developments in the area;

- This is already a dangerous roundabout. Traffic from the Gresford direction approaches the roundabout at speed. Two lanes of traffic arrive rapidly but are not visible from the entry road for people exiting the fuel station and the golf club. Accidents will happen unless the roundabout is re-structured. This would be costly and disruptive;
- Negative impact upon wildlife;
- The pond on site is not dry as the Applicant has stated. It holds water at various times during the year and could support wildlife,
- The development will impact on the mammal pass which leads from the road to the Golf Course;
- This application will be followed by further applications for other retail establishments, pubs and fast food restaurants;
- The filling station and kiosk will be competition for the shop at the adjacent Gold Club and threaten this business;
- The filling station is too close to residential properties;
- There is no assessment of the development in respect of the Climate Strategy for Wales and the recommendations by the European Environment Agency that greenfield should be protected and brownfield should be used instead ;
- The adjacent Golf Course will be blighted by this garage forecourt and lorry park;
- There is no safe pedestrian access and the plan shows a disregard for pedestrian and bicycle access;
- This facility would be better located on Wrexham Industrial Estate as this is the catchment;
- Point 8.2 of the travel plan is incorrect;
- The development will attract anti-social behaviour and become a meeting place for ‘boy racers’.

## **SPECIAL CONSIDERATIONS**

**Background:** Planning permission was granted in 1998 for a hotel and leisure complex on the application site. The development never commenced and the permission lapsed in 2003. In 2004, the adjacent golf club submitted an application to change the use of part of the agricultural land to a pitch and putt junior golf course. A later (retrospective) planning application to increase the size of the pitch and putt course was approved in 2008.

In 2016 an Outline application was submitted to develop the remaining agricultural land between the golf course and the link road for roadside services incorporating a petrol filling station with ancillary kiosk, family pub/restaurant, drive-thru restaurant and associated car parking. I had initial concerns in relation to the scale of the proposed development and the impact this would have upon the character and appearance of the area and, in relation to the proposed restaurants, the lack of safe pedestrian access to the facilities and the additional traffic movements that these uses would generate. This application was withdrawn subsequently in consideration of an alternative scheme which was to provide for roadside services only to cater for existing users of the dual carriageway which links the Wrexham Industrial Estate to the A483 Trunk Road.

Though the scheme now submitted has been significantly reduced in scale and intensity by removing both the drive thru and family restaurant, the site remains outside of the development boundary to which the current UDP directs all new development and the proposal would therefore be contrary to UDP Policy PS1. As the site is greenfield land within green barrier it would not strictly accord with Policies PS3 and EC1 which, as a preference, direct development to previously developed (brownfield) land and seek to safeguard green barrier. Ordinarily I would recommend that a planning application is refused for proposals that do not fully accord with these UDP Policies (PS1, PS3 and EC1). However, paragraph 3.1.2 of PPW states that the Council is only required determining planning applications in accordance with the adopted development plan ***unless material considerations indicate otherwise***. I will address these other material considerations below.

**Green Barrier:** The site lies within green barrier where UDP Policy EC1 is applicable. This policy refers to development in green barriers only being granted planning permission if the proposal is for agriculture, forestry, outdoor sport/recreation, cemeteries and ***other uses which maintain its openness and do not conflict with the purpose of including the land within it***. In relation to this site there are strong, logical and defensible boundaries in the form of mature hedges and trees along the eastern boundary with the Golf Club beyond which completely separates this land from the rest of the green barrier land. In addition, development of the site would not undermine the wider openness of the green barrier as it is so well self-contained with established boundaries and highway on all sides. The development of the site would not result in the coalescence of settlements and, given the distance between this settlement (Wrexham Town) and the next settlement of Gresford, the function of the green barrier would remain even if this site is developed. The development of the site

would not therefore conflict with the purpose of including the land within the green barrier designation.

Whereas the site lies within green barrier in the UDP, a review of the Green Barriers has been carried out. The report (Ref: EBNB01) concludes that the Green Barrier status should be removed from the application site (Review Sub Area – 2) and its immediate surroundings. This particular area of green barrier is characterised by a mixture of undulating farm land, sports pitches (including Wrexham Rugby Club), and a golf course. Built development comprises a mixture of farm complexes and residential properties. With regards to the prevention of coalescence, the distance between Wrexham town and Wrexham Industrial Estate and Gresford, the nature of the topography, and the fact that development in this location could be controlled by the presence of a settlement limit along with national (and if needed) local policies presuming against development in the open countryside, there appears to be little justification to retain a green wedge in this location. Whilst the designation does serve a localised function in relation to the management of urban form, consideration must be given to the need to ensure that a sufficient range of development land is available which is suitably located in relation to the existing urban edge and any proposed green wedge designations in the deposit LDP.

Paragraph 4.8 of PPW deals with the managing of urban form by means of green belts and wedges (which are essentially the same as green barriers) and states that there is a presumption against ***inappropriate development*** with substantial weight to be attached to any harmful impact which a development would have on a green wedge/barrier. It confirms that ***inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations would clearly outweigh the harm.***

The lack of any roadside services between the Wrexham Industrial Estate and the A483 trunk road is considered to be a very exceptional circumstance which outweighs any harm caused to the green barrier by the loss of a small amount of green barrier land. Paragraph 4.8.15 of PPW states that a very exceptional case such as this can therefore be treated as a departure from the development plan as it would represent a use of the land which would not affect the openness of the wider green barrier designation or conflict with the purpose of including the land within it.

**Justification of Need:** The A5156 and A534 together provide access between the Wrexham Industrial Estate and A483, which in turn provides access to the wider strategic highway links of the A5 in the south and the A55 North Wales Coast Road in the north, on the outskirts of Chester. To the east of the site the A534 links with Nantwich, Crewe and eventually the M6 motorway.

Currently the only roadside services providing comparable facilities to those now proposed are at Chester. This is a considerable distance and there is a clear gap between modern roadside services and users of the dual carriageway link road do not have safe and easy access to suitable facilities. There are no other

sites or existing facilities in the local area or on the route which the application proposals will serve that can meet this need. The application is uniquely positioned in terms of its location, availability and suitability to serve drivers using the key route which passes the application site. As such, the application represents the only opportunity to meet the identified need thus ensuring a local facility is available to serve pass-by traffic.

There are petrol filling stations closer to the application site (Asda, Tesco, Smithy Garage, Derosa Service Station, Sainsbury's, Gresford and Morrison's are all within 2 miles of the site). However, all of these facilities involve deviating from the main route and bring additional traffic into the residential areas and busy junctions. By placing the services more appropriately at roadside, there would a reduction in the number vehicles making unnecessary trips into the residential areas which would ease the impact upon busy junctions such as the roundabout at the Greyhound Public House on Holt Road and the Roundabout near to the Plas Coch Sainsbury's filling stations etc. This would be to the benefit of all users of the highway.

### **Highway Safety and Access:**

#### Pedestrian Access

By nature of this development to service motor vehicles, and in light of the sites separation from the residential area by the dual carriageway and roundabout, I consider that very few local residents in the area would try to access this facility on foot and pedestrian movement to/from the site would be limited. This was the view taken by the planning Inspector when allowing the appeal for the hotel and leisure complex back in 2001.

#### Vehicular Access

The proposed development site is accessed via a minor arm off the A5156 / A534 Holt Road roundabout which are both classified roads subject to the national speed limit. This existing access also provides access to the Wrexham Golf Club. The access road is single carriageway with an approximate width of 7.3m and footways on both sides of the carriageway. Visibility from the existing access onto the Holt Road roundabout meets current highway standards. The proposed internal access road and parking / turning areas will remain unadopted and will be managed in perpetuity by a private management company.

The existing 2.0m wide footway on the western side of the access road will be extended into the development site and this will be secured by way of planning conditions. The developer will need to enter into an agreement with the Council under Section 38 / 278 of the Highways Act 1980 so that the new section of road and footway can be constructed and tied into the existing adopted highway (see note).

A one way system is proposed to access the site with all vehicles exiting via the access road running behind the petrol filling station / retail unit. Appropriate signage will be required to manage this arrangement. As the application is in outline only, this can be dealt with by an appropriately worded condition.

Visibility splays from the existing golf course junction on to proposed internal access road have not been demonstrated. A visibility splay of 2.4 x 33m in the northerly direction measured to the nearside edge of the adjoining carriageway and a visibility splay of 2.4 x 25m measured to the centreline of the adjoining carriageway (to splitter island) in the southerly direction is required in accordance with Manual for Streets. Again, as the application is in outline only, this can be dealt with by planning condition.

**Parking and Turning Provision**

Based on class A1 use, the proposed Petrol Filling Station would normally require a maximum of 1 car space per 14sqm. Based on a gross floor area of 540sqm, a maximum of 39 spaces would be required. The submitted Transport Assessment and submitted layout plan indicate the provision of 55 parking spaces. A minimum of 10% of the total spaces shall be provided to mobility standards. It is considered that the proposed level of parking provision is acceptable.

**Traffic Regulation Order**

In order to avoid any issues of parking along the internal access road, I would recommend that the applicant funds a Traffic Regulation Order in the form of Double Yellow lines along both sides and for the full extent of the access road. This will incur a cost of £2000.

**Street Lighting (Access Road & Car Park)**

The proposed car park and access road will have an appropriate scheme of lighting and it is important that no lighting spillage occurs onto the adjoining highway. As the application is in outline only, this can be dealt with by an appropriately worded condition. I would recommend that the applicant liaises with our Street Lighting Section on this matter prior to submission of the reserved matters application.

**Trip Generation**

Trip generation has been assessed on the basis that 90% of trips accessing the site would be vehicles already on the public highway in the vicinity of the site; and that only 10% of the trips will be new to the network. Given that there are a number of other petrol stations in Wrexham Town Centre (Asda, Tesco, Sainsbury's etc.), other independent petrol stations at Holt Road and Chester Road, I concur with applicants assessment that the vast majority of people travelling to the proposed petrol station will be traffic that it is already passing by or in close proximity to the site. It is considered highly unlikely that traffic will divert from the A483 by pass at Gresford roundabout to drive a 2.5 kilometre trip along Wrexham industrial estate link road when there is a petrol station on Chester Road only 350m off the A483.

**Transport Assessment**

Pedestrian / cyclist provision leading to the site is considered to be poor. I would therefore not wish to support any proposed development at this site that is likely to result in a significant increase in pedestrian movements. However, the potential increase in pedestrian movements as a result of the proposed

development is likely to be minimal as the facility is intended to service motor vehicles.

A traffic count was undertaken in November 2017 and the data has been used to review capacity modelling at the golf club roundabout. The latest software ‘Junctions 9’ was used to undertake the capacity assessment. The assessment concluded the following:

- The Ratio of Flow to Capacity (RFC) is an indicator of junction performance at the design year. In the AM peak period the A5156 link road is at practical theoretical capacity with a RFC of 0.913. The other arms of the roundabout are well within capacity.
- The future growth figure predicted for 2022 increases the RFC to 0.959.
- The addition of the development traffic takes the RFC on the A5156 to 0.969.

It is clear from the analysis that the proposed PFS development has little impact on junction capacity at the roundabout.

#### Accident data

An accident analysis has not revealed any material personal injury accident problems on the highway network surrounding the site; there are no significant clusters or trends that could be considered to be a cause for a concern.

#### Service & Delivery Management Plan (SDMP)

A Service & Delivery Management Plan should be provided which manages deliveries at the site to avoid impeding parking provision at peak times and that deliveries to the proposed PFS / Retail Unit are carried out prior to opening in the morning to avoid any conflict.

#### Construction Traffic Management Plan

A Construction Traffic Management Plan including provision for contractor parking is required as part of the reserved matter application.

#### PRoW

The proposed development may affect the alignment of Bieston public footpath 2 and if planning permission is granted, the footpath may require a formal diversion order for an alignment. The use of internal access roads and footways will not be acceptable for the diverted route and as much separation as possible is required between the built development and the diverted route. There is no intention to extinguish the PRoW which will continue to provide a passage through the site and beyond. In accordance with Circular 2/1993, consideration should be given to this at the detailed planning stage should outline permission be granted. Full details of any proposed path diversion / protection should be submitted for approval as part of the reserved matters application.

**Scale, Design and Site Layout:** The application is accompanied by a detailed Design and Access Statement which fully outlines the rationale behind the site layout, responding to the site constraints. Whilst it is important to note that this

proposal is made in outline, with matters relating to layout, scale and appearance reserved for approval at a later stage, the Council can broadly rely upon the contents of the illustrative plans and supporting documentation (see figures 1 and 2 below) in determining the anticipated impact of the development. The proposed site layout demonstrates that it is possible to achieve a functional development that sits comfortably in its landscape setting which can be satisfactorily mitigated in landscape terms to avoid any negative contribution to the character and appearance of the area. A planting scheme will further help assimilate the development with its surroundings. As this is a Reserved Matter, this will be fully considered at this stage should Outline planning permission be granted.



*Fig 1. Indicative Site Layout Plan*



*Fig 2. Suggested Elevations*

**Residential Amenity:** The PFS is located approximately 50 metres from the nearest residential area which lies beyond the dual carriage way to the west of the site. This separation safeguards against any significant impact upon residential amenity in terms of any noise, odour, air quality or light nuisance. Despite this separation, a noise assessment has been submitted in accordance with UDP Policy GDP1 which highlights that the impact of the proposed development would be negligible and the proposal accords with UDP Policies GDP1 and PS2.

**Trees:** The trees proposed for retention / removal within the submitted arboricultural survey are considered acceptable as is the required removal of the Willow Tree (T4) to facilitate development. Further landscaping and an increase in tree canopy cover around the boundaries of the site, particularly to the north-west, south-east and south-west, will provide further screening, noise attenuation, enhance biodiversity and to a certain extent improve air quality.

Any gaps noted within the existing eastern boundary hedgerow should be planted and ‘gapped up’ with appropriate native hedgerow species to enhance biodiversity. Care should be taken in the design to ensure that surface water run-off, pollutants and chemical spills etc. are directed away from existing trees, roots and proposed soft landscaping. Protection of retained trees should be addressed within a site specific Arboricultural Method Statement. These matters can all be dealt with by planning condition and I am content therefore that the proposed development complies with UDP Policies EC4 and GDP1 a).

**Ecology:** There are no ecology objections to the development of the site. Sufficient surveys have been carried out to a good standard and no serious ecological barriers to development have been identified. The proposed development will not adversely affect the mammal crossing, a condition requiring suitable badger proof perimeter fencing in addition to a pre-commencement site walkover will ensure there are no adverse impacts on

badgers. A RAMs for newts has been proposed; given the lack of historical evidence of great crested newts in this area this is considered proportional and the development therefore complies with UDP Policy EC6.

**Drainage:** NRW has been consulted and has confirmed that there are no objections to the scheme provided that conditions are attached in respect of the proper disposal of foul and surface water, and the installation of an oil and petrol interceptor to filter out any pollutants and prevent any contamination of the streams carrying away the surface water run-off.

The Council's Senior Flood Management Officer has confirmed that he is satisfied that the submitted FCA, SuDS & Foul Drainage Assessment clearly identifies a viable sustainable drainage scheme for the site that is designed to complement the National SuDS Standards for Wales. If permission is granted conditions will be attached to ensure foul and surface waters, and the oil and petrol interceptors are managed appropriately over the lifetime of the development. The development therefore complies with UDP Policies GDP1 and EC13 which safeguard against adverse impacts of development caused by additional surface water run-off and potential pollutants.

**Land Classification:** The land is classed as Grade 3a Best and Most Versatile (BMV) land. Whilst I would normally seek to protect BMV land from development which would lead to the irreversible loss of the land, this site is completely divorced from the wider countryside and farmland by the existing highway and adjoining golf course. The likelihood of this relatively small piece of land ever being used for agricultural purposes is at best unlikely and, given the location, I do not consider this land to be of a high quality worthy of permanent protection. Further, those areas mentioned specifically within Policy EC2 (Gresford/Marford, Rossett/Burton, Holt and along the River Dee plain) would be unaffected by the loss of this relatively small part of enclosed land to which there is no physical connection.

**Other Matters:** Concerns have been raised in relation to noise nuisance etc. caused during the construction phase of the development. Although matters relating to the construction works are not strictly planning considerations, a condition will be attached to restrict hours of construction works and advisory notes will also be attached which advise the developers of their responsibilities in limiting any noise and dust pollution etc. throughout the construction phase of the development.

Safety concerns been raised in respect of stray golf balls from the adjacent Golf Club however, I do not feel that this presents a significant threat to the future users of the development. In addition, contrary to some of the representations received, the land is not within a UDP designated Minerals Buffer Zone.

Further, there are concerns that the filling station and kiosk will be competition for the shop at the adjacent Gold Club and threaten this business. Competition is not a relevant planning consideration.

## **CONCLUSION**

Paragraph 3.1.2 of PPW states that the Council is only required to determine planning applications in accordance with the adopted development plan ***unless material considerations indicate otherwise***. I have given careful consideration to the information submitted in support of the application and the significance of all of the material considerations. Whilst it is acknowledged that the development of the site does not accord with all of the strategic policies relating to the site location, the proposal presents the opportunity to deliver without significant known difficulty, a modern roadside facility which will fill the gap in servicing for vehicles using the route from the industrial estate to the trunk roads and motorways beyond.

Whilst representing a departure from some of the policies of the adopted UDP, the development of the site is justified in this instance and will provide an acceptable form of development to the benefit of all users of the highway. The development will bring about economic benefits in providing employment opportunities and making a contribution to wider spatial strategies for the growth of the Wrexham Industrial Estate which the facility will properly service. The application site is located approximately 50m west of the closest residential property, which is located on the opposite side of the Link Road and, as such, there would be no significant harm to the amenity of any nearby residents. The proposal would not reduce the openness of the wider green barrier designation or conflict with purpose on including it, nor will it make a negative contribution to the character and appearance of the area and I recommend accordingly.

**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 development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details,

an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment shall be submitted in writing to the Local Planning Authority. Where a SuDS scheme is to be implemented, the submitted details shall:

- i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
- ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
- iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

5. No part of the development shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with condition no. 4. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.

6. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.

7. No infiltration of surface water drainage into the ground shall be permitted except in strict accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the details as are approved prior to first use of the development.

8. No part of the development shall commence until a scheme detailing the installation of oil and petrol interceptors has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the details as are approved prior to first use of the development.

9. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.

10. No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.

11. 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 nearby noise sensitive premises, and measurements and assessment shall be made in

accordance with BS4142:2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

12. 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.

13. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.

14. No development shall take place until a Service and Delivery Management Plan (SDMP) to include (but not limited to) the details of frequency of deliveries, type of delivery vehicles to be used, management of car parking to facilitate delivery vehicles has been submitted to and approved in writing by the local planning authority. The SDMP as agreed shall be implemented in accordance with the approved details.

15. As part of the reserved matters application a scheme detailing the construction of the following shall be submitted and approved:

- 1) Detailed layout, design, drainage and construction of the proposed new footway / carriageway,
- 2) Traffic Regulation Order,
- 3) Visibility Splays on new access road,
- 4) Internal one way system, and
- 5) Lighting.

The scheme as is approved shall be fully implemented prior to first use of the development.

16. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:

- a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
- b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
- c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
- d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
- e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
- f) Method for protecting retained trees during demolition works;
- g) Details of all proposed tree works, including felling and pruning.

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

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

- 1) Arboricultural Implication Assessment ref no. Mackley Davies Associates Ltd Rev C, Dated 7 March 2017
- 2) Tree Protection Plan ref no. 14/429/02 Rev B, Dated March 17  
No development or other operations shall take place except in strict accordance with the reports as approved.
18. No part of the development shall commence until the site has been inspected by a competent ecologist for signs of occupation by badgers. The results of this survey should be submitted to and approved in writing by the Local Planning Authority. The development shall commence no later than within one month of the approval of these survey results.
19. The development shall be carried out in strict accordance with the detailed Reasonable Avoidance Measures (RAMs) contained with report ref: 7928.01APPR-Final-10-03-2017 approved as part of this application.
20. As part of the reserved matters application, details of a scheme of suitable badger proof perimeter fencing shall be submitted to and approved in writing by the Local Planning Authority.
21. As part of the reserved matters application, a scheme detailing the construction of the vehicular speed reduction measures on the south bound approach to the Golf Club roundabout shall be submitted to and approved in writing by the Local Planning Authority. The scheme as is approved shall be fully implemented prior to first use of the development.

### **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 ensure satisfactory drainage of the site and to avoid flooding.
5. To ensure satisfactory drainage of the site and to avoid flooding.
6. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment.
7. Run-off from the forecourt area could contain hydrocarbons, this condition is required to ensure that only clean run off is allowed to infiltrate into the ground.
8. Run-off from the forecourt area could contain hydrocarbons, this condition is required to ensure that only clean run off is allowed to infiltrate into the ground.
9. To protect the amenities of the occupiers of nearby properties.
10. To protect the amenities of the occupiers of nearby properties.
11. To protect the amenities of the occupiers of nearby properties.
12. In the interests of highway safety.
13. In the interests of highway safety.
14. In the interests of highway safety.
15. In the interests of highway safety.
16. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
17. To protect trees which are of significant amenity value to the area.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

18. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
19. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
20. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
21. In the interests of highway safety.

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

The applicant is advised that compliance with condition no. 9 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

Applicants are advised that compliance with condition no. 10 does not provide an exemption from the statutory nuisance provisions of the Environmental Protection Act 1990. Under the Act dust from any type of activity can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that the dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

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.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

The developer is reminder of the following responsibilities:

- 1) Water Resources (control of pollution) (oil storage) (Wales) Regulations 2016:  
<http://gov.wales/topics/environmentcountryside/epq/waterflooding/oil-storage-standards/?lang=en>
- 2) Groundwater Protection documents (which replace GP3)  
<https://www.gov.uk/government/collections/groundwater-protection>
- 3) Dee Water Protection Zone:  
<https://www.gov.uk/government/publications/consent-for-a-controlled-activity-within-the-river-dee-water-protection-zone>

The external lighting scheme as required in connection with condition no. 15 should include the following:

- A) location and height of proposed lighting;
- B) An Isolux diagram for the proposed lighting scheme to a distance to include sensitive premises;
- C) Design of columns and any proposed hoods.

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties in that section include the following:

\* Notice of initiation of development

Before beginning any development to which this planning permission relates, notice must be given to the Local Planning Authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The forms set out the details that must be given to the Local Planning Authority to comply with this duty.

\* Display of notice

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details that the person carrying out development must display to comply with this duty.

The person carrying out development must ensure that the notice is:

- a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- b) Legible and easily visible to the public without having to enter the site; and
- c) Printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as ""conditions precedent"". You should be aware

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

that it is important that you comply with any ""conditions precedent"". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

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)

---

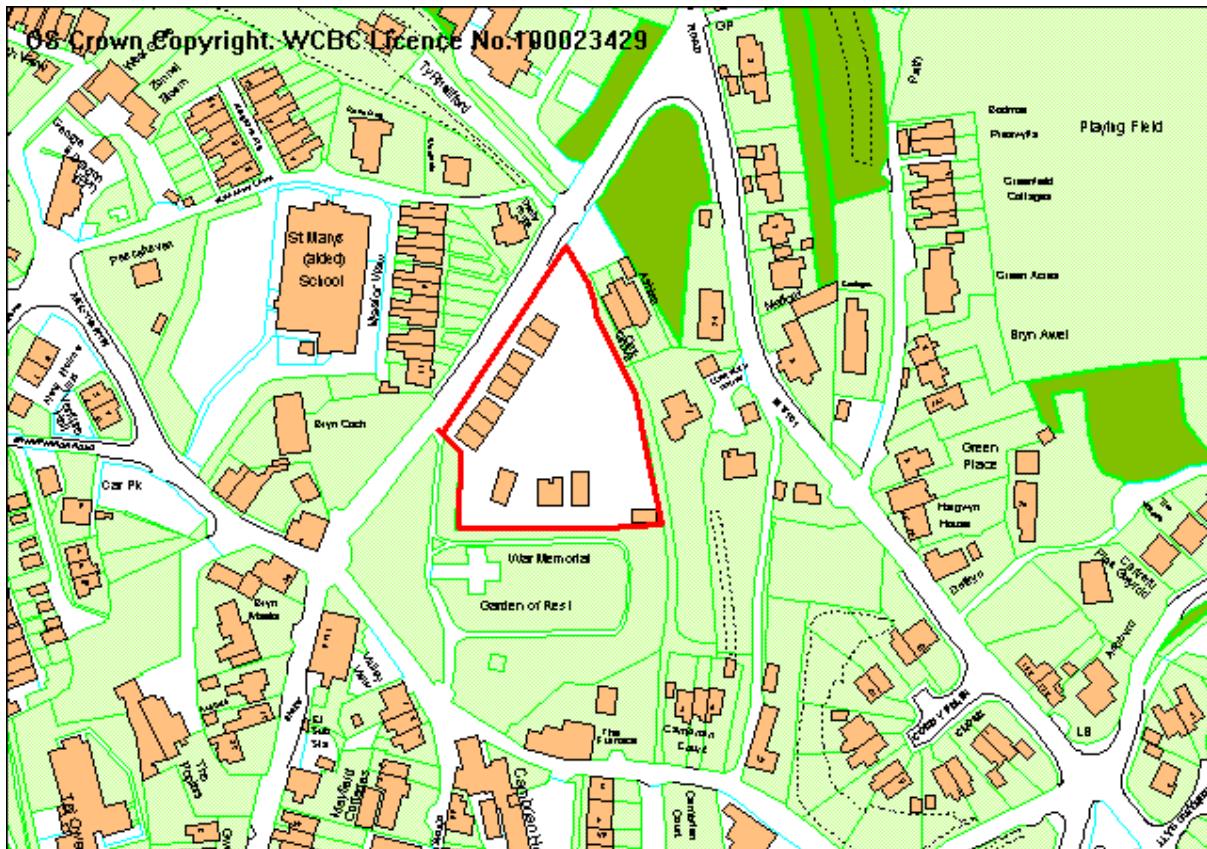
**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2017 /0642	<b>LOCATION:</b> FORMER SCHOOL BUILDINGS HIGH STREET BRYMBO WREXHAM LL11 5BN	<b>DATE RECEIVED:</b> 31/07/2017
<b>COMMUNITY:</b> Brymbo	<b>DESCRIPTION:</b> APPLICATION FOR VARIATION OF CONDITION NO. 2 IMPOSED UNDER PLANNING PERMISSION CODE NO. P/2015/0372 TO ALLOW SUBSTITUTION OF HOUSE TYPES ON PLOT NOS 1 - 13	<b>CASE OFFICER:</b> PF
<b>WARD:</b> Brymbo		<b>AGENT NAME:</b> PARRY DAVIES ARCHITECTS LTD MR R S GRATTON
	<b>APPLICANT(S) NAME:</b> MR M FORGRAVE GOWER HOMES	

---

### **Background**

The site was granted planning permission under P/2015/0372 for 'Demolition of existing building and erection of 13 dwellings and construction of new access'. This application was granted on 28 July 2016 subject to a s106 Agreement which required commuted sums for off-site open space provision and for secondary education at Bryn Alyn School.



This application was submitted by Mytton Developments, although the site has subsequently been sold to Gower Homes.

## Current application

This application was submitted by Gower Homes to amend the house types on the development from Myton designs to their own.

The overall number and layout of properties has not changed and the amended designs are acceptable in terms of the appearance and character of the area. There would no objections in terms of overlooking or loss of daylight.

This application was to be granted under delegated powers following the signing of a supplemental s106 Agreement which would tie the new application to the same terms as the original development. This agreement has yet to be signed; although progress has been made with the construction of the development.

## Proposal

Gower Homes have requested that as part of the supplementary s106 Agreement a clause is inserted that will require the need for the education contributions to be assessed at the time they are due. If there is spare capacity within Bryn Alyn at that time no contribution would be required.

A similar clause is contained within the s106 Agreement for the development at Boozey Fields, Gwersyllt and states –

*'2. In respect of the Secondary Education Contribution to  
2.1 Notify the Council's Head of Environment and Planning prior to the  
occupation of the first dwelling in order that the Council can ascertain  
secondary school capacity in the Ysgol Bryn Alyn community catchment area.  
2.2 in the event that the Council confirms there to be a capacity need at the  
point of occupation of the first dwelling, to pay prior to that first occupation the  
secondary education contribution in accordance with the following formula.....'*

This clause allows the Council to assess the requirement for the contribution at the time of the development, which may be some years after the signing of the s106 Agreement.

The Education Department have been asked to confirm these details and their understanding of the level of capacity within Bryn Alyn School but have yet to confirm whether a contribution is still required.

To include a clause which allows the need for education capacity to be assessed at the time the money is due will mean that only contributions that are required will be collected and ensures the Council is not open to challenge for demanding contributions that are not needed.

Members are also reminded that under regulation 123 of the The Community Infrastructure Levy Regulations 2010, there is a limit of 5 planning obligations that can be secured for a specific project or type of infrastructure. Assessing whether a contribution is required could assist in this regard. If contributions are assessed at the point they are due and there is sufficient school capacity at that time, it will mean that that development will not count towards the 5 contributions for a school/project. This would then allow contributions to be secured at a later date if circumstances changed.

Gower Homes have no objection to the payment of the off site POS contribution.

### **Conclusion**

The proposed amendment to the planning permission is acceptable in that it does not result in any additional impacts on nearby properties or the local area. The inclusion of the proposed clause within the s106 agreement ensures that contributions are only collected when required which will allow for contributions from future developments to be collected.

### **RECOMMENDATION A**

That the Council amends the original s106 Agreement to link the agreement to the amended layout and

- i) include a clause to allow the need for an education contribution to be calculated at the time it is due;
- ii) Confirm the commuted sum for the POS is payable as previously required

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

That the Head of Environment and Planning be given delegated authority to determine the final form and content of the Obligation

### **RECOMMENDATION B**

Upon completion of the Planning Obligation that permission be **GRANTED** subject to the following conditions:

#### **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 17.5789/L1 Rev C, 17.5789/B1 Rev B, 17.5789/RL1 Rev D, 17.5789/1 Rev A, 17.5789/2 Rev A, 17.5789/3 Rev A, 17.5789/4 Rev A, 17.5789/SC Rev A and 13.5550/ bat 1and as contained within the application documentation.
3. All facing materials including all proposed bricks, roofing materials, fascia and barge boards and dormer window materials shall be in accordance with the detail approved under planning permission P/2015/0372.
4. All demolition shall be carried out in accordance with the building material audit entitled MWD369 - Salvage Audit - Gower Homes approved under planning permission P/2015/0372.
5. All hard and soft landscape works shall be carried out in accordance with Dwg 08/105/01 V1.1 approved under planning permission P/2015/0372.
6. The landscaping scheme submitted and approved in connection with condition no. 05 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
7. The landscaping scheme as carried out in connection with condition no. 05 shall be permanently retained. Any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.
8. The approved landscaping scheme shall be maintained in strict accordance with the five year Maintenance Plan as approved in connection with condition no 6.
9. Prior to first use of the development, the proposed vehicular access shall be laid out in strict accordance with approved plan no. 17.5789/RL1 Rev D.
10. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 43 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction above the level of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
11. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 17.5789/RL1 Rev D shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.

12. Prior to the first use of the development a 2m wide adoptable standard footway across the existing site frontage onto High Street fully linking in to the existing footway into the Garden of Rest on the south western site boundary, shall be implemented in accordance with that shown on drawing no 08/105/01 v1.1 approved under planning permission P/2015/0372.

13. The development shall be carried out in accordance with the Construction, Environment and Management Plan rev A: Updated 15.11.2017 approved under planning permission P/2015/0372.

14. 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.

15. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.

16. Dust management shall be carried out in accordance with the detail contained in the document entitled Site Management - Construction Site Impacts approved under planning permission P/2015/0372.

17. The development shall be carried out in accordance with the foul and surface water drainage detail as contained on drawing Nos 6186/11 and 1686/09 Rev E approved as part of planning permission P/2015/0372.

18. No equipment, machinery, plant or materials of any kind in connection with the development shall be brought onto the site until tree protection fencing and ground protection measures have been fully implemented. The fencing shall

consist of a scaffold framework in accordance with Figure 2 of British Standard 5837:2012 comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3 metres. Onto this, 2.1 metre weldmesh panels shall be securely fixed with wire or scaffold clamps. This fencing shall be erected at the extent of each tree(s) Root Protection Area, as set out in British Standard 5837:2012 or as shown as the Construction Exclusion Zone on the approved Tree Protection Plan Ref. 15/AIA/WXM/173 Dwg No. 03 Rev A. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made.

19. The tree protection fencing and ground protection measures approved in connection with condition no. 19 shall be kept in place until all external site works have been completed and the removal of the fencing has been approved in writing by the Local Planning Authority.

20. The development shall be carried out in accordance out in accordance with Appendix 5 of the approved document 15/AIA/WXM/173 Rev A.

21. Development shall be carried out in accordance with the Bat Method Statement of UES Ltd reference UES01498/07 dated 31/05/2006 approved as part of planning permission P/2015/0372.

**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. To ensure that the development involves a sustainable approach.
5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
9. To ensure a safe access is laid out to the site in the interests of highway safety.
10. To ensure a safe access is laid out to the site in the interests of highway safety.
11. In the interests of highway safety.
12. In the interests of pedestrian safety.
13. To protect the amenities of the occupiers of nearby properties.
14. In the interests of highway safety.
15. To protect the amenities of the occupiers of nearby properties.
16. To protect the amenities of the occupiers of nearby properties.
17. To ensure satisfactory drainage of the site and to avoid flooding.
18. To ensure that the retained trees are adequately protected during development in the interests of amenity.
19. To ensure that the retained trees are adequately protected during development in the interests of amenity.
20. To ensure that the retained trees are adequately protected during development in the interests of amenity.
21. In order to protect wildlife interests which are afforded special protection in law.

**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.

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.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

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)

The accuracy of the detailed plans and drawings forming part of the application documents hereby approved shall remain the responsibility of the applicant/developer.

The applicant is advised that compliance with condition no. 16 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

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.

Applicants are advised that compliance with condition no. 17 does not provide an exemption from the statutory nuisance provisions of the Environmental Protection Act 1990. Under the Act dust from any type of activity can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that the dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

**RECOMMENDATION C**

That if the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 is not completed within six months of the date of the Committee resolution the Head of Environment and Planning be given delegated authority to refuse the application for the following reasons:-

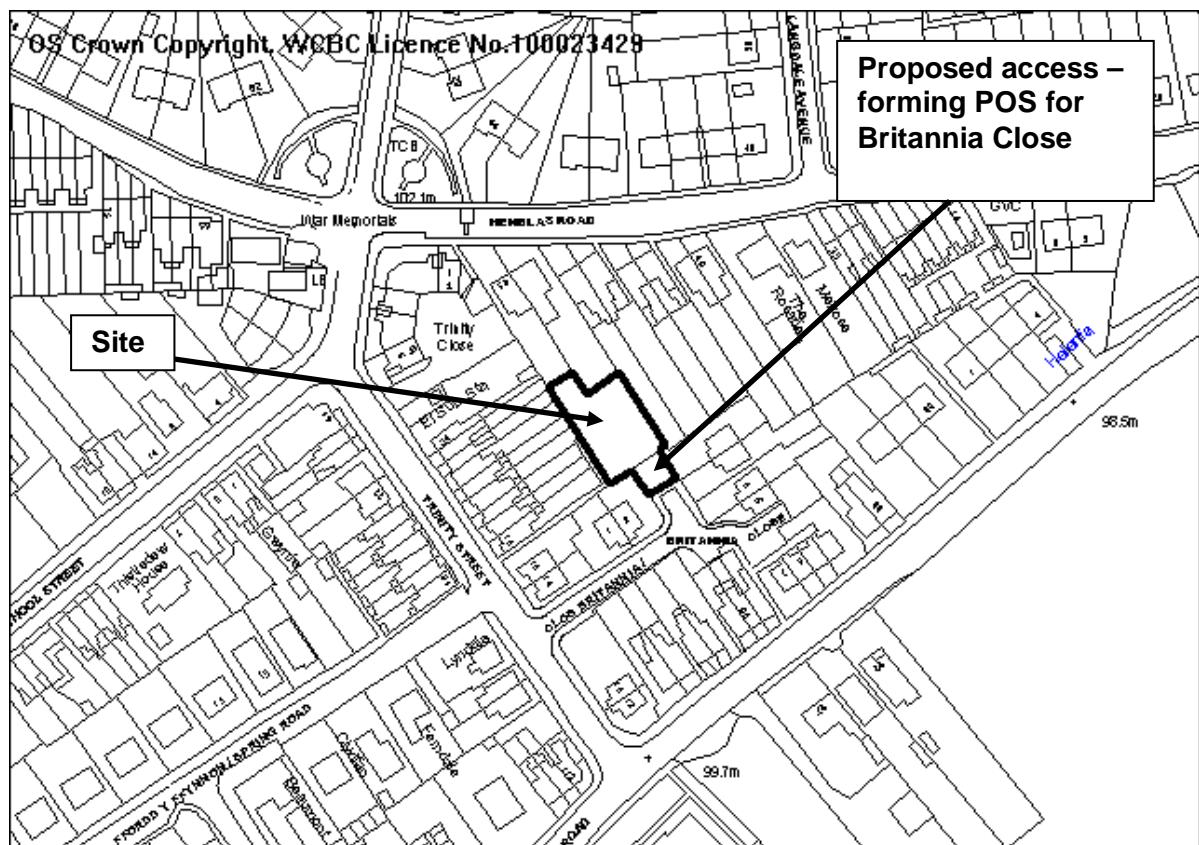
1. No contribution has been made towards the provision of public open space. In the absence of a contribution the development does not accord with policy CLF5 of the Wrexham Unitary Development Plan.
-

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2017/0687	<b>LOCATION:</b> LAND TO THE REAR OF NOS 61 & 63 HENBLAS ROAD RHOSYLLEN WREXHAM LL14 4AB	<b>DATE RECEIVED:</b> 14/08/2017
<b>COMMUNITY:</b> Esclusham		<b>CASE OFFICER:</b> PF
<b>WARD:</b> Esclusham	<b>DESCRIPTION:</b> OUTLINE APPLICATION TO ERECT 2 NO. TWO-STOREY DWELLINGS (TO BE ACCESSED OFF BRITANNIA CLOSE)	<b>AGENT NAME:</b> HUGHES ARCHITECTURAL MR RICHARD HUGHES
	<b>APPLICANT(S) NAME:</b> MR JOHN LODWICK	

---

### THE SITE



### PROPOSAL

Planning permission is sought in outline for residential development. All matters are reserved for further approval. The applicant has provided an indicative site plan as required in legislation which shows an intention for two dwellings with vehicular and pedestrian access being made from Britannia Close.

## **HISTORY**

None specific to the site but the planning permission for the neighbouring residential development forming Britannia Close is relevant.

P/2003/1201 - Outline application for residential development and alteration to existing vehicular and pedestrian access. Granted 15.12.2003

P/2005/1385 - Demolition of existing council depot and erection of 14 no. dwellings and relaxation of Condition No. 4 of application P/2003/1201 to allow a reduced area of public open space. Granted 10.11.2006 (Reserved Matters)

## **PLANNING POLICY**

The site is located within a defined settlement. Policies PS1, PS2, PS3, PS4, GDP1, EC4, H2 and T8 are relevant. Guidance is also contained in Local Planning Guidance Notes 16 – Parking Standards, 17 – Trees and Development and 21 – Space Around Dwellings.

## **CONSULTATIONS**

Community Council:	No objections.
Local Member:	Has requested that the application be reported for consideration by the Planning Committee.
Site notice:	Expired 13.09.2017
Public Protection:	Recommends conditions to secure ground condition investigations and the protection of neighbouring amenity from nuisance.
Highways:	The erection of two dwellings is unlikely to generate a significant amount of traffic. The likely point of access off Britannia Close may be problematic as the land immediately adjacent is designated as public open space. As the site is located in an area which is served by public sewers, foul water disposal should be connected to this network.
NRW:	Consulted 17.08.2018
Welsh Water:	19 neighbouring occupiers notified. 5 responses received as well as a petition of 9 signatories have been submitted raising the following objections:
Neighbouring occupiers:	<ul style="list-style-type: none"><li>• The dwellings will block the views from neighbouring dwellings;</li><li>• The opening up of an access onto Britannia Close will cause disruption to the existing residents;</li><li>• The development will result in the loss of an area of open space where children play</li></ul>

- which will cause safety concerns and the loss of an attractive green open space;
- The development will exacerbate traffic congestion on the nearby highway due to the narrow nature of Trinity Street and Britannia Close;
  - There are no details of the proposed building including materials and utilities – the use of Britannia Close utilities is likely to cause disruption;
  - The proposed plan fails to take into account the existing driveway of the neighbouring dwelling to the proposed access point;
  - The driveway as shown on the plan is insufficient;
  - Users of Britannia Close fall outside the housing association's vetting process and there would be no control over who uses the cul-de-sac;
  - The increase in use of the road would result in pollution and the need to maintain the road;
  - A sink fund has been created by residents to contribute to lighting and maintenance of the road;
  - To allow the road to be used by third parties not subject to housing association tenancy would be a breach of covenant;
  - Clwyd Alyn Housing Association (CAHA) has also written in support of the neighbouring occupier's objections. Britannia Close is already congested and the plot of open space required for the access is in CAHA's control and its use will not be permitted;
  - It is possible to make vehicular access to the site from Henblas Road; and
  - The green area to the rear of Henblas Road represents approximately 50% of the green space on the entire development.

## **SPECIAL CONSIDERATIONS**

**Policy:** The site is located within the garden area to the rear of nos. 61 and 63 Henblas Road. This is within the settlement limit of Rhosyfelin. In accordance with policies PS1, PS2 and H2 of the Wrexham UDP the development is acceptable.

**Design and amenity:** Detailed design and layout of any development would be considered at a later stage in a reserved matters submission. Based on the indicative site plan provided I am satisfied that the site is of a suitable scale for the development level as proposed. There are dwellings of varied architectural style and age in the immediate vicinity, therefore consider that a suitable design could be secured to assimilate into the area. There are dwellings immediately to the north (61 and 63 Henblas Street) and south (2 Britannia Close) but these would be adequately spaced in accordance with the separation standards set out in LPG21 guidance.

**Highways:** Highways have raised concern that the indicative parking area as shown on the plan would not adequately cater for the development as proposed. This plan is an indicative layout and any approval would not bind the developer to this layout. It is likely that any approved scheme would require a maximum of three spaces per dwelling (in accordance with LPG16) if three bed dwellings were approved. In this instance there appears to be adequate space to achieve this. Turing provision is not required on site as the indicated access point is not a classified highway.

Turning to site access, this is a significant concern. The area where indicative access is shown is the only feasible point of access. Britannia Close is an adopted highway and I do not see any specific reason why the traffic generated by the development would adversely impact the amenity and safety of residents on the close. However access at this point would need to cross a small area of public open space which was allocated as part of the design for the neighbouring housing development (Britannia Close P/2003/1201 refers) – see plan below.



A Section 106 planning obligation secures this land which requires it to be used solely for the purpose of public open space. There is a single track access on to Henblas Road. This would not be considered suitable due to its width and severely substandard visibility onto the main highway. The applicant also does not provide any indication that it is with their control and cannot be relied upon as a feasible option.

For these reasons, I am not satisfied that the applicant can secure a suitable means of access to their site across land within their control. The land proposed was assigned as amenity space for the future occupiers of Britannia Close and it would be undesirable to see this feature lost, an element which was required in accordance with planning policy and guidance and would still be the case were it approved today. To allow the development to occur with no means of pedestrian and vehicular access would be illogical, against Council policy and guidance and would put increase pressure on the local highway network because of on street parking congestion. The proposal is therefore contrary to policy GDP1 and T8 of the UDP.

**Other matters:** I am not aware of any ecological constraints with the site. There are a number of tree specimens in the neighbouring land but I do not

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

consider that the trees are of significant amenity value and to allow the development would not be contrary to policy EC4 of the UDP.

Representations made in relation to covenants and lease agreements for existing residents of Britannia Close are not material planning considerations and cannot be taken into account.

**Conclusion:** Whilst the location and scale of the site would be adequate for residential development, there is no feasible opportunity to provide vehicular access. To allow the dwellings without suitable parking provision in this area would give rise to parking congestion to the detriment of highway safety. I therefore recommend accordingly.

**RECOMMENDATION:** That permission be REFUSED

### **REASON(S)**

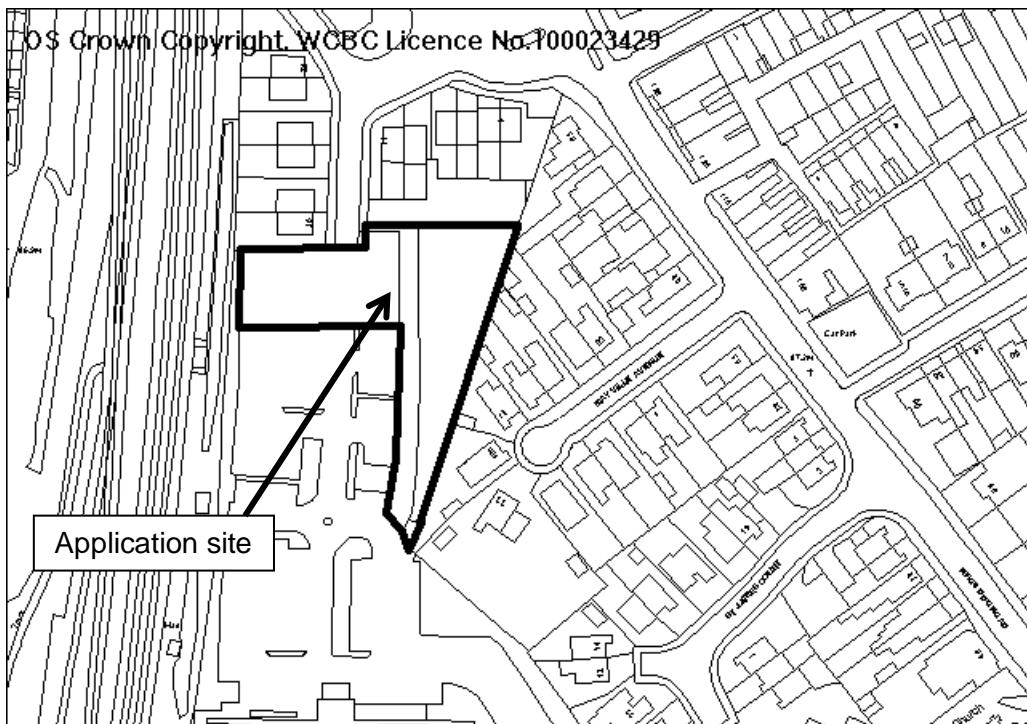
1. The proposal does not provide for a suitable vehicular access which would meet visibility standards or could be facilitated across land within the control of the applicant. As such, the development would not accord with Policies PS2, GDP1 and T8 of the Wrexham Unitary Development Plan or guidance contained in Local Planning Guidance Notes 16 - Parking Standards and 21 - Space Around Dwellings.
-

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2017 /0843	<b>LOCATION:</b> LAND NORTH OF TOTAL FITNESS STANSTY ROAD WREXHAM LL11 2BU	<b>DATE RECEIVED:</b> 10/10/2017
<b>COMMUNITY:</b> Rhosddu	<b>DESCRIPTION:</b> ERECTION OF 6 NO. DWELLINGS WITH ANCILLARY OFF-STREET PARKING AND CONSTRUCTION OF ADDITIONAL PARKING SPACES TO SERVE THE ADJOINING GYM	<b>CASE OFFICER:</b> MP
<b>WARD:</b> Grosvenor		<b>AGENT NAME:</b> HARDIE BRACK
		<b>APPLICANT(S) NAME:</b> MR N CUNNINGHAM

---

**THE SITE**



**PROPOSAL**

As above.

## **HISTORY**

### *Whole Total Fitness Site, including application site.*

CB1478 Residential development and alteration to existing vehicular and pedestrian access. Outline permission refused 1.12.97. Allowed on appeal 9.12.98  
CB 03591 Erection of exercise and rehabilitation centre. Refused 8.11.1999. Allowed on appeal 11.7.2000  
P/2001/0109 Erection of covered walkway. Granted 9.4.2001

### *Part of the Total Fitness Site, including the application site.*

P/2016/0141 Proposed amendment and extension to existing car parking facilities to provide 195 spaces in total. Pending.

### *Former Total Fitness Car Park – adjoining land*

P/2015/0812 Residential development (23 no. dwellings) together with highway, access and parking arrangements. Granted 16.6.2016

P/2016/0828 Erection of 2 no. dwellings (amendment to application code no. P/2015/0821 granted on 16.06.2016). Granted 9.10.2017

## **DEVELOPMENT PLAN**

Within settlement. Policies GDP1, GDP2, H2, H7, CLF5 and T8 apply.

## **CONSULTATIONS**

- Community Council: Object on the following grounds:
- The Application seeks to reduce the number of car parking spaces that remain for Total Fitness below the number it was previously acknowledged to be the minimum requirement for Total Fitness.
  - The granting of Planning Permission would be an over development of the original Total Fitness Site.
  - The additional traffic movements generated by the development would cause unacceptable traffic congestion at the junction of the site and Stansty Road, and at the junction of Stansty Road with Rhosddu Road / New Road.
  - In the unlikely event that Planning Permission is granted, consideration should be given to combining this development with the adjacent development under construction to aggregate the

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

	Section 106 requirements for play, Education, etc and the payment of commuted sums.
Local Member:	Has made the following comments: <ul style="list-style-type: none"><li>• The piecemeal development of this site is a concern, especially as it appears to be a deliberate attempt to avoid an affordable homes commitment. I understand the developer of the latest batch of housing has had to include an affordable housing component in the development, which is only right.</li><li>• I have also raised concerns about the ongoing viability of the fitness centre on site but have been assured that this latest development of six houses would not affect overall viability of the business. The potential to see overspill parking from the fitness centre outside the new homes remains a concern.</li><li>• There are concerns from adjoining properties that the houses will be built on higher ground and, as a result overlook their rear gardens. I've sought assurances from planning officers that this will be minimised and that any fencing will not be overbearing on the site.</li><li>• If it is, I would urge the committee to undertake a site visit to assess the height differential</li><li>• Finally, any development should include a contribution towards play equipment as there is no provision on site.</li></ul>
Public Protection:	Have made the following comments: <ul style="list-style-type: none"><li>• Recommend measures in respect of minimising impacts of construction;</li><li>• Noise survey and attenuation measures required;</li><li>• Confirmed that noise report and methodology in respect of proposed car park looks acceptable and no objection to those proposals.</li></ul>
Contaminated Land:	Conditions requires in respect of site investigation and remediation.
Highways:	Have submitted the following comments: <ul style="list-style-type: none"><li>• Visibility of 2.4 x 33m required at junction of Stansty Road junction;</li><li>• Site is served of a recently improved shared access road/junction which provides visibility of 2.4 x 33m in both direction;</li><li>• The recently construction development of 24 dwellings shares and access with Total Fitness. The recently construction access has not yet been adopted by the Council;</li></ul>

- Submitted plans indicate the deletion and relocation of existing parking spaces. This results in an odd horizontal alignment of the shared access road which is considered unacceptable. It is likely to result in vehicle conflict at this which is unnecessary;
- The proposed development includes modifications to the existing pedestrian link which requires vehicles to cut across the revised footway which is not ideal;
- Confirmation required how and where a refuse vehicle (11.2m long) turns within the development site. Manual for Streets recommends a maximum reversing distance of 12m;
- It is proposed to serve 4 of the 6 dwellings of the existing private driveway. This already serves 6 dwellings.
- The existing shared driveway would need to provide visibility splays of 2.4 x 18m in both directions.;
- The existing carriageway for the existing 6 dwellings require a minimum clearance of 6m;
- Parking provision of 2 parking spaces per 3 bedroom dwellings considered acceptable;
- Driveways to plots 1 and 2 appear adequate;
- Planning permission (P/2015/0812 was granted for the 24 dwellings on the northern section of the Total Fitness car park Gower development with the requirement to provide 195 spaces to serve Total Fitness. The submitted layout plan appears to indicate the deletion/relocation of 20 of the existing spaces maintaining a total of 197 spaces. Given the previous parking surveys at the site the proposed level of parking provision would be considered acceptable;
- Recommend the additional section of carriageway fronting plots 1 and 2 remains private along with the drive/parking area serving plots 3-6 and a management company employed to maintain these areas;
- Surface water from the new section of carriageway would need to be drained privately from the existing highway drainage system. This detail has not been provided.

Education:

Contribution required for primary provision – Rhosddu School.

Parks, Countryside ROW: Confirmed there is room to extend the play area off Rhosddu Road.

Welsh Water:

Condition recommended.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

- Network Rail: Advise the following needs to be undertaken:
1. Provision of a suitable trespass proof fence of at least 1.8m high adjacent to NR's boundary;
  2. Ensure no scaffolding so as not to over-sail the railway;
  3. A method statement submitted to NR if any vibro-compaction/piling machinery or piling and ground treatment works are to be carried out;
  4. Surface water directed away from the railway.
  5. NR review and agree any excavation works within 10m of the railway boundary;
  6. Ensure 2m between the buildings and the railway boundary;
  7. Consider mitigation measures in respect of noise and vibration.
  8. Attention drawn to Department of Transport Advice.
  9. Submission of a method statement and risk assessment to NR;
  10. A Best Asset Protection Agreement agreed with NR.
- Site Notice: Expired 9.11.17
- Neighbours:
- 5 objections received to initial plans expressing the following concerns:
- Parking provision for the gym;
  - Parking and turning issues for vehicles;
  - Access to site;
  - Proximity to boundary;
  - Level of the car park is above neighbouring property;
  - Loss of privacy/light;
  - More traffic;
  - Loss
  - Noise during construction;
  - Impact upon privacy, light and security;
  - Builders rubble left behind;
  - Lack of play provision;
- 6 objections in respect of amended plans:
- Enough houses built on the site;
  - Insufficient parking for the gym;
  - Increased traffic;
  - Congestion at junction;
  - Loss of privacy;
  - Noise/disturbance during construction;
  - Level of car park is above neighbouring property;
  - Loss of light and privacy;
  - Lack of play provision;

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

- Appearance of the dwellings different to existing houses – total appearance of the development mismatched.
- Shellbark Close needs to be adopted before any more building work is considered
- Junction of Shellbark Close and Stansty Road needs improving to accommodate increases in traffic.

### **SPECIAL CONSIDERATIONS**

**Policy:** The site is not allocated for any specific use in the UDP therefore subject to complying with policy GDP1 in respect of access, siting, design and the impact upon neighbouring properties the erection of dwellings on the site accords with policy H2.

The site forms part of a car park that was provided to serve the Total Fitness gym to the south. I will deal with this matter in more detail below.

**Design:** The proposals effectively represent a continuation of the existing development of 24 dwellings that have been erected immediately to the north. The proposed layout follows the general form of the latter and provides frontage development to the road that will serve the proposed dwellings as well as the gym to the south. The site layout plan is included below:



The frontages of the dwellings will be enclosed by a low brick wall and the side boundaries by a 2m high part brick part timber panel wall. These will provide for attractive means of enclosure for the boundaries visible from public vantage points.

The dwellings are of a contemporary design comprising of a pair of 2 storey semi-detached dwellings and 4 x 2.5 storey terraced dwellings. Whilst differing in appearance to the adjacent properties, there is a mix of architectural styles in the wider locality and as such I consider the form and appearance of the proposed dwellings to be appropriate. The front elevation plans are included below:



**Proposed terraced dwellings**



**Proposed semi-detached Dwellings**

The proposed terrace properties, their parking areas as well as new parking spaces proposed to serve the gym (discussed in more detail below) will occupy an existing grassed area. Whilst the loss of a soft landscaped area is regrettable I do not consider it to contribute significantly to the visual amenity of the wider locality and would therefore not be a valid reason to refuse planning permission.

**Amenity:** The position of the proposed terraced properties exceeds the separation distances recommended by LPG21 in respect of 1-11 Shellbark Close to the north. The development also complies with LPG21 in respect of the separation distances to 93 and 95 Rhosddu Road and 17 to 23 Mayville Avenue to the east, even after taking into account the fact that the proposed dwellings will be elevated relative to the gardens of the properties in Mayville Avenue by approximately 0.7m. The separation distance between the southernmost terrace and no.15 Mayville Avenue will be 23m, whereas LPG21 would recommend 24m, however I am satisfied their relative orientation means direct overlooking of habitable rooms will not occur. As such I am satisfied the development will not unacceptably impact upon the standard of amenity

afforded to nearby occupiers by way of loss of light, privacy or by being overbearing.

The terrace properties will be around 17m from the boundary with the dwellings referred to above. I consider the distance to be sufficient to ensure that the rear gardens of the latter will not suffer from unacceptable levels of overlooking.

The northern most terraced dwelling will be 16m from and diagonally opposite no.36 Shellbark Close. This is less than the 22m recommended by LPG21 however the latter fronts onto the road serving other dwellings in Shellbark Close as well as Total Fitness. As such its existing frontage is already overlooked to some degree. Taking this as well as the relative position of the dwellings into account, I am satisfied the proposals will not result in an unacceptable loss of privacy to the occupiers of the existing dwelling.

The proposed semi-detached dwellings will be broadly in line with the no. 36 Shellbark Close to the north and I am satisfied their position will not harm the standard of amenity afforded to occupiers of that property by way of loss of light, privacy or by being overbearing.

The development will result in 8 residential parking spaces as well as replacement parking provision to serve the gym being provided adjacent to the eastern boundary of the site. The submitted plans confirm that acoustic fences will be provided along the boundary to mitigate for vehicle noise. The fence will be 2m high adjoining the boundaries of nos. 93 and 95 Rhosddu Road and 1.8m to the rear of nos. 13-17 Mayville Avenue. The application is also accompanied by a noise report in respect of the proposed parking area. Public Protection has confirmed the report and survey methodology to be acceptable and have no objections to the proposals. In light of this I am satisfied that the development is unlikely to harm the standard of amenity afforded to adjacent occupiers by way of noise from vehicles using the proposed parking areas.

The ground level of the eastern boundary of the site and in turn the gardens of adjacent dwellings is approximately 0.3m lower than the existing car park. The submitted plans confirm that the ground level of the residential parking area will be marginally higher than at present and the ground level of the new gym parking spaces adjacent to the boundary will be broadly similar to existing levels. I am satisfied that the proposed fences will not prove unduly overbearing to the occupiers of the adjacent dwellings, will ensure that the operation of the new parking areas does not result in a significant loss of privacy as well as limiting disturbance from vehicle headlights.

Two of the proposed dwellings will adjoin an operational railway line therefore it will be necessary to ensure that adequate provision is made to protect the amenity of future occupiers in respect of the noise of passing trains. I anticipate measures such as the provision of an acoustic fence along the boundary with the railway line as well as an enhanced glazing specification would be required. This will be secured by planning condition.

**Highways:** The site will be accessed from Stansty Road via the road serving the dwellings to the north and the private roadway that currently serves Total Fitness to the south. The development will include parking areas for the proposed dwellings as well as a replacement parking area to serve the gym.

**Site Access**

Highways have confirmed that the Stansty Road access has adequate visibility. The submitted plans also demonstrate adequate visibility from the shared access serving 4 out of the 6 dwellings.

I understand the concerns about traffic generation given that the Stansty Road/New Road is very busy at peak times, however Highways have not expressed concerns about this matter. Given the scale of the development it is unlikely to increase traffic to the extent of causing significant additional congestion at peak times or a danger to highway safety.

I am aware that Shellbark Close has yet to be adopted, however this is a matter outside of the applicant's control and is a matter for the developers of the adjacent site to address with Highways. The carriageway of Shellbark Close has been laid out in accordance with the plans approved as part of the planning permission for that development and provides a safe means of access to the development subject to this application.

Highways have commented that the plans do not show how a refuse vehicle would serve the site however given that the proposed dwellings will front onto a private driveway that is effectively a 17m extension of the road serving the dwellings on Shellbark Close to the north, in my opinion the servicing arrangements will be similar. Vehicles will either use the Total Fitness car park to turn or would turn within the internal access road serving Shellbark Close. I am unaware of any difficulties in respect of servicing of the existing dwellings and therefore do not anticipate any significant difficulties for the servicing of the proposed dwellings.

I note Highways have expressed concern about the horizontal alignment of the private road serving the site and Total Fitness. However the carriageway is 5m wide at all points and I am satisfied that as traffic approaching or leaving the gym is likely to be travelling at relatively slow speed so vehicles will be able to negotiate the private driveway safely.

The parking spaces proposed to ensure that adequate parking provision remains for the gym (see below) will require access across a pedestrian walkway that extends from the highway footway adjacent to no.11 Shellbark Close southwards to the gym. This arrangement is not dissimilar to the car parks of many commercial premises and given that traffic speeds will be relatively low I have no reason to believe that it poses a significant risk to pedestrian safety.

*Residential Parking*

The development will provide 2 spaces for each dwelling. The 2 semi-detached dwellings will have on-plot parking and the 4 terraced properties will utilise a communal parking area. Whilst the parking provision is 1 space below the LPG16 maximum given the proximity of the site to the town centre I consider it to be in a reasonably sustainable location. Refusal of planning permission on the grounds of inadequate parking would therefore not be reasonable in this instance.

I note Highways comments regarding the need for there to be 6m behind the parking spaces serving 1-11 Shellbark Close. The applicants are not proposing to reduce the distance between the parking spaces for the existing dwellings.

*Parking for Total Fitness*

When the adjacent development was granted planning permission parking surveys had established that peak level demand for parking associated with the gym was 192 spaces. To ensure that adequate parking spaces were retained for gym users, in addition to the parking areas unaffected by the developers were required to provide additional parking spaces so that a minimum of 195 spaces remained available.

Whilst the current application is accompanied by information in respect of gym usage, no information has been submitted to demonstrate how that translates into parking demand. As I have not been provided with any information to demonstrate a significant reduction in parking demand since the adjoining development was granted planning permission in 2016 or to confirm the level of usage of the car park by non-gym users, I intend to rely on previous parking surveys to determine parking demand associated with the gym.

The proposed development will result in the loss of 20 parking spaces in total. However this loss will be off-set by the provision of 20 new parking spaces on landscaped ground between the existing car park and the boundaries of dwellings to the east. Given that there is no net loss of parking spaces for gym users, I am satisfied that the development is unlikely to cause or add to any parking issues in the locality. The provision of the proposed parking spaces will be required by condition.

**Planning Obligations:** The provision of policy GDP2 and LPG27: Developer Contributions to Schools are applicable owing to the fact that more than 4 dwellings are proposed.

It is my understanding that the applicant owned both the land subject to this application as well as the land now occupied by adjoining Shellbark Close development at the time of permission being sought for the latter. Whilst the developments have been brought forward separately given the relatively short period of time between permission being granted for Shellbark Close (16 June 2016) and permission being sought for the current development, in my opinion it

is reasonable to consider them to be successive phases. As such, policies H7 and CLF5 are applicable in respect of affordable housing provision and open space respectively.

I will deal with all of the above matters separately below.

*School Contributions*

Education have confirmed that financial contributions in respect of primary education is required. This will be secured via a planning obligation.

*Affordable Housing*

Policy H7 is applicable because the development will result in 30 dwellings having been built cumulatively.

When planning permission for the adjoining development was granted on 16 June 2016 (following a committee resolution to grant 4 April 2016), the most recently completed Local Housing Market Assessment (March 2015) indicated that at that time there was a requirement for affordable housing throughout the County Borough however there was a surplus of affordable dwellings within the urban area of Wrexham. On the basis that this was used to justify granting planning permission for 79 dwellings on the former Brother Industries site (P/2015/0890) without affordable housing in on 23 June 2016 (committee resolution 3 May 2016), I am satisfied that had the land subject to this application been brought forward as part of or at the same time as the adjoining Shellbark Close development, then the outcome would have been similar – i.e. no affordable units would have been required.

The Local Housing Market Assessment has subsequently been updated (published April 2018) and now identifies an affordable housing requirement in the urban area of Wrexham as well as the wider County Borough.

In light of the above I do not consider it reasonable to apply the 25% affordable housing requirement set out in Local Planning Guidance Note 28 retrospectively to the 30 dwellings. I have however approached the applicants with a view to securing an affordable housing contribution of 25% of the 6 dwellings proposed – a contribution equivalent to 1.5 affordable units. In response, a viability appraisal has been submitted, a summary of which is included below:

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>Open Market Value</b>	<b>£896,000</b>
Building Costs	£514,300
Preliminaries	£51,200
Contingencies	£23,956
Fees (professional, legal, stamp duty etc)	£209,582
Developer Contributions	£17,760
<b>Total Costs:</b>	<b>£798,947</b>
Profit Before Taxation:	£79,295
Rate of return:	8.9%

The appraisal takes account of education and open space contributions but excludes affordable housing.

Viability appraisals normally allow for a rate or return for developers of up to 20% therefore a return of 8.9% is considered to be very low. The scheme would be rendered unviable if an affordable housing contribution were sought.

I have sought advice from the Council's Development Surveyor who has reviewed the details submitted who has advised that the information submitted is reasonable. I therefore have no reason to conclude that the costs have been unreasonably over-estimated or the open market value dwellings under-estimated.

The development would make a modest contribution to the overall supply of both market and (if secured) affordable housing in the County Borough. However it is highly likely were the Council to seek to impose the an affordable housing requirement then development would not proceed. Taking this into account I consider the benefits of securing a modest contribution towards the overall housing supply on a site in a sustainable location close to the town centre outweighs the 'loss' of very small contribution to affordable housing provision in this instance.

Members are reminded that the Council's refusal of the conversion of the English Methodist Chapel, High Street, Brymbo (P/2017/0319) on the grounds that the development was unable to sustain a financial contribution towards education provision was allowed, with costs being awarded against the Council. The developer in that case had identified that the without the education contribution the rate of return to the developer was 7%.

*Public Open Space (POS)*

The adjoining development was subject to a planning obligation to require off-site contributions towards the upgrade of the play area bounded by Rhosddu Road and Garden Road due to the site being considered unsuitable for on-site provision.

The on-site POS requirement associated with the dwellings subject to this application would be 480 sq.m, which would be too small to be of any

recreational value. It would therefore be appropriate to require a further contribution to off-site POS provision in this instance. The Parks, Countryside and Rights of Way has confirmed that the play area referred to above has space for enlargement and that a contribution of £1000 per dwelling, or £6000 would deliver further improvements to it. The further upgrade will also ensure that potential additional usage of that play area as a result of the development is adequately off-set.

## **CONCLUSION**

I am satisfied that the development of the site can in a manner that accords with the character of the area and without harm to residential amenity, highway safety or the level of parking provision for the adjacent gym. As such the proposals accord with the relevant UDP policies.

## **RECOMMENDATION A**

That the Council enters into an Obligation under Section 106 of the Town and Country Planning Act 1990 to secure:

- i. Payment of a financial contribution towards Rhosddu Primary School in accordance with the formula set out in Local Planning Guidance Note 27; and
- ii. A financial contribution of £6000 towards the upgrading of Rhosddu Road play area

That the Head of Environment and Planning be given delegated authority to determine the final form and content of the Obligation

## **RECOMMENDATION B**

Upon completion of the Planning Obligation that permission be **GRANTED** subject to the following conditions:

## **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 be carried out in strict accordance with the following approved drawings:
  - i. PRE-04 Revision G Proposed Site Plan
  - ii. PLN-03 House Type 1
  - iii. PLN-06 House Type 4
3. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

4. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 3 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

5. No part of the development shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:

- i) a noise survey to determine noise levels within the site during the day time and night time both has been carried out; and
- ii) a detailed report of the survey findings together with a scheme of noise mitigation.

Each dwelling requiring noise mitigation measures shall not be occupied until mitigation measures have been implemented in full in strict accordance with the scheme as approved.

6. 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 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.

7. Construction of any dwelling hereby permitted shall not begin until the parking and turning spaces numbered 1-20 and 81, 83 and 106 on drawing no.PRE-04 Revision G have been laid out surfaced and drained. Thereafter they shall be permanently retained and kept free of any obstruction, and at all times made available solely for the parking and turning of motor vehicles in conjunction with the operation of the gym located to the south of the land subject to this planning permission.

8. The parking spaces referred to in conditions 07 and 12 shall not be brought into use until the acoustic fences along the full length of the eastern boundary of the site in strict accordance with the details specified on drawing no. PRE-04 Revision C has been provided. The fences shall thereafter be permanently retained.

9. Prior to their use on the development samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

10. No dwelling shall be occupied until a 1.8m wide footway has been provided across the full frontage of plots 3-6 and the frontage of the parking spaces shared yellow on drawing no. PRE-04 Revision G in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The footway shall thereafter be permanently retained.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

11. Prior to the first occupation of plots 1 and 2 a trespass proof fence of at least 1.8m high shall be erected along the full length of the western boundary of the site in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The fence shall thereafter be permanently retained and maintained.
12. Prior to the first occupation of each dwelling, the means of boundary for that dwelling shall be erected in full in strict accordance with the details shown on drawing. PRE-04 Revision G.
13. The vehicular parking and turning areas as shown on approved drawing(s) No(s). PRE-04 Revision G shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
14. 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.
15. 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.

### **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 the amenities of the future occupants of the buildings
4. In the interests of the amenities of the future occupants of the buildings
5. In the interests of ensuring the amenity of future occupiers of the development.
6. To ensure satisfactory drainage of the site and to avoid flooding.
7. In the interests of ensuring that adequate off-street parking is provided for the adjacent site.
8. To protect the amenities of the occupiers of nearby properties.
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
10. To ensure a safe means of pedestrian access to the adjoining gym site is maintained.
11. To protect the railway from unauthorised access.
12. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
13. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
14. To ensure that adequate visibility is provided at the proposed point of access to the highway.
15. In the interests of highway safety.

**NOTE(S) TO APPLICANT**

Prior to any works commencing on site a method statement and risk assessment must be submitted to Network Rail's Asset Protection Engineer (AssetProtectionWales@networkrail.co.uk) for approval. This must take full account of the consultation response received from Network Rail dated 12 October 2017.

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.

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)

**RECOMMENDATION C**

That if the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 is not completed within six months of the date of the Committee resolution the Head of Community Wellbeing and Development be given delegated authority to refuse the application for the following reasons:-

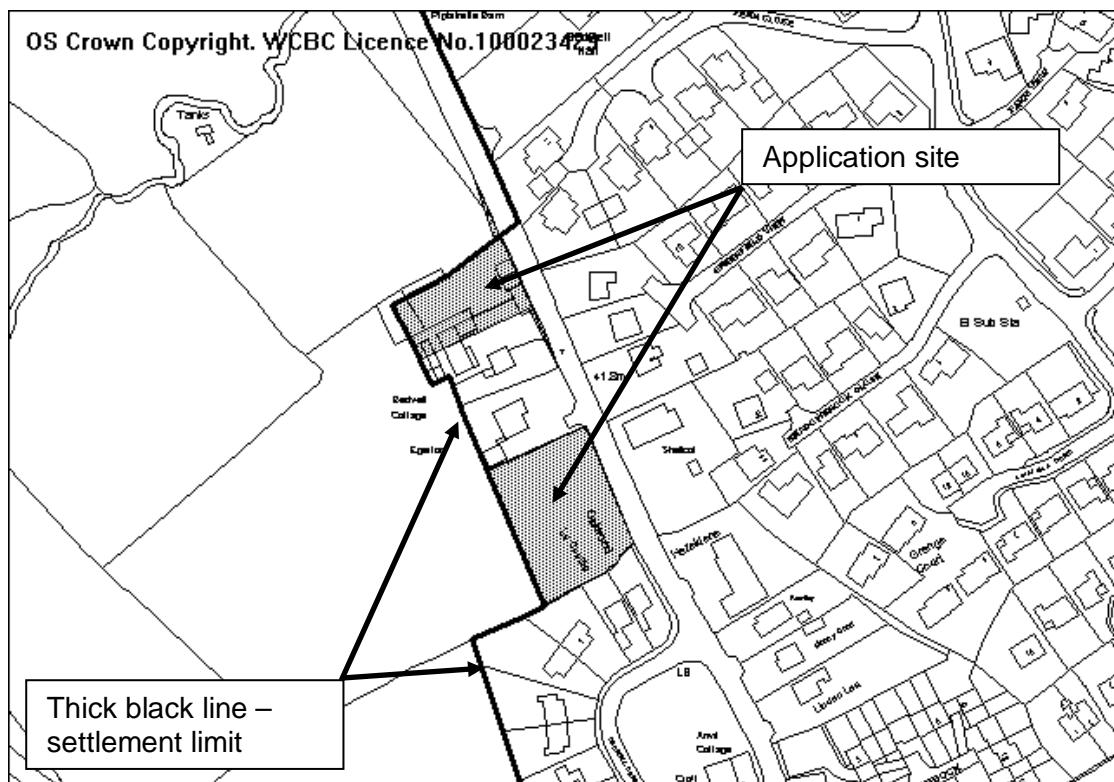
1. No contribution has been made towards the provision of additional primary. Without this additional provision, there is insufficient school capacity to cater for the development. As such the development does not accord with policy GDP2 of the Wrexham Unitary Development Plan.
  2. No contribution has been made towards the provision of public open space. In the absence of a contribution the development does not accord with policy CLF5 of the Wrexham Unitary Development Plan.
-

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0138	<b>LOCATION:</b> LAND AT BEDWELL ROAD CROSS LANES WREXHAM LL13 0TR	<b>DATE RECEIVED:</b> 19/02/2018
<b>COMMUNITY:</b> Sesswick	<b>DESCRIPTION:</b> ERECTION OF 5 NO. DETACHED DWELLINGS INCLUDING MEANS OF ACCESS AND ASSOCIATED WORKS	<b>CASE OFFICER:</b> PF
<b>WARD:</b> Marchwiel		<b>AGENT NAME:</b> D S JONES & CO MR STEVE JONES
	<b>APPLICANT(S) NAME:</b> MR JONES RESIDENTIAL LAND PROMOTIONS LTD	

---

### THE SITE



### PROPOSAL

Planning permission is sought in full for the residential development of the land consisting of 5 no. detached dwellings with associated access and parking.

## **HISTORY**

P/2016/0273 - Outline application for residential development (24 dwellings) including means of access to the site. Refused and dismissed at appeal.

## **PLANNING POLICY**

The site is located entirely within the Cross Lanes settlement limit. Policies PS1, PS2, PS3, PS4, GDP1, EC4, EC12, H2 and T8 of the Wrexham Unitary Development Plan are relevant. Guidance is contained in Local Planning Guidance 16 – Parking Standards, 17 – Trees and Development and 21 – Space Around Dwellings.

## **CONSULTATIONS**

Community Council:

Objections made as follows:

- Disagree with the applicant's statement that the land is not within an area at risk of flooding. Part of the land in question is underlain with heavy clay and would not be suitable for soakaways leading to pressure on the local highway network and the nearby Bedwell Brook;
- Plots 4 and 5 appear to lie outside the defined settlement limit and would encroach into greenfield areas contrary to the UDP;
- The applicant's claim that there are no trees on or near the development site that could influence or be influenced by the development are contested – there are a number of well-established trees on the boundary with Bedwell Road;
- The sustainability credentials of Cross lanes are overstated – there are few facilities including bus services, play facilities and retail;
- The Community Council understand that the foul drainage network is already at maximum capacity;
- The construction of plots 4 and 5 will remove the only field access to the field meaning an additional access will need to be created;
- There is little spare capacity at local education facilities;
- The benefit to the community through natural observation from the dwellings is overstated; and
- There is no footway provision shown to the two plots.

Local Member:

Notified 22.02.2018

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

Site notice:	Expired 28.03.2018
Public Protection:	Amenity nuisance conditions and informatives recommended.
Highways:	No objections but offer the following observations: - The proposal includes detail which demonstrates that a suitable access can be provided to both parcels of the site; - The plans do not show parking provision in accordance with LPG16; and - Footpath provision should be maximised to the site frontages.
LLFA:	Only very minimal information has been submitted, but as a connection can be achieved to the nearby watercourse across land within the ownership of the applicant, I am satisfied that a sustainable scheme for the management of surface water should be achievable. Condition recommended.
Education:	Consulted 06.03.2018
Welsh Water:	No objection but recommend conditions to ensure that foul and surface water flows are directed separately from the site and a detailed drainage scheme be submitted for further approval.
Natural Resources Wales:	NRW would not object to the proposal if the following could be demonstrated: - Further information should be submitted to demonstrate that possible blockages to the nearby watercourse and climate change will not have an impact upon the development; and - The imposition of conditions to secure avoidance based great crested newt measures and biosecurity measures. <i>NRW have been re-consulted on 16.10.2018 following receipt of additional flood risk information.</i>
Neighbouring occupiers:	13 neighbouring occupier notified. 2 responses received raising the following objections: <ul style="list-style-type: none"><li>• There is a lack of infrastructure within the village and the increase in population will inevitably result in an increase in traffic;</li><li>• The proposal will have a negative impact upon wildlife in the area including badger setts and otters;</li><li>• Bedwell Road has a 30mph speed limit which is almost never adhered to. It has also become a rat run for industrial estate</li></ul>

workers to the village Coop and is used inappropriately by HGVs;

- The occupier of the new properties will not be able to exit their drives safely because of poor visibility;
- The development will require the removal of ancient hedgerows which will affect wildlife;
- The recent Wrexham Local Development Plan process did not identify the village for further development;
- Plots 4/5 are a natural land drain – the land being very waterlogged;
- The applicants have stated that there are no trees on the site which is incorrect;
- There are no proper bus services;
- The land is not of a suitable condition to take land drainage by way of soakaways;
- The foul water from the development will overload the sewage system;
- An existing field access will be removed and will need to be replaced potentially blocking a right of way;
- The local education facilities will be overstretched from children housed at the new development and will also mean an increase in vehicles at the school;
- There are no play facilities in Cross Lanes and this is leading to anti-social behaviour.

## **SPECIAL CONSIDERATIONS**

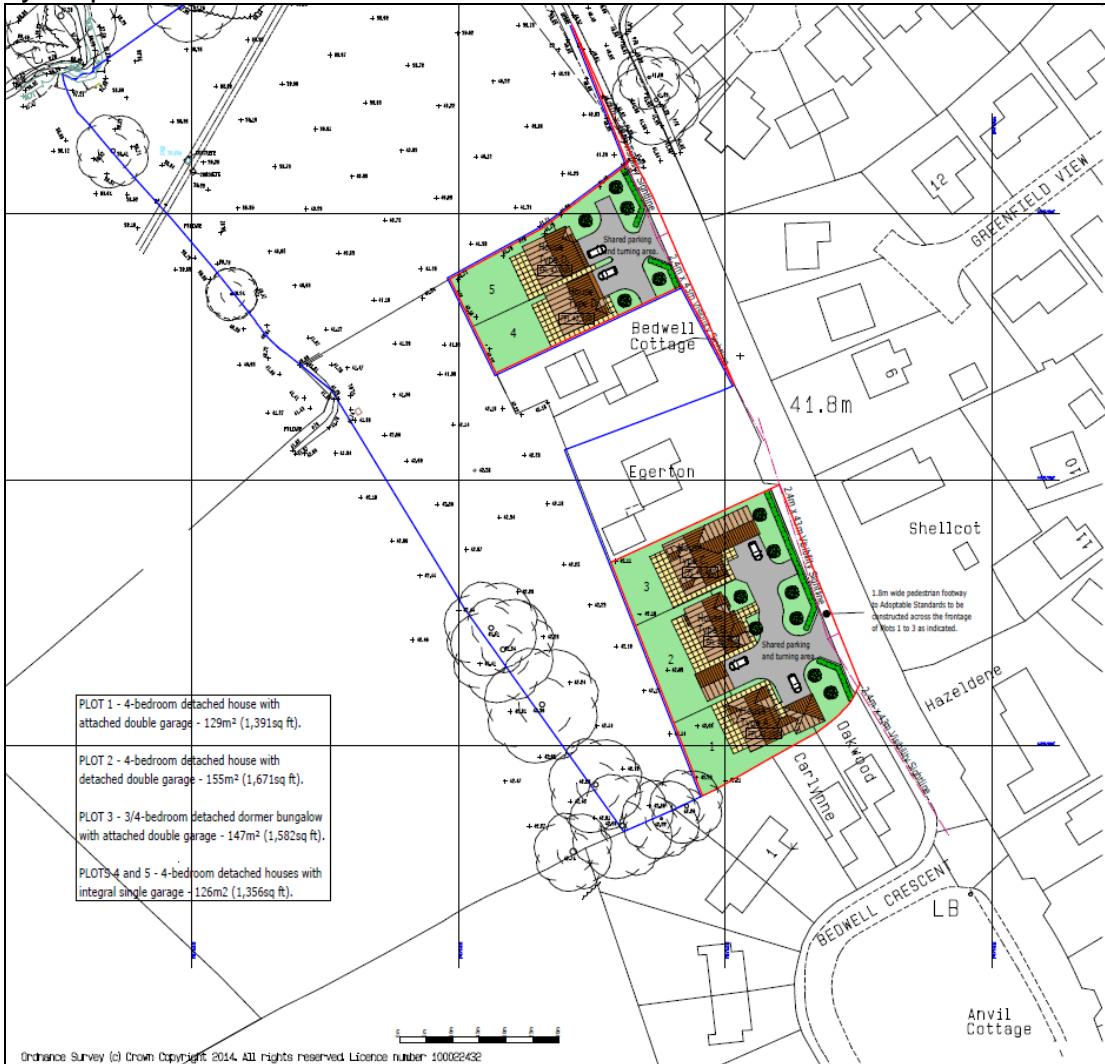
**Background:** Planning permission was previously sought for a larger scheme of residential development in 2016. This proposal included the land subject to the current application as well as an expanse of the neighbouring field parcel to the north and east. The majority of the planning application site fell outside the defined settlement limit and the council refused planning permission on the grounds that it would not comply with policy H5 as stated in the Wrexham UDP as well as other technical site specific matters relating to drainage and ecology. The scheme was subsequently dismissed at appeal.

**Policy:** The scheme now before Members is on a much reduced scale consisting of 5 dwellings across two separate parcels of land, but within very close proximity. Both parcels of land fall entirely within the defined settlement limit for Cross Lanes.

Strategic policies PS1, PS2 and PS4 direct new residential development to existing settlements in manner which respects the existing environmental characteristics and settlement patterns. Policy H2 establishes the principle of

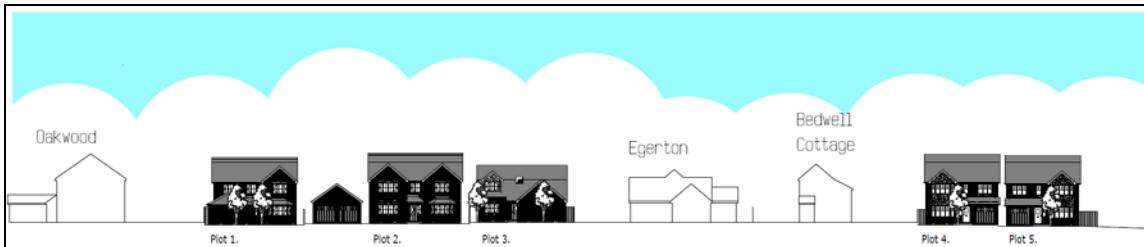
residential development of unannotated land within these settlements subject to compliance with the council's general development principles laid out in policy GDP1. I am satisfied that the principle of the development is acceptable. Site specific matters are discussed later in this report.

**Design and amenity:** The proposed layout is a continuation of the built form on the western side of Bedwell Road. There are two existing dwellings known as Bedwell Cottage and Egerton which would be centrally located on the street frontage. I am satisfied that the overall layout would be broadly consistent with the overall settlement pattern of the area and would not represent an over development of the site. This would effectively result in a completion of this part of the settlement designation of Cross Lanes. For the benefit of Members a layout plan is shown below.



### Proposed layout

The elevations of the dwellings are considered acceptable. There is no consistent architectural styling in the area with dwellings of various scales and age. The proposed buildings are consistent in their use of materials but offer variance in terms of scale and form. As a collective I am satisfied that they sit well and assimilate within the streetscene. I have no objections on this basis. For the benefit of Members a streetscene image is shown below.



**Highways:** Both portions of the site would access directly on to Bedwell Road, a classified highway subject to a 30mph speed limit. Highways are satisfied that the development can be accommodated with the required visibility splays.

Both portions of the application site are separated by the central presence of Bedwell Cottage and Egerton. Bedwell Cottage is within the control of the applicant with

Egerton in third party ownership. The applicant has shown on the layout plan the provision of a 1.8m wide footway to the frontage of the southern development portion linking in with the existing footway into the village. Whilst highways believe that a 0.9m footway can be provided to the frontage of Egerton I consider that this would have limited benefit and would be more difficult to negotiate than if the ground were left in its current state. The applicant does have the opportunity to provide further footway provision to the frontage of the northern portion of the proposed development. I am satisfied that the provision of these elements would be of significant benefit to the future occupiers of the dwellings and the existing residents of Bedwell Cottage and Egerton.

The scale of dwellings shown (3 and 4 beds) would require a maximum of 3 parking spaces per dwelling. LPG16 specifically states that garages should not be relied upon as a parking space. The layout is shown with the houses benefitting from a shared access and parking area. I do not share the concern of highways that the parking provision is below standard. The shared surfacing and turning areas are likely to operate on the basis that adequate parking provision will be achievable for all dwellings with a high likelihood that no vehicle will need to leave the site in a reverse gear. On this basis I do not consider that the layout as shown would result in any detriment to highway safety.

**Flooding and drainage:** The site is not located in an area designated as being at risk from river flooding. However the site is located reasonably close to Bedwell Brook. In dismissing the previous larger proposed development, as well as disagreeing with the principle of the development, the Inspector also considered that the scheme had not adequately addressed the possible flood risk. Whilst built development could be located outside the C2 flood zone as defined in TAN 15, he was not convinced that instances of channel blockage or the implications of climate change had been taken into consideration.

NRW have raised this question again. Whilst the application site is some 75m from the brook the land level differences are not significant. I am satisfied that

the same principles do apply. The applicant has provided an addendum to the flood consequences assessment which accompanied the application. NRW have agreed with the applicant that their submissions. The modelled flooding levels as a result of a potential channel blockage and climate change will not influence the development as proposed. I have undertaken a further formal consultation with NRW on this additional information and that response will form part of the addendum. I am satisfied that there is likely to be no risk from fluvial flooding on the development.

The scheme has been assessed by the LLFA officer. It is highly likely that the applicant will be able to demonstrate a scheme of surface water drainage that could attenuate surface water at a suitable rate before draining off site to the nearby watercourse. A condition will be required to confirm this detail.

**Ecology and trees:** Whilst the applicant has provided information to suggest that there are no trees on or adjacent to the site that could influence or be influenced the development, I acknowledge that this is not the case.

There is hedgerow parallel to Bedwell Road on the frontage of both portions of the site which would require removal. This equates to approximately 60m. Whilst the removal of any stretch of established hedgerow is unfortunate, I have considered its loss against a number of factors. Firstly, this will assist in the provision of a significant number of dwellings on land within a settlement where the council has an identified shortage of housing provision across the County Borough. Secondly, the applicant has indicated on the layout plan the provision of replacement frontage planting within which the council could insist upon valuable native species. Lastly, I am satisfied the loss of the hedgerow would not be significant in terms of habitat loss when viewed in the context of the wider landscape. There are a significant number of field boundaries and trees which are made up of similar foliage.

The trees which fall with in the neighbouring parcel of land are unlikely to be harmed by the implementation of the development however a scheme of tree protection measure can be sought and conditioned.

**Other matters:** I am satisfied that the sustainability of this location for residential development need not be questioned. The site falls within a settlement defined by the Wrexham UDP and policies within remain broadly in line with the Welsh Government's aims for ensuring new housing is located as close as possible to existing settlements. Cross Lanes is a small village with a limited number of services including a convenience store and a limited bus service. Regardless, a positive recommendation in this instance would be consistent with the council's approach to other housing proposals in similar locations.

Welsh Water have raised no objection to the proposal on the grounds of foul water sewerage capacity in the area. I have no evidence before me to support the claims made in representations.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

There are no formal play areas in Cross Lanes. There are limited parcels of land which can be used by the public as informal play space such as Bedwell Crescent and Nant Clwyd Park. The lack of formal play space in Cross Lanes and the wider community is noted, however UDP policy and guidance makes no requirement for the provision of open space as part of this proposal as the number of dwellings does not exceed 10.

**Conclusion:** I am satisfied that the proposed development accords with local and national planning policy in terms of its location. There are no site specific constraints that cannot be overcome by way of design or the use of planning conditions. On this basis 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) numbered:-  
10110.04.dsj PROPOSED SITE LAYOUT PLAN  
10110.05.dsj HOUSE TYPE A - PLOT 1  
10110.06.dsj HOUSE TYPE B - PLOT 2  
10110.07.dsj HOUSE TYPE C - PLOT 3  
10110.08.dsj HOUSE TYPE D - PLOTS 4 & 5  
10110.10.dsj SCREEN FENCE DETAIL  
10110.11.dsj PROPOSED DOUBLE DETACHED GARAGE  
and as contained within the application documentation.
3. Prior to their use on the development samples of all external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.
4. Prior to first use of the development hereby approved to which they are to serve, the vehicular accesses shall provide visibility splays of 2.4 metres x 43 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.
5. Prior to the commencement of development hereby approved, a scheme detailing the provision of a 1.8m wide adoptable footway across the entire site frontage on to Bedwell Road shall be submitted to and approved in writing by the local planning authority. The scheme shall also include details of a timescale for its implementation. The development shall be carried out in accordance with the scheme as approved.
6. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

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. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:
  - a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
  - b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
  - c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
  - d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
  - e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
  - f) Method for protecting retained trees during demolition works;
  - g) Details of all proposed tree works, including felling and pruning.
9. Notwithstanding the detail contained on the approved plan, replacement hedgerow consisting of a native mix of species shall be planted across the site frontage in accordance with a specification which has been submitted to an approved in writing by the local planning authority. The planting shall be carried out in the first available planting season following first occupation of the part of the development to which the hedge relates and shall be retained for a minimum period of 5 years. Any planting which is removed or is severely damaged or becoming diseased within this time shall be replaced with hedging plants of the equivalent size and species.
10. No tree or hedge removal shall be carried out during the bird nesting season.
11. Prior to the commencement of development, a scheme of reasonable avoidance measures in respect of great crested newts and a biosecurity risk assessment shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details as approved.
12. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.
13. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details,

an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and demonstrating compliance with the Statutory SuDS Standards for Wales. The results of the assessment shall be submitted in writing to the Local Planning Authority. The submitted details shall:

- i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
- ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
- iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

**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. To ensure that adequate visibility is provided at the proposed point of access to the highway.
5. In the interests of highway safety.
6. In the interests of highway safety.
7. In the interests of highway safety.
8. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
10. In order to ensure that nesting birds, which are protected in law, are not disturbed during the development process.
11. In order to protect species which would otherwise be harmed by the implementation of the development.
12. To protect the amenities of the occupiers of nearby properties.
13. To ensure satisfactory drainage of the site and to avoid flooding.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0277	<b>LOCATION:</b> WILLOW COTTAGE PARK STREET RUABON WREXHAM LL14 6LE	<b>DATE RECEIVED:</b> 09/04/2018
<b>COMMUNITY:</b> Ruabon	<b>DESCRIPTION:</b> OUTLINE APPLICATION FOR ERECTION OF 10 NO. DWELLINGS AND CONSTRUCTION OF NEW ACCESS POINT	<b>CASE OFFICER:</b> MR
<b>WARD:</b> Ruabon		<b>AGENT NAME:</b> BLUEPRINT LTD MR DAFYDD EDWARDS
	<b>APPLICANT(S) NAME:</b> MRS L AISTON	

---

### SITE



### PROPOSAL

The application seeks outline planning permission with all matters reserved for the construction of 10 no. dwellings.

### HISTORY

P/2001/0707 – Conservatory extension. Approved 17/09/2001.

## **DEVELOPMENT PLAN**

Within designated open countryside. UDP policies PS2, GDP1, H5, T8, CLF5 apply.

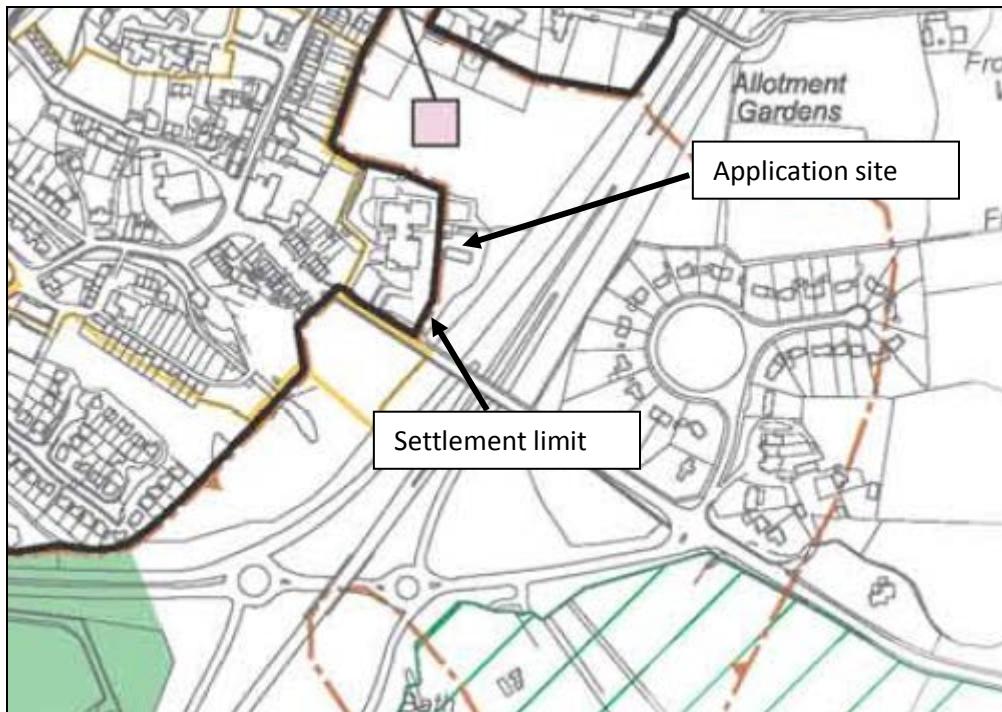
LPG 16 – Parking Standards, LPG 21 – Space Around Dwellings, LPG 27 – Developer Contributions to Schools.

## **CONSULTATIONS**

Community Council:	No objection.
Local Member:	Notified 10.04.2018.
Welsh Government:	Holding objection issued. Additional information requested to demonstrate adequate noise mitigation. Not received at the time of writing, an update will be provided in the Committee Addendum.
Coal Authority:	Standing advice recommended given site falls within a low risk coal mining area.
NRW:	Further information required in regards to impact of the proposal on bats. Based on the additional information received, NRW raise no objection.
Highway Authority:	No objection subject to conditions to secure required visibility splays and construction details.
Welsh Water:	No objection subject to a condition to secure means of drainage from the site. The applicant may need to divert the public sewer if the proposal is located within the protection zones of the sewer.
Public Protection:	No objection subject to conditions to secure noise mitigation as set out in the Acoustic Report, construction hours and dust management scheme.
Education:	No reply received.
POS:	£10,000 contribution required via S.106 Agreement to secure funding for the Pont Adam play area.
Ecology:	Originally objected to the application given further work required to establish impact of development on bats. Based on the additional information received, no objection is raised subject to a condition to secure an integral schwegler bat box.
Trees:	No comments received at the time of writing. An update will be provided in the Committee Addendum.
Site Notice:	Expired 10.05.2018.
Neighbours:	2 no. representation objecting to the proposal. Concerns raised include potential adverse impacts to bats, increase in traffic congestion, noise disruption, structural stability, impact on school places.

## **SPECIAL CONSIDERATIONS**

**Principle:** The application site lies within designated open countryside as identified on Policy Map 4 INSET 6.



Policy H5 states that outside defined settlement limits new dwellings will only be permitted where amongst other criteria, they comprise conversion of existing buildings, are infilling or are exception site dwellings.

The proposal is for the construction of 10 no. market dwellings to which none of the criteria under UDP Policy H5 would allow this type of development in designated open countryside.

In light of the above the proposals conflict with adopted UDP policies.

S.38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the development plan in force in the area unless material considerations indicate otherwise.

**Housing Land Supply:** PPW paragraph 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 paragraph 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 as such, will be deemed to have a zero land supply.

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, this 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 satisfies all of the relevant planning considerations and represents a sustainable form of development.

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. 977 houses) this equates to a requirement for additional land to be brought forward approximately 3376 new houses .

In July 2018 the Welsh Government temporarily dis-applied paragraph 6.2 of TAN1 which advised that ‘considerable’ weight should be attached to the need to increase housing land supply where local planning authorities were unable to demonstrate a 5 year housing land supply. The weight afforded to this matter must therefore now be determined on a case by case basis.

Given that Wrexham has a zero housing land supply as a result of the UDP having expired, and because of an identified requirement for housing, the need to increase the supply of land available for housing should still be afforded considerable weight when determining relevant planning applications, subject to proposals also complying with relevant **development plan** and **national planning policy**.

**Sustainable Development:** The site comprises an existing dwelling and associated garden which would be classed as previously developed land, to which PPW states that wherever possible, should be used in preference to greenfield sites. The policy goes on to state that previously developed land in and around settlements may be considered suitable for development.

The site is located directly adjacent to Ruabon Settlement Limit and is within walking distance of the centre of Ruabon, approximately 150m away, where there are facilities and services in the form of retail stores, bus stops, a dentist, public house and restaurant.

The proposal would result in economic benefits through the construction of the development and the associated supply chain.

The proposal is considered to represent sustainable development thus being consistent with the objectives set out in paragraphs 4.4.3 and 4.7.4 of Planning Policy Wales in respect of being located so as to ensure the development is accessible by means other than the private car.

**Site Characteristics:** The application site, although is designated open countryside, lies directly adjacent to the settlement limit with the A483 lying directly to the south-east of the site. The site is therefore considered to be a natural rounding off of existing built up area of Ruabon. In this context, development of the site for 10 no. dwellings is not considered to represent an

undesirable or harmful intrusion into the rural landscape.. This is another factor that weighs in favour of the development.

**Planning Balance:** Whilst there is a policy presumption against the proposal, the material considerations associated with the scheme and discussed above are considered to outweigh the conflict with local plan policies, having regard to the sites sustainability credentials and its location directly adjacent to the settlement boundary. For these reasons, the principle of development is considered to be acceptable.

**Design and Layout:** Whilst the application is made in outline with all matters reserved, concerns were raised at the outset, having regard to the illustrative layout submitted, which was considered to be over-engineered and too formal for the plot size and amount of development proposed.

The scheme has subsequently been amended so that the access road through the site is less rigid and engineered, the footpath leading to the rear of the site has been omitted, there is use of different surfacing and materials and the plots

at the rear of the site have been re-designed to sit around a courtyard as opposed to the previous cul-de-sac type development proposed.

The introduction of an informal courtyard fronted by a complex of residential units more akin to a barn conversion style is considered would better reflect the development further west along the road, which includes the Wynnstay Arms and more traditional surrounding buildings.

Confirmation of the use of cobbles and stone would also complement the vernacular of the development to the west, better integrating the proposal with the locality overall.

As part of the revised proposal the number of units have been reduced from 11 to 10. The resultant amount and scale is considered to be appropriate to the plot size and the proposal would not appear cramped or overdeveloped in this respect.

The plots nearest the front of the site should ensure these have a strong presence, with car parking remaining either to the side or the rear. Strong focal points and boundary treatments at the entrance and into the site would also be required to ensure the scheme achieves presence and a sense of place.

The acoustic fence proposed along the eastern boundary of the site would only measure approximately 35m in length, which Wrexham Public Protection confirms they have no objection to in terms of noise mitigation. The fence is considered would be sufficiently set back from the main road to have no impact on the character and appearance of the street scene.

The revised scheme, whilst reserved in relation to matters of design, is considered to be a significant improvement to the originally proposed and the

illustrative site layout would be conditioned as part of any grant of planning permission.

**Residential Amenity:** Relevant spacing standards should be adhered to as part of the final proposed site layout, as should private amenity space.

Windows should be inserted into relevant elevations to ensure overlooking of parking areas, driveways and the main access into the site.

The sites location directly above a dual carriageway requires noise mitigation. The Welsh Government object to the application based on the noise mitigation put forward. Their comments made in terms of limited information provided regarding the ventilation is considered could be covered under Building Regulations.

The case officer has requested confirmation from the agent regarding the query in terms of specific dB, type of glazing proposed and attenuation.

An update will be provided in the Committee Addendum.

Public Protection have assessed the application and confirm that they have no objection subject that the recommendations set out in the revised Noise Report are conditioned as part of any planning permission. This is not attached as a condition to date given a response is still awaited from Welsh Government in regards to the acceptability of the noise mitigation details. Should the noise mitigation be deemed acceptable by WG, this would be conditioned and reflected in the Committee Addendum.

A condition to secure a dust mitigation scheme is considered acceptable, however construction hours would be covered under separate legislation.

**Access and Car Parking:** The required visibility splays would be achievable as shown on the revised Site Layout Plan.

The access road is appropriate in terms of its 4.8m width as is the courtyard area which allows turning provision for a refuse vehicle, if required. However, from a planning perspective, it is considered that there is no significant need for a refuse vehicle to enter the site, given the relatively limited number of dwellings and that refuse could be stored at a point near the site entrance, allowing convenient access for disposal.

The Highway Officer confirmed that traffic generation for 11 dwellings would not cause detriment to highway capacity or safety in the locality. The number of units has since been reduced to 10, therefore resulting in less traffic generation than what was originally proposed and accepted.

A condition to secure the visibility splay is considered reasonable however the condition to secure layout, lighting, design, drainage and construction of the internal estate road is not considered to be necessary, given these elements

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

can be secured at reserved matters stage and through the use of separate conditions.

Highway Authority raises no objection.

**Drainage:** Welsh Water raises no objection subject to a condition to secure means of drainage from the site. The applicant may need to divert the public sewer if the proposal is located within the protection zones of the sewer.

**Trees:** No comments received from the Tree Officer at the time of writing. An update will be provided in the Committee Addendum.

**Ecology:** NRW and Wrexham Ecology originally objected to the application given further bat surveys were required to be submitted.

The further survey work has been carried out and the proposal is not considered would be detrimental to bats. A condition is recommended to secure the enhancement recommendations as set out in the submitted Bat Survey.

**Education:** No response received from the Education Department therefore no contribution would be provided.

**POS:** A £10,000 contribution would be secured under S.106 Agreement for improvements to the Pont Adam play area, in accordance with UDP Policy CLF5.

## **CONCLUSION**

The principle of development is considered to be acceptable and a development of the type proposed is considered could sit comfortably in this location without detriment to visual or residential amenities. Resultant impacts to highway safety, ecology and provision of POS are considered to be acceptable. The proposal would comply with UDP Policies GDP1, H2, EC6 and T8.

## **RECOMMENDATION A**

That the Head of Environment and Planning be given delegated authority to determine the application in accordance with the recommendations below once the Welsh Government lift their holding objection in respect of noise mitigation.

## **RECOMMENDATION B**

That the Council enters into an Obligation under Section 106 of the Town and Country Planning Act 1990 to secure:

- i. A financial contribution of £10,000 towards the upgrading and improvement of Pont Adam play area

That the Head of Environment and Planning be given delegated authority to determine the final form and content of the Obligation

## **RECOMMENDATION C**

Upon completion of the Planning Obligation that permission be **GRANTED** subject to the following conditions:

### **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 means of access to the site and building(s)
  - e. the landscaping of the site.
2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
3. The development hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
4. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered A046/004 Rev C, A046/002 Rev G, A046/003 Rev C and as contained within the application documentation.
5. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 25 metres to the North West and 2.4 metres x 43 metres to the South East 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 adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
6. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment as carried out by Susan Worsfold and dated 17th June 2018 approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.
7. 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 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.
8. No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.

**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 define the scope of the planning permission
5. To ensure that adequate visibility is provided at the proposed point of access to the highway.
6. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
7. 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.
8. To protect the amenities of the occupiers of nearby properties.

**NOTE(S) TO APPLICANT**

Applicants are advised that compliance with condition no. 8 does not provide an exemption from the statutory nuisance provisions of the Environmental Protection Act 1990. Under the Act dust from any type of activity can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that the dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

**RECOMMENDATION D**

That if the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 is not completed within six months of the date of the Committee resolution the Head of Community Wellbeing and Development be given delegated authority to refuse the application for the following reason:-

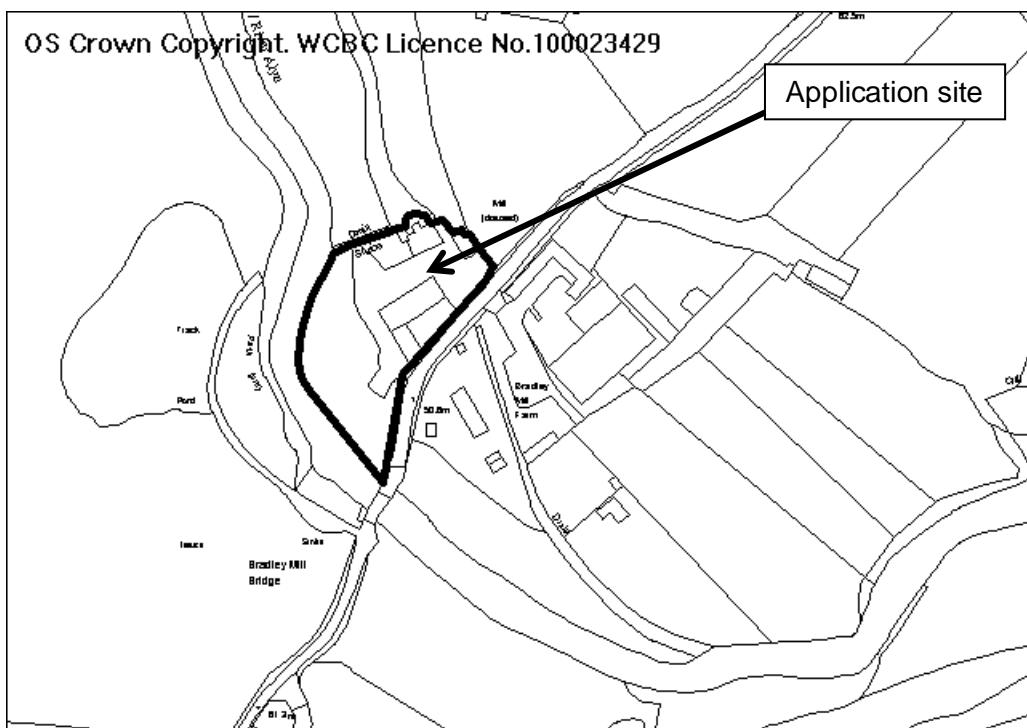
1. No contribution has been made towards the provision of public open space. In the absence of a contribution the development does not accord with policy CLF5 of the Wrexham Unitary Development Plan.
-

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0426	<b>LOCATION:</b> DISUSED MILL BRADLEY MILL BRADLEY WREXHAM LL11 4DD	<b>DATE RECEIVED:</b> 23/05/2018
<b>COMMUNITY:</b> Llay	<b>DESCRIPTION:</b> CONVERSION AND CHANGE OF USE TO SINGLE DWELLING	<b>CASE OFFICER:</b> MP
<b>WARD:</b> Llay	(PREVIOUSLY GRANTED UNDER CODE NO P/2012/0735)	<b>AGENT NAME:</b> THE PLANNING CONSULTANCY MR MATTHEW GILBERT
	<b>APPLICANT(S) NAME:</b> MR J CHADWICK	

---

### THE SITE



### PROPOSAL

As above

### HISTORY

- |             |   |
|-------------|---|
| P/2001/0333 | Light industrial use of shippion and yard area.<br>Refused 6.6.2001   |
| P/2012/0154 | Conversion and change of use to single dwelling.<br>Refused 10.4.2012 |

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

P/2012/0735      Conversion and change of use to single dwelling.  
Granted 10.12.2012

### **DEVELOPMENT PLAN**

Outside of settlement limit, within Special Landscape Area. The building is located partly within Zone C2. Policies GDP1, EC5, EC6, EC12, H3 and T8 apply.

### **CONSULTATIONS**

Community Council:	Consulted 24.5.18
Councillor Rob Walsh:	Requests application be reported to committee.
Councillor Bryan Apsley:	Notified 24.5.2018
Highways:	Recommend conditions in respect of access, position of gates, visibility splays, prevention of surface water flowing onto highways and provision of parking/turning areas.
Public Protection:	Recommend condition in respect of verification of gas protection measures.
Welsh Water:	As the applicant intends utilising a septic tank facility we would advise that the applicant contacts Natural Resources Wales who may have an input in the regulation of this method of drainage disposal.
NRW:	Have submitted the following comments:

### **Flood Risk – North Wales Joint Improvement Programme**

- The planning application proposes highly vulnerable development (housing), which is partially located in Zone C2 of the Development Advice Map (DAM) contained in Technical Advice Note 15 Development and Flood Risk (TAN15). As your Authority is aware, planning policy set out in paragraph 6.2 of TAN15 advises that “highly vulnerable development and emergency services should not be permitted”. A planning decision to permit development would therefore be contrary to planning policy advice.
- As agreed as part of the pilot under the Joint Improvement Programme, we would refer you to the agreed standing advice. This Standing Advice explains that your Authority should, in the first instance, make a planning policy decision on the development proposal. Until we receive written confirmation from your Authority that you believe there is sufficient justification to consider granting the application despite its location partially within Zone C2, we have no further comments to make regarding flood risk and we would advise that

your Authority should refuse the planning application on planning policy grounds.

- Please inform us, in accordance with advice in paragraph 11.7 of TAN15, if you are minded to grant permission for the above application contrary to our advice and allow sufficient time for further representations to be made before any consent is granted.

### **Flood Risk**

- We note that the site was previously granted planning permission in 2012. Although TAN15: Development and Flood Risk remain the current guidance note, we would advise that since 2012 Welsh Government and Natural Resources Wales have issued further guidance which should be considered in support of the current application. The FCA submitted with this application is the same FCA that was compiled in 2011 and submitted in support of the previous application. Should you inform us that you are minded to grant permission an updated FCA should be produced demonstrating compliance using current guidelines
- The decision as to whether a development is justified is entirely a matter for your Authority; if you consider that the development can be justified, despite its location within Zone C2, we would ask to be re-consulted and granted sufficient time to provide technical advice and comments on the flood risks and consequences. In such circumstances, an up to date flood consequences assessment (FCA) will be required to assess compliance with test iv (in paragraph 6.2).

### **Protected Species**

- The original protected species survey was carried out in January 2012. No emergence surveys were carried out. We therefore advise that updated surveys are carried out that accord with published guidelines.

Site Notice:

Expired 25.6.2018

Neighbours:

The owners/occupiers of 2 nearby properties notified 5.6.2018

## **SPECIAL CONSIDERATIONS**

**Background:** Planning permission for the conversion of the building to a dwelling was granted on the 10<sup>th</sup> of December 2012 subject to 15 conditions, including 3 conditions that required the submission and approval of details prior to commencement of development:

**Condition 03**

*No part of the development shall commence until a scheme to deal with potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a phased investigation approach to identify the extent of contamination and any measures required to remediate the site, including post-development monitoring.*

**Condition 05**

*Development shall not commence until a method statement detailing measures that will be put in place to ensure the conversion works do not result in pollution of the River Alyn and disturbance to otters. Development shall thereafter be carried out in strict accordance with the details as approved.*

**Condition 06**

*Development shall not commence until a scheme of post-conversion mitigation measures in respect of bats and otters has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an external lighting scheme that shall be designed to avoid adversely impacting upon bats and otters. The scheme as approved shall be implemented prior to the first occupation of the dwelling and the dwelling and curtilage shall thereafter be occupied/used in strict accordance with the scheme.*

Following the submission of a Building Regulations application, which suggested commencement of development was imminent, a letter was sent to the applicant on 25 July 2014 to remind him of the requirements of the above conditions. Details were subsequently submitted on the 31 July 2014. The applicant was however advised by letter on 27 August 2014 that the details were insufficient to satisfy the requirements of the conditions. The letter also set out clearly the further details required however no further submissions were received.

Works on the building subsequently commenced. The applicant was contacted by Planning Enforcement in October 2017 and reminded that the above mentioned conditions had yet to be complied with. Whilst the applicant did respond no further submissions were made in respect of the conditions. The applicant was advised by Planning Enforcement on 12 December that the planning permission had expired and, owing to the failure to comply with the pre-commencement conditions, that the works carried out to date were unauthorised.

The applicant submitted the current application in May to seek permission for the conversion scheme once again in order for him to be able to lawfully complete the conversion of the building to residential use..

**Policy:** There have been no changes to local planning policy in respect of the conversion of rural buildings to residential use since permission was previously granted.

The plans submitted with this application are identical to the ones previously approved in terms of design, access and parking and I am satisfied the building is in physical condition that would allow for implementation of the proposals without extensive reconstruction tantamount to the erection of a new dwelling in the countryside. As such I do not consider there to be a conflict with policies H3, EC5, GDP1(a) and (d).

**Design, access and parking:** The plans accompanying the current application are the same as those approved in 2012. There have been no changes in circumstance since then that would lead me to conclude that in respect of design, access and parking the proposals are no longer acceptable.

**Flood Risk:** As identified in the Development Plan section above, the building lies partly within zone C2. When the previous application was dealt with the Environment Agency advised that they had considered the findings of a Flood Consequences Assessment accompanying the application and therefore had no objections submit to a condition being imposed requiring finished floor levels to be set no lower than a specified level.

Whilst there has been no change to Technical Advice Note 15: Development and Flood Risk since 2012, the Welsh Government has issued further guidance on the matter by way of a letter dated 9 January 2014 which includes the following:

*Section 6 of TAN15 sets out the tests that should be considered in order to justify the location of development within a flood risk area. This is a matter for the Local Planning Authority to undertake, and these should be undertaken sequentially. Therefore the Local Planning Authority should be able to identify how a proposed development meets tests i, ii, and iii of Paragraph 6.2 prior to consulting NRW on any detailed Flood Consequence Assessment necessary to demonstrate test iv. In particular paragraph 6.2 identifies that highly vulnerable development (e.g. housing) should not be permitted in Zone C2, and paragraph 10.8 states that allocations should not be made for highly vulnerable development in Zone C2*

Paragraph 6.2 of TAN15 is included in full below:

*New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted. All other new development should only be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:*

- i. *Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; or,*
- ii. *Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;*

**AND**

- iii. *It concurs with the aims of PPW and meets the definition of previously developed land (PPW fig 2.1); and*
- iv. *The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.*

In addition to TAN15 the Welsh Government has also published the following summary of what TAN15 requires for highly vulnerable development (houses) to be considered acceptable:

- 1) *Should be located only in an area of flood risk which is developed and served by significant infrastructure, including flood defences (Zone C1 of the DAM) **AND***
- 2) *Its location is necessary to assist a local authority regeneration initiative or strategy, or contribute to key employment objectives, necessary to sustain an existing settlement or region **AND***
- 3) *The site meets the definition of previously developed land (i.e. it is not a Greenfield site) and concurs with the aims of Planning Policy Wales (i.e. the presumption in favour of sustainable development). **AND***
- 4) *A Flood Consequence Assessment has been produced to demonstrate that the potential consequences of a flood event up to the extreme flood event (1 in 1000 chance of occurring in any year) have been considered and meet the criteria below in order to be considered acceptable.*

A regeneration initiative is defined as a comprehensive, multi-approach and form part of a suite of initiatives which have been subject to public consultation. A local authority strategy is a development plan that has at least reached deposit plan stage as a minimum.

Summarising the application site:

1. *It **does not** form part of a regeneration initiative and is not subject to allocations to sustain Bradly or Llay in the extant UDP or the Deposit LDP.*
2. *The proposed development **is not** necessary to contribute support key local employment objectives.*
3. *My understanding is that the previous use of the site was as a smallholding – i.e agriculture. In accordance with figure 4.4 in Planning*

Policy Wales, the site is excluded from the definition of previously developed land.

4. The application is accompanied by a Flood Consequences Assessment (FCA), however this is dated September 2011.

Irrespective of whether the applicant produces an updated FCA the proposals fail to comply with TAN15 paragraph 6.2, criteria i. and ii. As such the development is at an unacceptable risk of flooding and is therefore also contrary to policy EC12 of the UDP.

I appreciate that the applicant has carried out works to the building, including the installation of a new roof. However these works were carried out despite the fact that the pre-commencement planning conditions referred to above had not been satisfied. In the same manner as anyone who undertakes works without having first applied for planning permission or who departs from a planning permission, the works were carried out at applicant's own risk. The fact that these works may ultimately prove abortive is not a valid reason to grant planning permission.

**Contamination:** Condition 03 was imposed because the site is situated within 250m of a former landfill site. The applicant submitted details of the gas protection measures that he has indicated have been installed to the Contaminated Land team in March 2018 who confirmed that the specification was acceptable.

The site has been subject to 2 Building Control inspections however the last was in May 2017. To date there have been no inspections of the gas protection measures and as such neither Building Control nor the Contaminated Land team are able to verify that they have been installed in accordance with the details submitted and to an acceptable standard. The Contaminated Land team have advised that a condition to require verification is therefore required.

**Ecology:** The application is accompanied by details that are intended to meet the requirements of conditions 05 and 06 of the original permission. The submissions are broadly satisfactory in respect of the former, however the details are deficient in respect of post-conversion measures in respect of otters and bats.

Whilst the location and some general external lighting details have been provided, drawings of the lighting installations that demonstrate they will not cause disturbance to bats have not been provided, I am however confident that the distance between the proposed lighting installations and the River Alyn is sufficient to avoid any significant disturbance to Otters. However the plans do not adequately demonstrate that a clear buffer will be provided along the River Alyn to prevent access and in turn disturbance of otters, including how such a buffer zone would be protected. Were members minded to grant planning permission, a condition would need to be imposed to require the details to be submitted before any further works take place.

**CONCLUSION**

The development is partly located within Zone C2 and is therefore at an unacceptable risk of flooding. The proposals are therefore contrary to policies GDP1(i) and EC12 (a).

**Members are advised that if they are minded to grant permission contrary to the recommendation set out below then they should have regard to NRW's consultation response. The application would need to be deferred, NRW informed of the Council's intentions and given time to provide specific technical advice before a decision contrary to my recommendation could be made.**

**RECOMMENDATION:** That permission be REFUSED

**REASON(S)**

1. The development is partly located within Zone C2 and is therefore at an unacceptable risk of flooding. The proposals are therefore contrary to policies GDP1(i) and EC12 (a) of the Wrexham Unitary Development Plan.
-

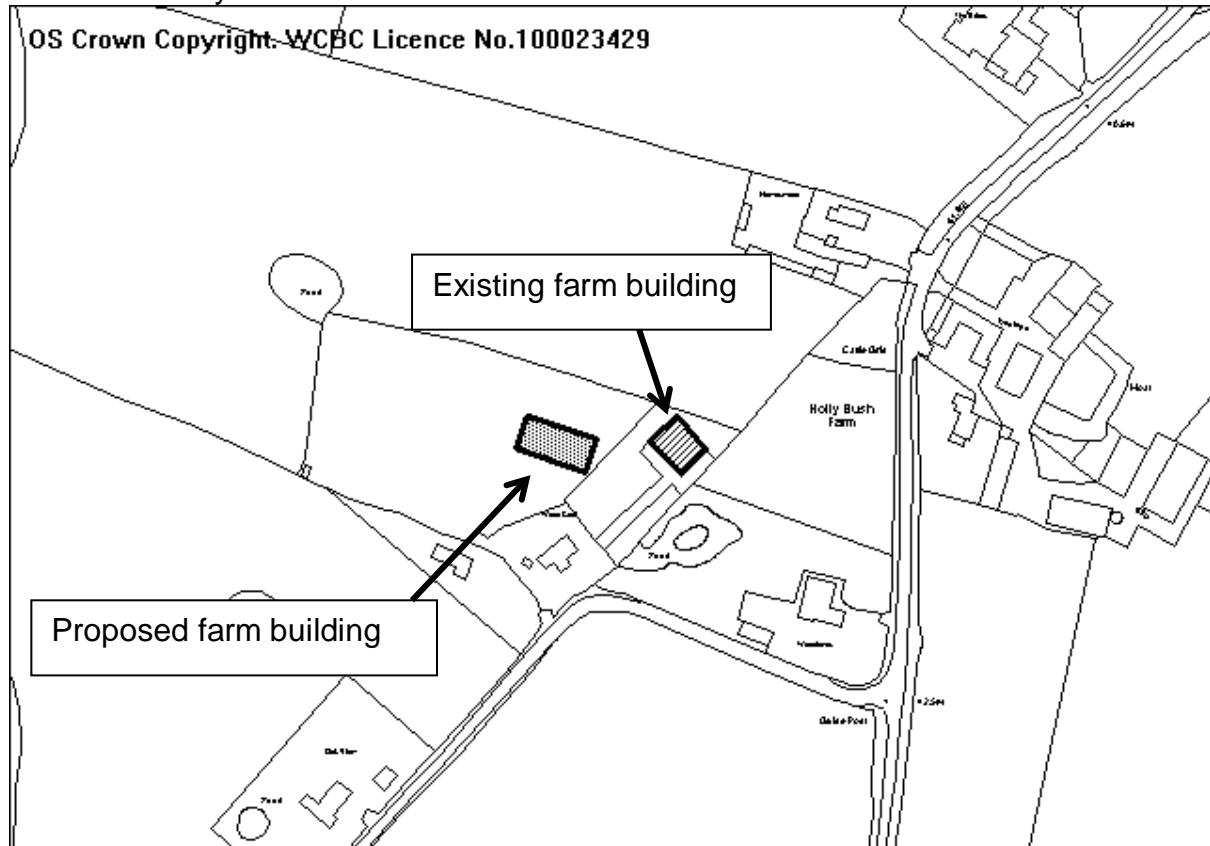
**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0462	<b>LOCATION:</b> WOODCROFT HOLLYBUSH BANGOR ON DEE WREXHAM LL13 0BH	<b>DATE RECEIVED:</b> 06/06/2018
<b>COMMUNITY:</b> Bangor is y Coed	<b>DESCRIPTION:</b> ERECTION OF STEEL FRAMED BUILDING TO STORE FEED AND SHELTER CATTLE	<b>CASE OFFICER:</b> KH
<b>WARD:</b> Bronington	<b>APPLICANT(S) NAME:</b> MR A REEVES	<b>AGENT NAME:</b> STEELFORCE MR S JAMES

---

### THE SITE

Located off a classified road which leads off the A525. The property / land is used for the grazing / silage and keeping the cattle and at present own and rent 110 acres (44.515 ha) of land. The proposed steel framed building is to be located on the northern boundary adjacent to an existing building which houses farm machinery.



## **PROPOSAL**

The building is required to store feed and shelter cattle. The land is used for grazing / silage and keeping the cattle (110 at present). The proposed building will enable the applicant to continue in farming and measures 36.6m long, 12.2m wide and 5.5m to the maximum height at the top of the pitch.

## **HISTORY**

P/2012/0442	Erection of steel portal frame building. Granted 15.02.2013
P/2012/0612	Extension to garden curtilage. Granted 15.10.2012.
P/2012/0443	Erection of sun room and lounge. Withdrawn.

## **DEVELOPMENT PLAN**

Site is outside settlement and within a Special Landscape Area. Policies PS2, GDP1, EC3, EC5, EC6 and T8 refer of the Wrexham UDP refer.

## **CONSULTATIONS**

Community Council:	Have received some objections from local residents. Based on size of the development, given the small site and inaccuracy on the plans have concerns regarding the application.
Local Member:	No response.
Public Protection:	Condition regarding burning of waste advice.
Highways:	No objections subject to the easterly access being used subject to improvements. Adequate visibility can be achieved. The westerly access should be permanently closed.
Tree Officer:	The site investigation works undertaken as part of the submitted arboricultural report appears to address previous concerns regarding the impact of the development on the adjacent existing trees. Conditions required.
Ecologist:	No objections. Conditions required.
Other representations:	Following comments received:- <ul style="list-style-type: none"><li>• Property is a residential property and not agricultural</li><li>• Concerned at the scale / size of the proposed shed and over-dominant in terms of nearby properties</li><li>• Smell and noise from the development</li><li>• Increase flies and risk to public health</li><li>• Site is only 2 acres</li><li>• Increase in traffic</li><li>• Previous conditions on application not complied with</li><li>• Local Plans show shed in wrong position</li></ul>

- Trees compromised by development
- New building cannot be justified
- What is the number of cattle that will be on the land
- What is the function of existing building

Site Notice: Expired 04.07.2018

## **SPECIAL CONSIDERATIONS**

**Proposal:** The proposal seeks to provide an additional building to store feed and keep the cattle (110 cattle at present). The building would be adjoined by an existing building which was granted permission in 2012 for a cattle welfare building and storage of machinery.

Policy EC3 allows for the erection of new agricultural buildings, but states that they should usually form part of an existing farm complex. The land is used for grazing and keeping cattle and at present they own and rent 110 acres (44.515 ha) of land and have 110 cattle at present.

**Visual Impact and Amenity:** The application is located in an area designated for the Special Landscape Value. The proposal must be considered in light of its location, design and impact on the wider landscape. The new building is to be located in close proximity to the existing with trees and hedgerows on the rear and side of the building. A tree survey submitted with the application indicates that the construction works will not impact on the health of the trees. The materials comprise of tantalised Yorkshire boarding and natural grey fibre cement roof. I am satisfied the building will not be overly intrusive and significantly detrimental to the landscape. The building would not be out of place given its location and design.

With regard to residential amenity distances from nearby properties range between 78m to 100m. At that distance the impact visually will be reduced and not overly intrusive and will to some extent reduce noise. I also do not consider the development as being likely to result in an intensity of use that results in significant disturbance as a result of odour.

**Highways:** The proposed development site is located on Holly Bush Lane which is a rural classified road subject to a 60 mph speed limit. However, Highways estimate typical vehicle speeds at being around 25 mph along this section given the geometry of the road. Assuming typical speeds of 25 mph, manual for street would normally require any proposed / existing access to provide visibility splays of 2.4m x 33m in both directions measured to the nearside edge of the adjoining highway. Any proposed existing access would also normally be required to provide adequate forward visibility providing a stopping sign distance of 33m for vehicles approaching from the East.

There would appear to be 2 existing accesses serving the development site:-

The Easterly access is approximately 3.6m wide and gated 27m behind the adjoining carriageway with the access surfaced with loose bound materials.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

Visibility from the existing access appears adequate in both directions providing splays in excess of 2.4m x 100m measured to the nearside edge of the adjoining highway. Forward visibility for vehicles approaching from the East appear adequate providing a sloping sight distance of approximately 33m.

As the proposed development is likely to result in an increase in vehicle movements at the site and Highways would recommend that improvements are carried out to this existing access to form a suitable single point of access. The access should be widened to at least 4.8m with any gates being setback at least 10m behind the adjoining highway. The first 10m of the access should be surfaced with hard bound materials.

**The Westerly access** This gated access appears to share an access on to Hollybush Lane with an adjoining access serving a small paddock.

Visibility from this access appears adequate in an easterly direction providing a splay in excess of 2.4m x 33m measured to the nearside edge of the adjoining highway. Visibility however, in the South Westerly direction is inadequate providing a splay of approximately 2.4m x 7m measured to the nearside edge of the adjoining highway. Visibility is impeded in this direction by the existing hedgerow on the inside of the bend. As this access is considered substandard, Highways recommend that improvements are carried out to the more Easterly access with the secondary access being permanently closed up. Adequate parking and turning will need to be provided within the curtilage for the existing dwelling and proposed agricultural building.

## **CONCLUSION**

I am satisfied that the scheme is acceptable and will not be overly intrusive in the landscape of the area and given separation distances to existing nearby residential properties which are substantial will not be significantly detrimental to residential amenity.

Subject to specific conditions on the decision a safe access can be provided to serve any increase in movements. The trees can be protected with a tree report confirming the retention of the mature trees and a condition (RAMS) will prevent harm to newts should the building cease to be used for agricultural purposes, planning permission would be required for any other use.

**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. No part of the development shall commence until samples of all external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

3. The development shall be carried out in strict accordance with the following report submitted and approved as part of this application:-  
1) Arboricultural Method Statement Ref No: Tree Solutions 18/AMS (WXM / 233).  
No development or other operations shall take place except in strict accordance with the report as approved.
4. No part of the development shall commence until details of the proposed Reasonable Avoidance Measures (RAMs) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:
- a) Details of a tool box talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project;
  - b) Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);
  - c) Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;
  - d) Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery.
  - e) Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil.
- Trenches are to be checked each morning for any amphibians. Any amphibians located are to be moved to the artificial hibernacula.
- The development shall be carried out in strict accordance with the RAMs as are approved.
5. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 33 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.
6. Prior to first use of the development hereby approved the vehicular access shall provide forward visibility providing a stopping sight distance of 33m for vehicles approaching from the East.
7. The vehicular access hereby approved shall be a minimum width of 4.8 metres.
8. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 10 metres behind the adjoining highway.
9. There shall be no gates or other means of enclosure across the vehicular access point within 10 metres of the highway boundary.
10. The existing westerly access shall be permanently closed up prior to first use of the new vehicular access hereby approved.

**REASON(S)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
3. To protect trees which are of significant amenity value to the area.
4. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
5. To ensure that adequate visibility is provided at the proposed point of access to the highway.
6. To ensure that adequate visibility is provided at the proposed point of access to the highway.
7. To ensure the formation of a safe and satisfactory access.
8. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
9. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
10. In the interests of highway safety.

**NOTE(S) TO APPLICANT**

Your attention is drawn to Highway Supplementary Notes Numbered 1, 3, 4 and 5 - Refer to Statement of Applicant's Rights and General Information on our planning web site at:-  
[http://www.wrexham.gov.uk/english/planning\\_portal/publications/info\\_sheets.htm](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)

---

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0599	<b>LOCATION:</b> TINTERN PISTYLL HILL MARFORD WREXHAM LL12 8LE	<b>DATE RECEIVED:</b> 20/07/2018
<b>COMMUNITY:</b> Gresford	<b>DESCRIPTION:</b> OUTLINE APPLICATION FOR DEMOLITION OF EXISTING DWELLING AND ERECTION OF 2 NO. NEW DWELLINGS WITH ALL DETAILED MATTERS RESERVED	<b>CASE OFFICER:</b> MR
<b>WARD:</b> Marford & Hoseley		<b>AGENT NAME:</b> BLUEPRINT LTD MR STEVEN ELTHAM
	<b>APPLICANT(S) NAME:</b> MR P HUGHES	

---

**SITE**



## **PROPOSAL**

The application seeks outline planning permission for the construction of 2 no. dwellings. All matters are reserved for future consideration.

## **HISTORY**

P/2013/0858            Two storey side extension and re-alignment of garage roof.  
Approved 10/02/2014.

## **DEVELOPMENT PLAN**

Within Marford Settlement as identified on Map 3 INSET 4. UDP policies GDP1, EC4, H2.

LPG 07 – Landscape and Development, LPG 16 – Parking Standards, LPG 21 – Space Around Dwellings.

## **CONSULTATIONS**

Community Council:	A concern was raised that the garage would sit above Wood vine and may be intrusive to the house below. There may be additional traffic. Otherwise no objection raised.
Local Member:	Notified 24.07.2018. The delivery of materials has potential to obstruct the highway as it's a narrow lane. There's also the impact on local residents living in close proximity, I would recommend agreed hours working on site if needed.
NRW:	Object to the application based on insufficient information submitted to assess the proposal having regard to protected species (bats) and method of foul drainage. The agent sent additional information to address the requirements. NRW have been re-consulted, when their response is received, an update will be provided to Committee members.
Welsh Water:	No objection to a condition to secure a drainage scheme for foul, surface and land water.
Highway Authority:	Visibility is impeded in both directions by the existing roadside hedge. This could be overcome by setting the hedge back or its removal. Access to the site at the junction via Hoseley Lane is inadequate in both directions, providing splays of approximately 2.4 x 18m to the north and 2.4 x 30m to the south. The required splays should be 2.4 x 90m in both directions, therefore representing a shortfall of 72m to the north and 60m to the south. Access to the site at the junction via Wynnstay Lane has adequate lateral visibility, however forward

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

	visibility for vehicles accessing Pistyll Hill off Wynnstay Lane is considered to be poor. Pistyll Hill is limited in its width, measuring approximately 2.5m wide. This would cause difficulty for the simultaneous passage of vehicles and a passing bay is recommended to allow passing of vehicles.
Public Protection:	No objection. Informatics recommended to mitigate construction noise, burning of waste and dust management.
Ecology:	No comments received at the time of writing. An update will be provided in the Committee Addendum or verbally at Committee.
Trees:	Providing no amendments are made to the access into the site, no objections are raised. The removal of hedgerows along the site frontage in order to achieve the visibility splays are considered to be excessive given the hedgerows are a typical characteristic feature along Pistyll Hill.
Site Notice:	Expired 26.09.2018.
Neighbours:	6 no. representations received, 5 no. objecting to the proposal and 1 no. supporting the proposal. Concerns raised include adverse impacts on highway safety, adverse impact on character and appearance of the area, loss of privacy, potential adverse impact on trees, significant noise and disturbance to residents during construction phase of development.

## **SPECIAL CONSIDERATIONS**

**Principle:** The application site is located within Marford Settlement Boundary as identified on Policy Map 3 INSET 4.

The proposal would involve demolishing the existing dwelling and replacing it with 2 no. dwellings.

Wrexham UDP Policy H2 supports residential development on unannotated land within settlement limits, subject to compliance with Policy GDP1.

The principle of development is acceptable.

**Design and Layout:** The application is made in outline therefore limited regard can be had to the design and layout of the proposal.

The site slopes downwards in a west to east direction and sits at a lower level than the properties to the west and a higher level than the properties to the east.

Any reserved matters application should ensure the height for both properties are commensurate with the height of the existing dwellings either side of the site, to ensure the proposed dwellings do not overdominate or appear visually disproportionate to the surrounding context.

An approximate 10m length of roadside hedge to the west and a 6m length of roadside hedge to the east would need removing or lowering to a 1m height in order to achieve the required visibility splays.

This is considered has the potential to adversely impact on visual amenities of the area given the hedgerow running along the site frontage of the property appears to be well established and defined.

A 10m and 6m section of hedge removal from the site frontage so that it sits outside the visibility splay is considered to be relatively significant in length, particularly when compared to the width of the existing site access which measures approximately 8.5m at its widest point.

This would result in approximately 24.5m of the site frontage having no hedgerow within the splay. Any hedgerow lowered to a height of 1m is likely would not survive.

Given the above, this would result in a stark appearance to the site entrance and would change the character and appearance of the area, thereby harming visual amenities of the site and locality.

**Residential Amenity:** Relevant spacing standards between the existing and proposed dwellings should be adhered to as part of the final proposed site layout, however based on the submitted Illustrative Site Plan, this is considered to be achievable.

**Access and Car Parking:** Highway Authority objects to the proposal.

Visibility is impeded in both directions by the existing roadside hedge. This could be overcome by setting the hedge back or its removal, however as discussed above, the setting back and removal of the hedge is considered would alter the character of the area and would be inappropriate from a visual amenity perspective.

Access to the site at the junction via Hoseley Lane is inadequate in both directions, providing splays of approximately 2.4 x 18m to the north and 2.4 x 30m to the south. The required splays should be 2.4 x 90m in both directions, therefore representing a shortfall of 72m to the north and 60m to the south.

Access to the site at the junction via Wynnstay Lane has adequate lateral visibility, however forward visibility for vehicles accessing Pistyll Hill off Wynnstay Lane is considered to be poor.

Pistyll Hill is limited in its width, measuring approximately 2.5m wide. This would cause difficulty for the simultaneous passage of vehicles and a passing bay is recommended to allow passing of vehicles.

Although the site is located within the settlement boundary, the hedgerow running along the southern boundary of Pistyll Hill and the field beyond are located within designated open countryside and Special Landscape Area.

Any passing bay in this location would require removal and/or setting back of a defined section of hedgerow along this road which is considered would appear visually discordant and would not be supported from a planning perspective.

In light of the above, an additional dwelling and subsequent increase in vehicular movement along Pistyll Hill as well as the surrounding highway network would result in highway safety impacts sufficient to warrant refusal of the scheme.

There is restricted visibility at the site access with Pistyll Hill, which would result in unsafe means of vehicular access onto the highway. The proposal would fail to accord with UDP Policy GDP1 (d).

The development would be likely to result in a material increase in the volume of traffic using Pistyll Hill and its junction at Hoseley Lane where inadequate lateral visibility is available. There is substandard forward visibility at the junction of Wynnstay Lane and Pistyll Hill. An increase in vehicular traffic as a result of this development would result in risk of additional danger to all road users. The proposal would fail to comply with UDP Policy GDP1 (d).

**Ecology:** Additional information was requested as part of the Ecology Officers initial comments. The additional information has been received. Updated comments from the Ecology Officer based on the additional information have not been received to date, an update will be provided at Committee.

**Trees:** No objection subject to conditions to prevent removal of hedgerows and tree protection.

## **CONCLUSION**

The proposal is considered would result in highway safety impacts, sufficient to result in refusal of the scheme.

There is restricted visibility at the site access with Pistyll Hill, which would result in unsafe means of vehicular access onto the highway. To achieve the visibility would require removal or setting back of a substantial section of hedge which is considered would adversely impact on visual amenities of the area. The proposal would fail to accord with UDP Policy GDP1 (d) and (a).

The development would be likely to result in a material increase in the volume of traffic using Pistyll Hill and its junction at Hoseley Lane where inadequate lateral visibility is available. There is substandard forward visibility at the junction of Wynnstay Lane and Pistyll Hill. An increase in vehicular traffic as a result of this development would result in risk of additional danger to all road users. The proposal would fail to comply with UDP Policy GDP1 (d).

**RECOMMENDATION:** That permission be REFUSED

**REASON(S)**

1. There is restricted visibility at the site access with Pistyll Hill, which would result in unsafe means of vehicular access onto the highway. To achieve the visibility would require removal or setting back of a substantial section of hedge which is considered would adversely impact on the character and appearance of the area. The proposal would fail to accord with UDP Policy GDP1 (d) and (a).
  2. The development would be likely to result in a material increase in the volume of traffic using Pistyll Hill and its junction at Hoseley Lane where inadequate lateral visibility is available. There is substandard forward visibility at the junction of Wynnstay Lane and Pistyll Hill. An increase in vehicular traffic as a result of this development would result in risk of additional danger to all road users. The proposal would fail to comply with UDP Policy GDP1 (d).
-

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0640	<b>LOCATION:</b> 18 PONT ADAM CRESCENT RUABON WREXHAM LL14 6ED	<b>DATE RECEIVED:</b> 31/07/2018
<b>COMMUNITY:</b> Ruabon	<b>DESCRIPTION:</b> OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT ON LAND ADJACENT TO 18 PONT ADAM CRESCENT	<b>CASE OFFICER:</b> MR
<b>WARD:</b> Penycae & Ruabon South		<b>AGENT NAME:</b> BLUEPRINT LTD MR STEVEN ELTHAM
	<b>APPLICANT(S) NAME:</b> MR G HAMER	

---

**SITE**



**PROPOSAL**

The application seeks outline planning permission for the construction of 1 no. dwelling.

## **HISTORY**

None relevant.

## **DEVELOPMENT PLAN**

Within Ruabon Settlement Limit. UDP policies H2 and GDP1 apply.  
LPG 16 – Parking Standards, LPG 21 – Space Around Dwellings.

## **CONSULTATIONS**

Community Council:	No comments received at the time of writing.
Local Member:	Notified 02.08.2018.
Welsh Water:	No objection subject to a condition to secure submission of foul, surface and land water drainage scheme prior to commencement of development.
NRW:	No comments.
Highway Authority:	The proposal, when viewed cumulatively with the previously granted scheme for 19 no. units, would increase traffic generation along Pont Adam Crescent above 5%. Any increase in traffic generation which is more than 5% over the existing is usually considered by Welsh Government as a significant increase. However when viewed in isolation, this application would be significantly lower than the 5% figure and the resultant traffic impact would be negligible. No objection is raised subject to conditions.
Public Protection:	No objection. Informatives recommended for construction hours, burning of waste and dust management.
Site Notice:	Expired 31.08.2018.
Neighbours:	2 no. representations received objecting to the proposal. Concerns raised include the site notice was not visible, allowing this proposal would set a precedent for further similar schemes, adverse impacts to highway safety and pedestrians.

## **SPECIAL CONSIDERATIONS**

**Principle:** The application site is located within Ruabon Settlement Boundary as identified on Policy Map 4 INSET 6.

Wrexham UDP Policy H2 supports residential development on unannotated land within settlement limits, subject to compliance with Policy GDP1.

The principle of development is acceptable.

**Design and Layout:** The application is made in outline therefore limited regard can be had to the design and layout of the proposal.

Based on the illustrative Site Layout, the application site is similar in size to surrounding plot sizes in the vicinity and a proposal for a new dwelling on the plot proposed would not appear overly cramped or overdeveloped, having regard to the existing context.

The typical front elevation of the property would have the same shape as the existing property at No 18, prior to its extension, as well as the properties on the opposite side of the road and is not therefore considered would appear discordant in relation to neighbouring properties.

The land level is slightly higher on the application site than the land level at the properties either side of the proposal, therefore a topographical survey and street scene elevation would need to accompany any reserved matters application, to ensure the height of the proposed dwelling is commensurate to the height of the dwellings either side of the proposal.

Any reserved matters application should ensure boundary treatments and landscaping of the site are undertaken sensitively to ensure the proposal integrates effectively with the surrounding area.

**Residential Amenity:** The property to the south east of the site has no habitable windows on its facing side elevation that would be affected by the proposal.

There are habitable windows serving the dining room to the property to the north-west of the site. However there are also rear French doors serving the dining room to this property, which are larger than the side windows.

The side windows are south east facing meaning the majority of daylight entering the property would be to the windows in the front elevation. The side orientation of the dining room means that it therefore naturally suffers from reduced daylight in the afternoon onwards.

Given the room is also served by an additional larger opening to the rear of the property and the overall orientation of the property already limits daylight into this part of the property, the proposal for a new dwelling in the location proposed is not considered would result in such adverse impacts having regard to overshadowing and overbearing sufficient to warrant refusal of the scheme.

The dwelling is shown could be sited in line with No 18 and No 51 which would result in only oblique views from first floor windows, into these properties private garden areas.

The dwelling is shown could be sited approximately 7.5m from the rear boundary of the application site and 12.7m from the central portion of the rear garden area serving No 17 Pont Adam Crescent.

The rear garden area serving No 17 is already overlooked by its attached neighbouring property and a proposal for a new dwelling on this site is not considered would significantly worsen the existing situation to warrant refusal of the scheme on these grounds.

Sufficient space for storage of bins is achievable to the rear of the property.

Private amenity space is considered to be acceptable in size.

On the basis of 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 scheme and would comply with UDP Policy GDP1.

**Access and Car Parking:** In 2015, an application for 49 no. dwellings was refused on highway grounds. The traffic generated by the development was predicted to increase overall movements along the B5097 by approximately 12%; greater than the 5% figure usually considered significant by the Welsh Government.

A later application for 19 no. dwellings was accepted by the Council as it generated less than 5% increase in traffic.

The proposal, when viewed cumulatively with the previously granted scheme for 19 no. units, would increase traffic generation along Pont Adam Crescent above 5%. However when viewed in isolation, this application would be significantly lower than the 5% figure and the resultant traffic impact is considered would be negligible.

Highway Authority raise no objection subject to conditions to secure the access surface, visibility splays, parking and manoeuvring and no private surface water run-off. A condition to secure the pavement crossing is not considered necessary given this can be secured under S.184 of the Highways Act.

**Drainage:** Welsh Water raise no objection subject to a condition to secure a scheme of foul, surface and land water drainage.

## **CONCLUSION**

The principle of development is considered to be acceptable and subject to satisfactory design, layout and landscaping, no adverse impacts are considered would result to existing levels of visual amenities of the surrounding area.

Resultant impacts on existing and proposed levels of residential amenities is considered to be acceptable. The proposal is not considered would give rise to highway safety or drainage implications.

The proposal would comply with UDP Policies GDP1 and H2, as well as LPG 21.

**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 means of access to the site and building(s)
  - e. the landscaping of the site.
2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
3. The development hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
4. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered H108/003, H108/004, H108/002, and as contained within the application documentation.
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 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 vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.
7. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.0 metres x 33 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1m 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.
8. The vehicular parking and turning areas as shown on approved drawing(s) No(s). H108/003 shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
9. 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.

10. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a plan indicating the positions, design, materials and type of boundary treatment and timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.
11. No part of the development shall commence until a detailed site survey which includes site levels and street scene elevations has been carried out and submitted to and approved by the Local Planning Authority. No alterations in site levels shall take place except in accordance with the scheme as approved.

**REASON(S)**

1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012
  2. To comply with Section 92 of the Town and Country Planning Act, 1990.
  3. To comply with Section 92 of the Town and Country Planning Act, 1990.
  4. To define the scope of the planning permission
  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 no deleterious material is carried onto the highway, in the interests of highway safety.
  7. To ensure that adequate visibility is provided at the proposed point of access to the highway.
  8. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
  9. In the interests of highway safety.
  10. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
  11. 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 – 5<sup>th</sup> NOVEMBER 2018

<b>APPLICATION NO:</b> P/2018 /0664	<b>LOCATION:</b> BOWLING BANK FARM MULSFORD LANE WORTHENBURY WREXHAM LL13 0AW	<b>DATE RECEIVED:</b> 09/08/2018
<b>COMMUNITY:</b> Willington and Worthenbury	<b>DESCRIPTION:</b> RE-SURFACE EXISTING AGRICULTURAL TRACK (IN RETROSPECT)	<b>CASE OFFICER:</b> MR
<b>WARD:</b> Bronington	<b>APPLICANT(S) NAME:</b> MR DORIAN HOPKINS	<b>AGENT NAME:</b> MR DORIAN HOPKINS

---

### SITE



### PROPOSAL

The application seeks retrospective planning permission for the re-surfacing of an existing agricultural track. The access to the track has also been widened.

### HISTORY

None relevant.

### DEVELOPMENT PLAN

Within designated open countryside. UDP policies PS2 and GDP1 apply.

## **CONSULTATIONS**

Community Council:	No comments received to date.
Local Member:	Notified 10.08.2018.
Highway Authority:	No formal response received to date. An update will be provided in the Committee Addendum.
Wrexham Flood:	No objection.
Site Notice:	Expired 03.09.2018.
Neighbours:	2 no. representations, 1 objecting to the proposal and 1 in support of the proposal. Concerns raised by the objector include this is a new access, it will increase the volume of traffic travelling up and down the road, in close proximity to the children's playground.

## **SPECIAL CONSIDERATIONS**

**Principle:** The application site lies within designated open countryside as identified on Policy Map 4 INSET 16.

The re-surfacing of the access track is required in order to provide a more solid surface for vehicles accessing the applicants' woodland/forestry, for maintenance purposes.

The applicant states that the access was widened between 2010 and 2012 and would only be used a few times a year for woodland maintenance as specified above.

The access therefore appears to be an existing field access which has been widened.

The principle of development for an access into the fields/woodland in this location has therefore already been established. Even if the access proposed was a new field access, the principle of development for an access into an agricultural field or woodland is considered would be acceptable in this location on the basis of its required purpose.

Therefore the formalisation of the track and associated widening of the access for woodland maintenance is considered to be acceptable in this respect.

**Design and Layout:** It is acknowledged that the widening of the access would have resulted in a change to the previous character and appearance of the area as a result of the removal of a section of hedge and a more formalised area of hardstanding in front of the access gate.

The area in front of the access gate has been laid down with stone chippings with grassed areas allowed to grow through.

The grass is considered would help to soften the overall appearance of the stone and the access itself is not considered to be overly dissimilar to other field accesses in rural locations.

Entrance into the site would be via a typical 5 bar agricultural gate and a portion of timber fencing which is considered to be visually appropriate to the area.

Nevertheless, a landscaping condition is recommended to be attached to the decision notice to secure details of hard and soft landscaping within three months of the date of planning permission to ensure the appearance of the access itself is secured, for the avoidance of any doubt.

The applicant has stated that the materials used for the access track is sub base and seeding. Grass has already begun growing over the track which has again, helped to soften its overall appearance and is considered to be acceptable.

Having regard to the above, the proposal would not raise any adverse impacts on visual amenities of the locality sufficient to warrant refusal of the scheme and would comply with UDP Policy GDP1.

**Residential Amenity:** As mentioned above, the access appears to have already been established in this location prior to its widening, therefore vehicles could utilise the access at any time.

The applicant confirms that the access is anticipated would be used a few times a year and its use for woodland maintenance would be comparable to an agricultural access.

No adverse impacts would result to existing levels of residential amenities in this respect.

**Access and Car Parking:** The Highway Authority has raised initial concerns in regards to the proposed use of the access and the stone material which has been laid down and which could be detrimental to the condition of the road as a result of vehicles driving in and out of the access.

The applicant has confirmed that the access would be used infrequently on the basis of a few times a year, for woodland maintenance only. The access is large enough to accommodate the type of vehicles required for woodland/forestry purposes.

Concern has been raised by the Highway Officer over the potential for dragging the stone chippings over the highway during use by vehicles and a recommendation that the access is hard surfaced in bitmac for a depth of 10m back from the edge of the highway has been made.

However, based on the infrequent use of the access, any dragging of material onto the highway would be limited and furthermore, would not be a material

planning consideration and could be covered under separate highway legislation.

Laying down of bitmac is not considered to be visually appropriate and would have a hard, urbanising appearance on the character and appearance of the area.

A formal response from the Highway Authority has not been received to date and will be included in the Committee Addendum with any further comments or points raised addressed by the Case Officer.

**Drainage:** Wrexham Flood raise no objection given the scale of development is relatively limited and there are no notable changes in land levels.

## **CONCLUSION**

The principle of development is considered to be acceptable and there would be no adverse impacts on the visual amenity of the area. Formal comments from the Highway Authority have not been received to date and will be included in the Committee Addendum and addressed accordingly. The proposal would comply with UDP Policies PS2 and GDP1.

**RECOMMENDATION:** That permission be GRANTED

## **CONDITION(S)**

1. The approved plans are:-
  - 1:2500 Site Location Plan,
  - 1:2500 Conveyancing Plan,
  - Dwg No. PMS 18067-04.
2. Within three months of the date of this permission, full details of a hard and soft landscaping scheme together with a plan indicating the position, design, materials and type of boundary treatment to be erected (where relevant) and timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

## **REASON(S)**

1. To define the scope of the planning permission
2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

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

The scheme of landscaping referred to in the above conditions shall include any changes to ground levels (shown by existing and proposed contours/levels) and any existing vegetation (showing that to be retained) and proposed planting. In addition, any of the following which apply to the particular site must be included:-

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

means of enclosure, car parking layout, access and circulation areas, materials for hard surfaced areas, any minor structures (e.g. refuse stores, lamp columns, play equipment) location of services, and any historic landscape features to be retained/improved.

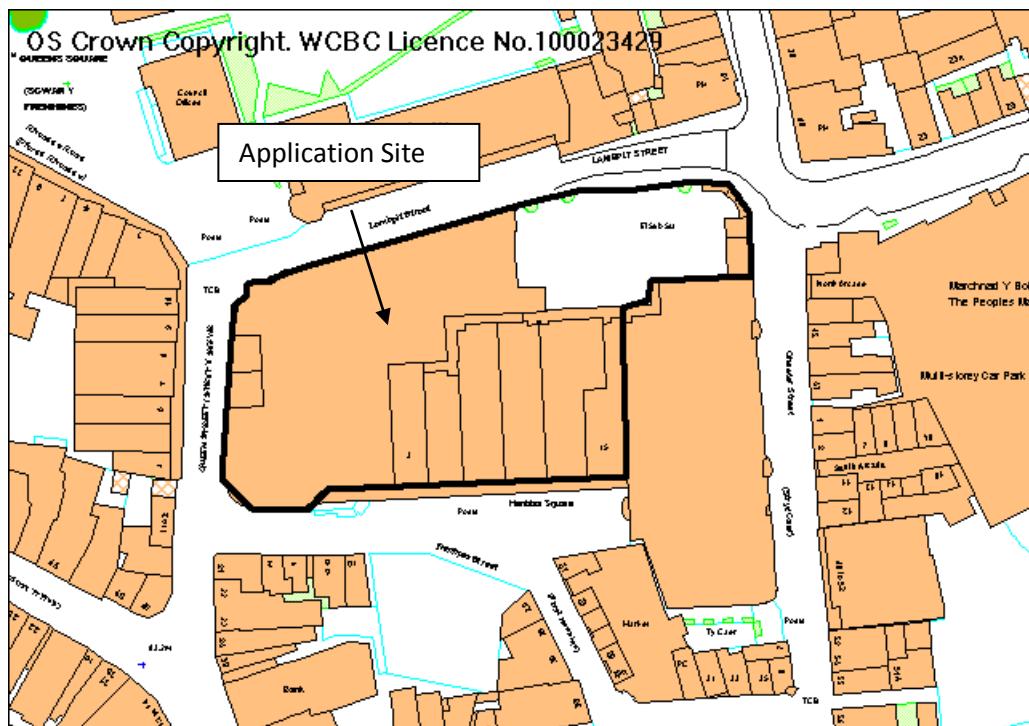
---

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0684	<b>LOCATION:</b> HENBLAS SQUARE HENBLAS STREET WREXHAM LL13 8AE	<b>DATE RECEIVED:</b> 14/08/2018
<b>COMMUNITY:</b> Rhosddu	<b>DESCRIPTION:</b> CONVERSION OF EXISTING FIRST FLOOR AND CONSTRUCTION OF MEZZANINE FLOORS TO CREATE 55 NO. APARTMENTS (52 NO. ONE BEDROOM AND 3 NO. TWO BEDROOM), ASSOCIATED WORKS AND EXTERNAL ALTERATIONS	<b>CASE OFFICER:</b> SEH
<b>WARD:</b> Grosvenor		<b>AGENT NAME:</b> ELG PLANNING MR DAVID MARJORAM
	<b>APPLICANT(S) NAME:</b> THE MANDALE GROUP	

---

### THE SITE



### PROPOSAL

As above

### REVELANT HISTORY

None Relevant

## **DEVELOPMENT PLAN**

Within town centre. UDP Policies PS1, PS2, PS3, PS4, GDP1, GDP2, H2, H7, S1, CLF5 and T8 apply. Local Planning Guidance Notes Nos. 16 – Parking Standards' and 21 'Space around Dwellings' are also relevant.

## **CONSULTATIONS**

Community Council:	Although the Council welcomed the proposal to provide additional housing in the Town Centre, there are concerns at the lack of onsite parking. The adjacent multi storey car park at 'Ty Pawb' (the former Peoples market) is closed at night, unless the developers can come to an arrangement with the Wrexham Council. Planning permission should not be granted until the parking issue is resolved.
Local Member:	Consulted 20/08/2018
Highways:	No objections (see Special Considerations/Issues below).
PP:	No objection subject to recommended conditions relating to hours of works during conversion works etc.
Housing:	The proposal is consistent with the Town Centre Masterplan and our emerging Local Housing Strategy 2018-23 in terms of promotion and supply of town centre living, and has the potential to contribute to the economy of the town centre complementing the TBC retail opportunities below.
WW:	No objections subject to drainage conditions.
NRW:	No comments.
Site Notice:	Expired 14/09/2018
Press Notice:	Expired 15/09/2018
Neighbours:	Notified 21/08/2018

## **SPECIAL CONSIDERATIONS/ISSUES**

**Background:** The property lies to the north of the Wrexham Town Centre Conservation Area and occupies a substantial plot of land within the town centre. The property contains a number of vacant units, including all of the upper floors and so proposals to bring much of this floor space back into positive use are welcomed in accordance with the aspirations of the adopted Wrexham Town Centre Masterplan. The ground floor of the building is to be retained for A1 retail use. Proposed is the conversion of the first floor to residential and creation of an additional mezzanine level in part. The main issues to consider relate to the impact upon highway safety, upon the vitality of the town centre, and the amenity afforded to the future occupiers of the development.

**Design:** There are no external changes proposed for the building with the exception of some minor alterations to the windows and roof. There are no

objections to the modifications, and the fenestration which should reflect the existing in colour, finish and materials. A condition is required to secure the submission of all new windows and glazing for further approval.

**Residential Amenity:** The internal layout proposed is considered acceptable to meet modern standards of living. Adequate daylight is available to all habitable spaces from either an opening in the external elevation or from the roof top courtyards which provide the communal recreation spaces. These courtyards are in accordance with LPGN 21 and provide plenty of open air recreational space for the occupiers.

In most cases the separation between habitable room windows (to secure privacy) accords with the Council's guidance, except for a couple of internal bedrooms where separation is reduced. Given the nature of the scheme though, I do not consider residential amenity to be substandard to an unacceptable level in these few cases. Views between these rooms can be screened using a combination of landscaping and smoked / frosted glass panelling and this will be secured planning conditions for further approval.

Bin / refuse storage is a particular issue within the town centre and as such the proposals demonstrate that adequate provision will be made within a discreet location on the site. Final details should be provided for further approval.

**Highways:** The proposed development site is bounded by Lambpit Street to the north, Queen Street to the west, Henblas Street to the south, and Chester Street to the east. The area forms part of the pedestrianised zone with access to the site restricted to delivery/service and mobility vehicles only.

The LPG 16 maximum parking provision of 1.5 spaces per each 1 bedroom apartment and 2 spaces per each 2 bedroom apartment equates to a maximum of 84 for the development as proposed. Although there would be no parking provision for the proposed development, the development is in a highly sustainable location within the Wrexham Town Centre with easy access to public transport modes and is well located for occupiers who do not need to rely on private cars. There are also a number of car parks nearby (Market Street, Chester Street, Llwyn Isaf etc.). Subject to the submission of a Construction Traffic Management Plan to ensure that the works can be carried out without negatively impacting upon highway safety, the highway authority has not expressed any objections to the proposed development.

## **CONCLUSION**

The proposal is consistent with the Town Centre Masterplan and the emerging Local Housing Strategy 2018-23 in terms of promotion and supply of town centre living, and has the potential to contribute to the economy of the town centre complementing the retail opportunities below. There are no objections to the modifications to fenestration which should reflect the existing in colour, finish and materials. The internal layout proposed is considered acceptable to meet

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

modern standards of living and the development of the site without the provision of on-site parking promotes the use of alternative modes of transport than the car.

### **RECOMMENDATION A**

That the Council enters into an obligation under Section 106 of the Town and Country Planning Act 1990 requiring:-

- The provision of affordable housing in accordance with Local Planning Guidance Note No. 28 at a rate of 25% of the dwellings or financial contribution to off-site provision of affordable housing, as deemed appropriate in consultation with the affordable housing officer.

The final form and amount shall be determined by the Head of Environment and Planning.

### **RECOMMENDATION B**

That if the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990, as detailed above, is not completed within six months of the date of the Committee resolution, the Head of Environment and Planning is given delegated authority to **REFUSE** planning permission for the following reason:-

- Lack of adequate affordable housing provision.

That the Head of Environment and Planning is given delegated authority to determine the final form and content of reasons for refusal.

### **RECOMMENDATION C**

Subject to the completion of the S106 obligation, that planning permission be GRANTED subject to the following conditions:-

#### **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 drawings numbered L018022-006 Rev C, L018022-007 Rev F, L018022-008 Rev D, L018022-009, L018022-11, L018022-12 Rev A, L018022-014 and as contained within the application documentation.
3. Prior to their use on the development samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.
4. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

5. The scheme of bin / refuse storage as shown on apporved plan ref: L018022-006 Rev C shall be fully implemented prior to first use of the development, and bins / refuse / recyclng shall not otherwise be stored on any part of the site.
6. No part of the development shall commence until a noise survey in order to determine noise levels for both day and night has been carried out, and a detailed report of the survey findings together with a detailed scheme of noise attenuation and/or noise insulation measures has been submitted to and approved in writing by the Local Planning Authority. The measures as are approved shall be fully implemented prior to the first occupation / use of the development.
7. No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.
8. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.
9. No external works to the building shall commence until drawings to scale 1:5 and 1:20 fully detailing all new or replacement windows have been submitted to and approved in writing by the Local Planning Authority. The details shall fully describe the proposed materials and decorative/protective finishes. The works shall only be carried out in strict accordance with such details as are approved.
10. Within three months of the commencement of the development hereby apporved, full details of a screening and hard and soft landscaping scheme, together with a Maintenance Plan and timescale for the implementation of works shall be submitted to and approved in writing by the Local Planning Authority.
11. The landscaping scheme submitted and approved in connection with condition no. 10 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
12. The landscaping scheme as carried out in connection with condition no. 11 shall be permanently retained. Any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.
13. Prior to commencement of development, a scheme of glazing panelling for each residential unit, both frosted and clear, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are 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

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. To protect the amenities of the occupiers of nearby properties.
5. To protect the amenities of the occupiers of nearby properties and to ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
6. To protect the amenities of the occupiers of nearby properties.
7. To protect the amenities of the occupiers of nearby properties.
8. In the interests of highway safety.
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
10. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
12. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
13. To protect the amenities of the future occupiers of the site

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

The applicant is advised that compliance with condition no. 4 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

The developer is required to carry out a noise survey in connection with condition no. 6 in order to determine noise levels for both day (0700 - 2300 hours) and night (2300 - 0700 hours) having regard to Planning Guidance (Wales), Technical Advice Note (TAN) 11 - Noise. The report of the noise survey findings shall include:

- a) Noise levels arising from day/night time activities in the vicinity of the proposed development site and the impact upon the proposed accommodation, and
- b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the future occupants of the proposed accommodation hereby approved.

Applicants are advised that compliance with condition no. 7 does not provide an exemption from the statutory nuisance provisions of the Environmental Protection Act 1990. Under the Act dust from any type of activity can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that the dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

You must comply with your duties in section 71ZB (notification of initiation of

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties in that section include the following:

\* Notice of initiation of development

Before beginning any development to which this planning permission relates, notice must be given to the Local Planning Authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The forms set out the details that must be given to the Local Planning Authority to comply with this duty.

\* Display of notice

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details that the person carrying out development must display to comply with this duty.

The person carrying out development must ensure that the notice is:

- a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- b) Legible and easily visible to the public without having to enter the site; and
- c) Printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

You are advised that this grant of planning permission was made following the completion of an Agreement under Section 106 of the Town and Country Planning Act. Before undertaking any work under this permission you are advised to obtain full details of the Agreement and ensure that you are able to comply with its terms.

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.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

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.

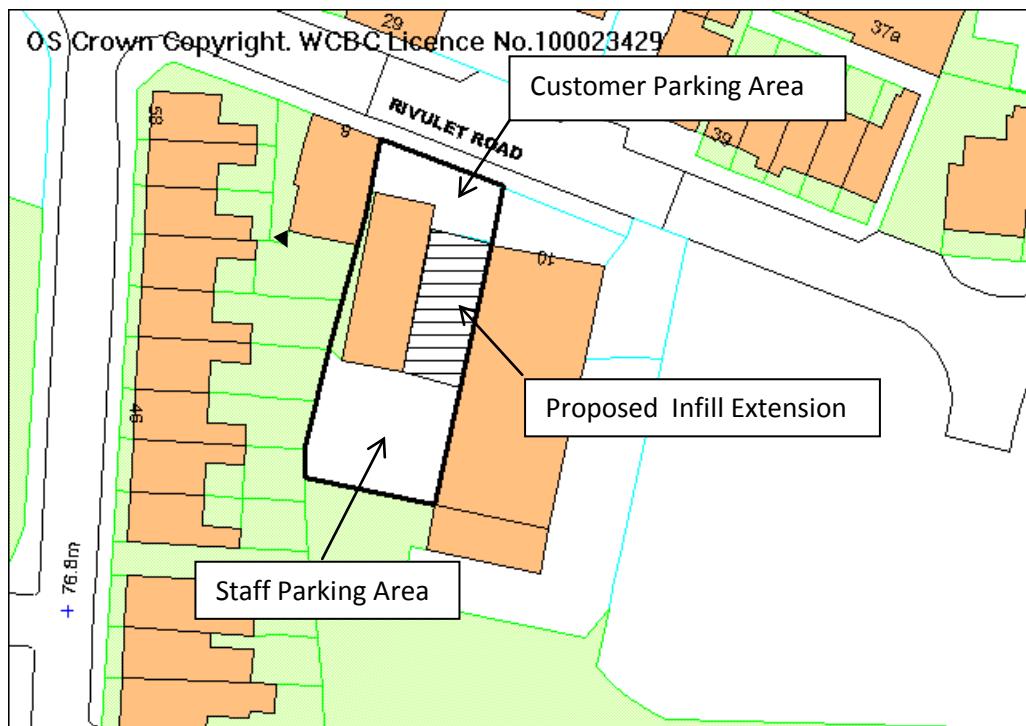
---

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018/0719	<b>LOCATION:</b> 8 RIVULET ROAD WREXHAM LL13 8DT	<b>DATE RECEIVED:</b> 24/08/2018
<b>COMMUNITY:</b> Caia Park	<b>DESCRIPTION:</b> EXTENSION TO FORM MOT TESTING STATION	<b>CASE OFFICER:</b> SEH
<b>WARD:</b> Whitegate	<b>APPLICANT(S) NAME:</b> MR ALAN FRANCIS	<b>AGENT NAME:</b> DMS ARCHITECTURAL SERVICES

---

### THE SITE



### PROPOSAL

As above

### REVELANT HISTORY

P/2014/0020 Erection of 50 Apartments – Granted 03/03/2014

### DEVELOPMENT PLAN

Within settlement. UDP Policies PS1, PS2, PS3, PS4, GDP1 and T8 apply.  
Local Planning Guidance Note No. 16 'Parking Standards' is also relevant.

## **CONSULTATIONS**

Community Council:	Concerned with highway safety given that this section of Rivulet Road is a cul-de-sac and the recent high level of residential development which is/has taken place in the same area. Re-consulted 12/10/2018
Local Member:	Objects on the grounds of traffic pollution and there is likely to be an increase in traffic for the business. This would be on top of the existing traffic from the new development on Rivulet Road that would in my view cause safety issues for local residents in particular the young and elderly as it is also a popular walk through to Whitegate Play Area. There are up to a further 60 apartments/flats going onto Rivulet Road and these people should be involved in any planning application as they have chosen to move into this area not knowing about this planning application.
Highways:	No objection subject to conditions to secure off road parking (see Special Considerations below).
PP:	No objections subject to conditions and advisory notes relating to noise during the construction phase and from the use of the development.
Flood Officer:	A portion of the site is located within DAM Zone B, adjacent to Zone C2, as defined within TAN15. The site is also highlighted as being at significant risk of surface water flooding on NRW's updated flood map for surface water. Recommend the applicant considers incorporating flood resilient and resistant construction techniques into the extension to minimise the impact of any future flood events. This would be particularly relevant to any elements of the development that may be below ground level (inspection pit) as these could be particularly prone.
NRW:	No Objections. We recommend you seek the advice of your in-house ecologist to determine if there is a reasonable likelihood of bats, a European Protected Species, being present within the application site. (The Council's ecologist expressed no objections to the scheme)
Welsh Water:	Having assessed the proposal, we note it is proposed to dispose of both foul flows and surface water runoff from the proposed development via the public sewerage system. Due to the sensitivity of allowing surface water to enter the public sewerage system, the developer will have to demonstrate that all other options for surface water drainage have been explored and exhausted. Consideration will

need to be given to the incorporation of sustainable methods of drainage into the scheme in line with Welsh Government's 'Recommended non-statutory standards for sustainable drainage (SuDS) in Wales – designing, constructing, operating and maintaining surface water drainage systems' (2017). Condition preventing surface water disposal in to the public system is required.

Site Notice: Expired 26/09/2018  
Neighbours: Re-notified 12/10/2018

## SPECIAL CONSIDERATIONS/ISSUES

**Background:** Proposed is an infill extension between Units 8 and 10 Rivulet Road, to provide a vehicle MOT testing facility. The facility is within the curtilage of No.8 and will be used in connection with this existing vehicle repair business. The main issues to consider relate to the impact of the development upon highway safety and upon local residential amenity.

**Design:** The proposed extension takes the form of an infill between two existing buildings. As such the visual impact would be minimal and the extension is in keeping with the character and appearance of the area.



*Figure 1. Existing and Proposed Front Elevations*

## **Residential Amenity**

The use of the site is currently unrestricted, with works being carried out in the open at the rear of the building. This area is adjacent to the rear gardens of the houses on Derby Road and, having visited these houses, I have experienced the noise levels suffered currently by the occupiers. I would not therefore wish

to support any further development which would increase the intensity of use of the site.

As the extension would close the gap between the buildings, the unrestricted customer access to the rear of the building will be prevented. It is proposed that this area will be used for staff parking and turning, which will be accessed through the building. This will also prevent the use of this area for car repairs, all of which will be an improvement upon the current arrangements, and will be a significant benefit to the occupiers of the adjoining houses

There is also an opportunity to restrict the hours of operation of the site (by condition) to further reduce the intensity of use, which will again be beneficial to the quiet enjoyment of the adjoining residential properties.

**Highway Safety:** As already mentioned above, the rear of the site is currently used for the storage and repair of vehicles. It is now proposed to use this area for the parking and turning of 6 no. staff vehicles, and this increase in on-site parking provision will help reduce indiscriminate parking on Rivulet Road. The provision and retention of this parking area will be secured by planning condition.

There is space currently for parking to the front of the site. However it is not properly laid out and parking is haphazard and blocks the footpath which leads on to the new apartments at the bottom of Rivulet Road. It is proposed to properly mark out 6 no. parking spaces for No.8 Rivulet Road and 5 no. spaces for the adjacent No.10 (see figure 2 below). The spaces will leave the footway along Rivulet Road clear of obstruction and will improve the safety of all users of the highway, pedestrians in particular. Conditions are proposed to secure this, along with the submission of a Car Parking Management Plan and Construction Traffic Management Plan.



*Figure 2. Parking Layout*

Currently, vehicles are brought to the site for repair and service. This also involves taking the vehicles to an MOT facility before returning them back to the garage for customer collection. In the instances of an MOT fail, this can mean doing this more than once for each vehicle. Providing the MOT facility on site will remove the need to take the vehicle away for MOT, and will therefore reduce the traffic movements in and out of the site. This will reduce vehicle trips along Rivulet Road to the benefit of highway safety.

## **CONCLUSION**

The proposed MOT facility will not increase the intensity of use of the building will bring about improvements to both residential amenity and highway safety. The development complies with local planning policy and 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) numbered FV7/0618/4 Rev A and FV7/0618/2a 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. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.
5. The rating level of any noise generated by reason of this development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.
6. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.
7. The vehicular parking and turning areas as shown on approved drawing(s) No(s). FV7/0618/4 Rev A shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
8. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.
9. The rear external space shall only be used for the parking and turning of staff vehicles and for the avoidance of doubt, no vehicle inspections, testing or repairs shall be carried out in this open area.
10. All vehicle inspections, testing and repairs shall only be carried out within the existing building, and within the MOT building herby approved, and the roller

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

shutter doors shall be kept closed on the rear elevations of both buildings whilst these works are carried out.

11. No use of the development shall be made before 08.30 or after 17.30 Monday to Friday, before 09.00 or after 14.00 hours on Saturday, or at any time on a Sunday or Bank Holiday.

12. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

### **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. To protect the amenities of the occupiers of nearby properties.
5. To protect the amenities of the occupiers of nearby properties.
6. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment.
7. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
8. In the interests of highway safety.
9. To ensure that the level of noise emanating from the building is reduced to levels which would not adversely affect the amenities of the occupiers of nearby properties.
10. To ensure that the level of noise emanating from the building is reduced to levels which would not adversely affect the amenities of the occupiers of nearby properties.
11. To protect the amenities of the occupiers of nearby properties.
12. Prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

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

A portion of the site is located within DAM Zone B, adjacent to Zone C2, as defined within TAN15. The site is also highlighted as being at significant risk of surface water flooding on NRW's updated flood map for surface water. Due to the nature of the development and the intended use, the Applicant is advised to consider incorporating flood resilient and resistant construction techniques into the extension to minimise the impact of any future flood events. This would be particularly relevant to any elements of the development that may be below ground level, such as any inspection pit, as these could be particularly prone.

The applicant is advised that compliance with condition no. 4 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

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.

You are advised that the planning permission hereby granted does not authorise any building over, diversion, connection or other interference with any sewer, public or private, which crosses the site. You are advised to contact Welsh Water, PO Box 10, Treharris, CF46 6XZ (Tel: 01443 331155) in this regard, prior to undertaking any groundwork in connection with the development. Should you be required to depart from the details hereby approved, you should contact the Council's planning department to seek further advice with regard to the submission of amended plans and / or a new planning application.

Some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water's maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

Welsh Water, the applicant is advised to contact the Operations Contact Centre at Dwr Cymru on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

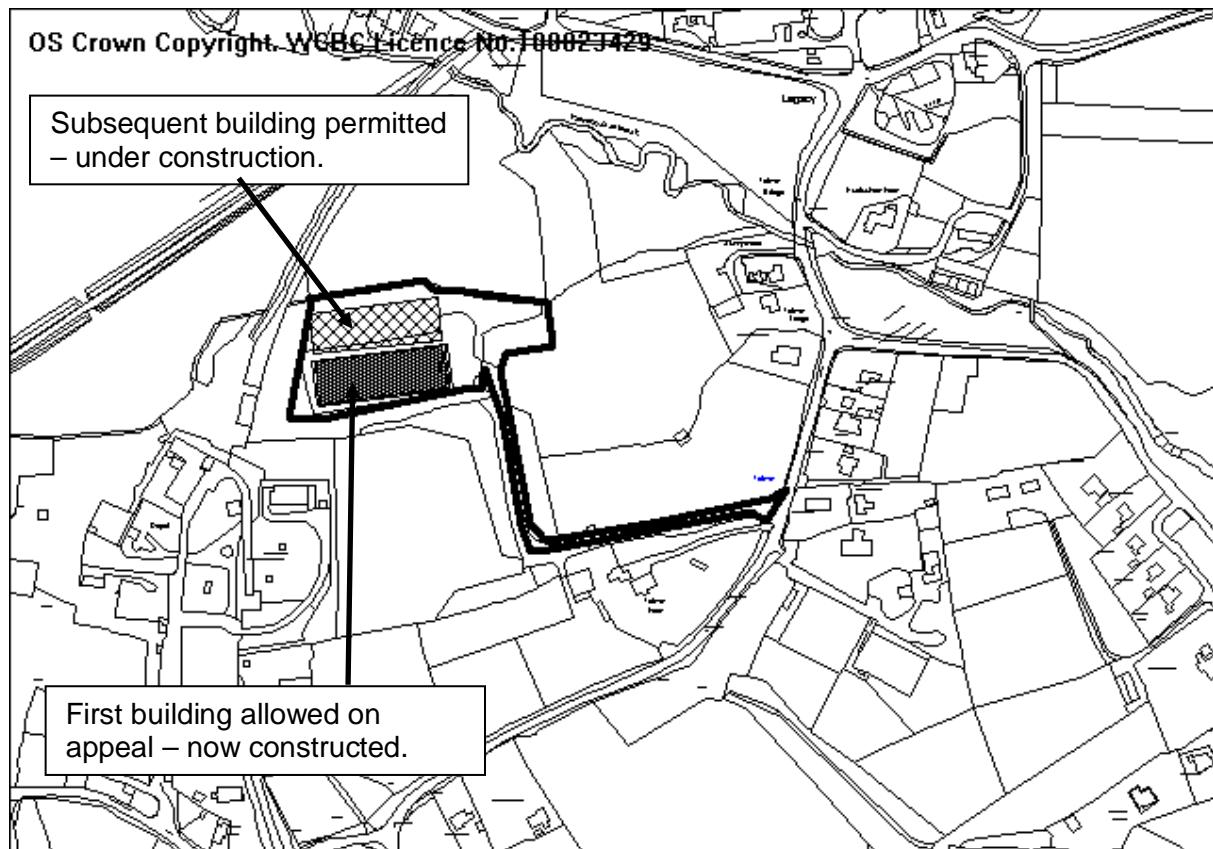
---

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0724	<b>LOCATION:</b> TALWRN FARM TALWRN ROAD LEGACY WREXHAM LL14 4ER	<b>DATE RECEIVED:</b> 28/08/2018
<b>COMMUNITY:</b> Esclusham	<b>DESCRIPTION:</b> APPLICATION FOR VARIATION OF CONDITION NO. 7 OF PLANNING PERMISSION P/2017/0053 TO SEEK AN EXCLUSION TO VEHICLE MOVEMENTS TIMESCALES FOR BIRD DELIVERY AND COLLECTIONS TO ENABLE THIS OPERATION TO BE UNDERTAKEN 24 HOURS PER DAY AND RELAXATION OF THE BANK HOLIDAYS RESTRICTION	<b>CASE OFFICER:</b> PF
<b>WARD:</b> Ponciau		<b>AGENT NAME:</b> IAN PICK ASSOCIATES LTD MR IAN PICK
	<b>APPLICANT(S) NAME:</b> MR PETER MOLLOY TALWRN FARMS LTD	

---

**THE SITE**



## **PROPOSAL**

Planning permission is sought to vary the wording of condition no 7 of planning permission P/2017/0053 to remove the exclusion of bird delivery and collections from the timing restrictions for vehicle movements. In addition, the applicant seeking consent for the fertile eggs to be collected on Bank and Public Holidays.

## **HISTORY**

P/2013/0283 – Erection of agricultural building for egg production.  
Refused 29.07.2013

P/2014/0372 - Erection of barn egg laying unit with associated feed bins, hardstandings, access track and alterations and upgrading of existing highway access onto Talwrn Road. Refused and allowed on appeal.

P/2017/0053 - Erection of additional agricultural poultry barn building for barn egg production (to house 15,700 birds) including link to existing building and 2 no. feed silos. Granted 12.06.2017

## **PLANNING POLICY**

The site is located outside a defined settlement limit with the main part of the site located with a Special Landscape Area. Policies PS2, GDP1, EC3, EC5, EC6 and T8 are relevant. Guidance is also contained in Local Planning Guidance Notes 16 – Parking Standards and 17 – Trees and Development.

## **CONSULTATIONS**

Community Council:

- Do not support for the following reasons:
- Traffic movements, when related to the existing road network, pose significant safety concerns for adjacent residents and other road users;
  - Both the LPA and PINS took the prospective disruption from deliveries outside acceptable daytime hours into consideration when initially restricting the operating hours;
  - The Inspector clearly stated that there were/are issues with regard to the suitability of the current road network to support a large volume of HGVs traversing thereon;
  - The dangers here also potentially increase should unrestricted HGV movement be allowed 24 hours a day. In addition, the unlikely event of two HGVs meeting at a pinch-point, as mentioned at point 27 of

the Inspectors report, will surely be greater if the frequency and number of deliveries is increased;

- The Community Council would argue that the variation to condition number 8, with unrestricted HGV movement at all hours, would cause an unacceptable level of disturbance to local residents and supports the reasoning by the Inspector for the imposition of a timing restriction;
- The refusal to allow deliveries on a Sunday and Bank Holidays was included as a condition by both the Inspectorate and the Local Authority to give local residents some respite from HGV traffic. The Community Council are of the opinion that this condition should also remain.

Local Members:

Cllr P. Pemberton – no comments at consultation stage but has requested application is reported to Planning Committee if officer recommendation is to approve.

Cllr K. Hughes notified 03.09.2018.

Site notice:

Expired 25.09.2018

Public Protection:

Consulted 03.09.2018

Highways:

No recommendations.

Neighbouring occupiers:

21 neighbouring occupiers notified. 12 responses received raising the following objections:

- The noise from the site is already disrupting to the nearby residential area. Complaints have already been made regarding noisy deliveries prior to 6am through the month of August;
- Why has noisy activity been continuing at this site beyond 7pm whilst the owner had left the site and another instance occurred on 13<sup>th</sup> September at 6.15am with heavy machinery in action;
- To allow this level of noise 24 hours a day would be a nuisance to local residences and may even cause health issues due to lack of sleep;
- If 24 hour a day deliveries are required the applicant should have constructed on an industrial estate;
- Neighbours work stressful jobs and do not wish to be woken by throughout the night by noisy deliveries;
- There appears to bribery where ‘good will gestures’ have occurred by offering land to

- neighbours of the site in order to a chive an outcome of chicken city;
- Assume the operation of the first egg barn has been successful under the current permission so see no reason for the variations now proposed;
  - Any animal welfare rights concerns would have been known at the time of granting the original planning consent when the vehicle movement conditions were applied to the consent so this cannot be a valid argument for the variation request;
  - There appears to be no reference in codes of practice for when the catching and transportation of birds must be carried – the exercise could be carried out in accordance with the current conditions; and
  - Approving this proposal would give the applicant carte blanch to move vehicles at any time of the day or night for other purposes disassociated with the movement of bird deliveries.

## **SPECIAL CONSIDERATIONS**

**Background:** Members may recall that following a Hearing in April 2015, the Planning Inspectorate allowed an appeal for the erection of a barn egg laying unit and associated feed bins, hardstandings and access on the site. This effectively established the principle of development of the site in question. Development subsequently commenced, has been completed and is now operational.

In 2017 planning permission was granted to build an additional barn of similar proportions and appearance with an additional 2 no feed silos. The proposed building is to be linked to the existing by way of a passageway. In addition it is proposed to install a sub-surface dirty water tank as well as an attenuation pond for surface water management. Construction of this additional building is now underway.

Across both permissions is a condition which restricts the hours in which deliveries can be made. As the later application to extend the building is considered to be the ‘planning permission’ and contains more up to date conditions taking into account changes to the physical nature of the site, it is the following condition which the applicant is seeking to amend:

*Subject to the exceptions detailed separately in this condition, all works in relation to the implementation of this permission, including 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 to be on 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.*

This application has been submitted in order to seek approval for the birds to be delivered and collected during hours of darkness. The justification for this is that this operation is best undertaken at night or in the early hours of the morning for animal welfare purposes. Whilst legislation does not require this, the applicant has taken on board RSPCA guidance on poultry catching which suggests that the birds are quieter at this time as they are resting and this helps to reduce stress during the process. It also speeds up the process of bird catching as the birds are calmer. This is publicly available document and I have no reason to doubt its contents.

The main issues for consideration are whether the variation of the delivery restrictions will have an adverse impact upon the amenity of the neighbouring occupiers and highway safety.

**Amenity:** The proposal does not seek to intensify the operation at the site. The two linked buildings have an indicative capacity of 32,000 birds. The proposal seeks to allow vehicles with a specific purpose to access the site rather than increase their frequency. As such, I have no reason to believe that this proposal would result in a material increase of vehicle movements beyond those currently considered and approved by the council.

Due to the flock cycle (between 52 and 60 weeks), bird delivery is limited to 4 visits and collections to 4 visits per cycle. This equates to 16 movements at the site access per annum.

I am satisfied that the limited number of vehicle movements throughout the year will not result in a marked disturbance to neighbouring occupiers and in fact it would be difficult to differentiate this low number of movements in comparison to other traffic movements on the highway.

In terms of on-site activities associated with bird delivery and collection, this would be limited to the use of machinery to unload and load crates of birds to the HGVs. I have no reason to believe that this would be a prolonged process throughout these limited periods at the beginning and end of the flock cycle. It would be within the interests of the applicant to manoeuvre the birds as quickly as possible. The nearest residential properties are 190m from the loading area. Whilst there may be some limited noticeable activity to these residents during this process, the low frequency in any calendar year is a significant consideration in deeming this acceptable.

The applicant is also seeking the removal of the restriction which prevents eggs being collected on Bank Holidays. The justification here is that the eggs have an end use requiring them to be fertile. They have a limited shelf life of 3 days. Currently due to the wording of the condition, eggs laid at the beginning of a bank holiday weekend cannot be removed until the following Tuesday –

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

rendering them potentially ruined. The delivery and collection of eggs is limited to two small HGVs per week. Allowing Bank Holiday collections would result in 1-2 instances per annum – again a negligible increase in terms of amenity impact.

**Highways:** As mentioned above, the proposal will not necessarily result in an increase in vehicle movements. Highways have made no recommendations regarding the proposal. I have no reason to believe that the movements of vehicles in darkness hours or on the Bank Holidays (egg collection only) would represent any more danger to highway users.

The applicant has subsequently formally submitted detail in the form of a Construction Traffic and Operations Traffic Management Plan which also includes detail for contractor parking. This information had been agreed by highways under the cover of an application to approve detail reserved by condition on the 2017 extension application. I have agreed with the applicant that this be considered as part of this current application and a suitably condition would form part of my recommendation to secure their implementation.

**Other matters:** Representations have been made that the operation processes were considered by the Inspector as acceptable and there should be no reason to change it. The applicant has a right to submit an application to vary conditional requirements and have the impact assessed by the council. It is acceptable and feasible for a business to make alterations to its operation process. The variation of condition process in planning legislation is designed to provide flexibility for land owners to justify required changes to planning permissions.

The council has been made aware of instances of alleged breaches of hours of working conditions. Officers have liaised with the applicant regarding these observations and are being dealt with separately. A number of instances however do relate to matters which the applicant is seeking to regularise through this application.

**Conclusion:** I am satisfied that the proposed alterations to the delivery timings in the imposed condition would not result in a character of development that would detrimental to the neighbouring occupiers of the safety of highway users. I recommend accordingly.

**RECOMMENDATION:** That permission be GRANTED

### **CONDITION(S)**

1. The approved plans consist of the details shown on the approved drawing(s) numbered IP/PM/01 - Location Plan, IP/PM/02 - Site Plan A1 and IP/PM/03 - Elevations A1 and contained within the application documentation.
2. The building shall only be faced and refaced using materials matching those used on the existing building.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

3. Visibility splays of 2.4 metres x 43 metres in both directions measured to the nearside edge of the adjoining highway shall be maintained at the point of access onto Talwrn Road. 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.

4. The development hereby permitted shall only be used as a barn egg laying unit, as described in the application documentation.

5. Subject to the exceptions detailed separately in this condition, all works in relation to the implementation of this permission, including deliveries to or from the site shall be undertaken only between the hours of 0730 and 1800 Monday to Friday, and 0800 to 1400 on a Saturday and at no time on a Sunday, Bank or Public Holiday.

Manure shall not be collected on Saturdays, Sundays and Bank or Public Holidays.

Egg collections shall not be made on Saturdays before 0800 or after 1400 or at any time Sundays.

Bird deliveries and collections shall be permitted 24 hours a day but shall not take place after 1400 on Saturdays and at no time on Sundays or Bank or Public Holidays.

6. The rating level of any noise generated by air handling 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 premises, and measurements and assessment shall be made in accordance with BS4142:2014 Methods for Rating and Assessing Industrial & Commercial Sound.

7. No further external lighting shall be erected until details have first been submitted to and approved in writing by the local planning authority. External lighting at the site shall thereafter only be provided in accordance with the approved scheme.

8. Within one month of the date of this permission a scheme detailing the protection of existing planting to be retained and the provision of new tree and shrub planting shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of species, number, size of plants at the time of planting of all trees and shrubs to be planted in connection with the development and details for its management.

9. The development shall carried out in accordance with the recommendations set out in the approved Construction and Operational Traffic Management Plan Ian Pick Associates dated 28 August 2018.

10. The planting scheme to be approved in connection with condition 8 shall be fully implemented within the first planting season following the approval of the scheme, and the scheme shall be retained permanently in association with the management plan. If within a period of two years from the date of the planting of any tree or shrub, that tree and shrub or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

the same place, unless the local planning authority gives its written approval to any variation.

**REASON(S)**

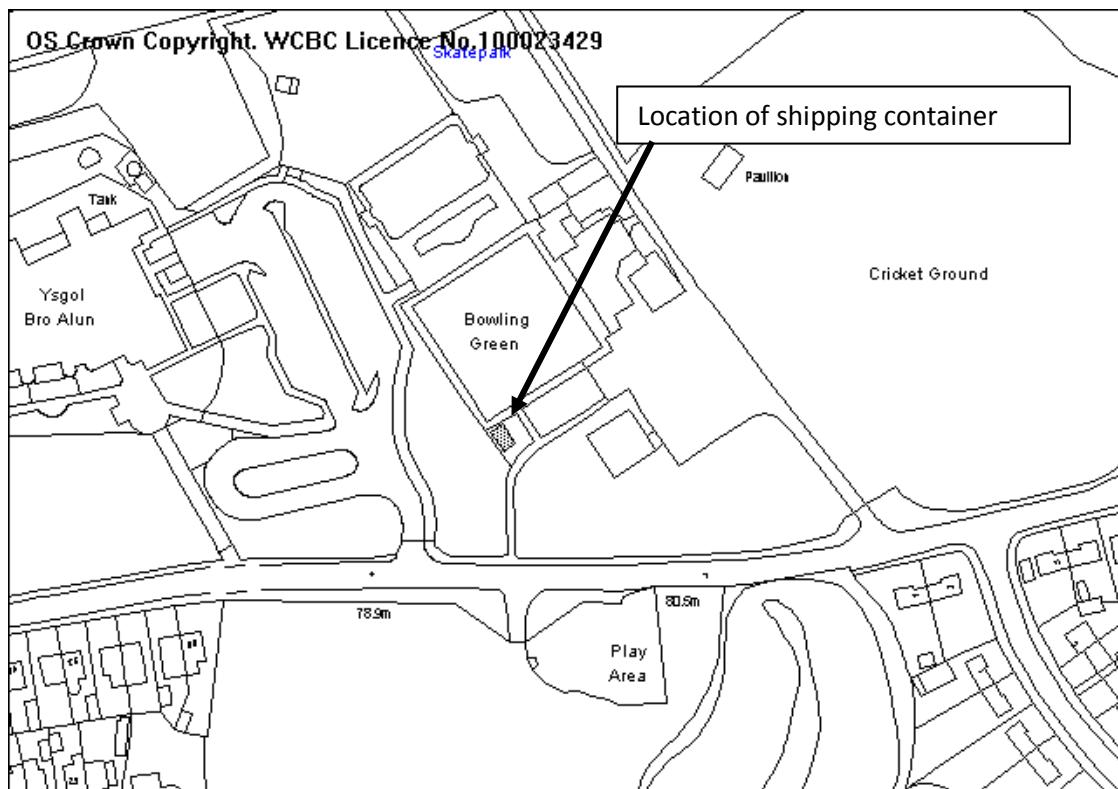
1. To define the scope of the planning permission
  2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
  3. To ensure that adequate visibility is provided at the proposed point of access to the highway.
  4. In the interests of defining the terms of the planning permission and amenity of the neighbouring occupiers of the site.
  5. To protect the amenities of the occupiers of nearby properties.
  6. To protect the amenities of the occupiers of nearby properties.
  7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
  8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
  9. In the interests of highway safety.
  10. 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 – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0738	<b>LOCATION:</b> CRICKET GROUND PARK WALL ROAD BRADLEY WREXHAM LL11 4DA	<b>DATE RECEIVED:</b> 30/08/2018
<b>COMMUNITY:</b> Gwersyllt	<b>DESCRIPTION:</b> SITING OF SHIPPING CONTAINER FOR STORAGE OF FOOTBALL EQUIPMENT TO BE USED BY LLAY UNITED YOUTH FOOTBALL CLUB WHILE USING PITCHES TOGETHER WITH POSSIBLE FUTURE FENCING OFF OF THE CONTAINER WITH GREEN V MESH FENCE TO PROVIDE ADDITIONAL SECURITY ETC	<b>CASE OFFICER:</b> PF
<b>WARD:</b> Gwersyllt East & South		<b>AGENT NAME:</b> LLAY UNITED YOUTH FOOTBALL CLUB MR DAVID ADAMS
	<b>APPLICANT(S) NAME:</b> MR DAVID ADAMS LLAY UNITED YOUTH FOOTBALL CLUB	

---

### THE SITE



## **PROPOSAL**

Planning permission is sought for the positioning of a shipping container for the purposes of storage.

## **HISTORY**

None relevant.

## **PLANNING POLICY**

The site is located within a defined settlement limit. Policies PS2 and GDP1 are relevant.

## **CONSULTATIONS**

Community Council:	No objection.
Local Members:	Cllr T. Mannering – fully supports the application. Cllr D. Griffiths – cannot support the application for the following reasons: <ul style="list-style-type: none"><li>• It is not sympathetic and totally out of character with the present visual aspect of the locality;</li><li>• Concerns have been raised by the neighbouring Bowling Club because of the proximity of the proposed container and the implications of security and anti-social behaviour which has been experienced in the past; and</li><li>• Can the container be relocated away from the boundary fence with the bowling green and moved over to the other side of the path.</li></ul>
Site notice:	Expired 25.09.2018
Public Protection:	No comments
Highways:	No recommendations.
Neighbouring occupiers:	3 neighbouring occupiers notified. 23 representations received and one petition containing 87 signatories raising the following objections: <ul style="list-style-type: none"><li>• The siting of the container will impact upon the security of the bowling club;</li><li>• The bowling club have spent extensive funds upgrading their security facilities owing to previous antisocial behaviour;</li><li>• Youths will climb onto the container and verbally abuse members of the bowling club as well as associations which use the</li></ul>

site including blind persons and those with special needs;

- There are other locations more suitable for the container; and
- There has recently been an increase in vehicles parking dangerously in the local area.

## **SPECIAL CONSIDERATIONS**

**Design:** The site of the proposed container forms part of a recreation complex featuring facilities including a bowling green, cricket field, play area and skate boarding ramps. There are buildings which are used by the associated sports clubs. The container is proposed is an area which is located adjacent to a building and the security fence of the bowling green. A pathway which links Delamere Avenue and the sports complex car park would front the position of the container.

The nature of the proposed structure would be a typical ex-shipping container. The applicant has indicated that security fencing would be erected to the frontage of the container. The council have previously accepted the principle of siting containers on this complex for equipment storage. A similar container was approved and sited to the front of the building immediately to the south of the application site.

I do not consider that the visual amenity of this complex would be harmed. The container would assimilate well against the utilitarian appearance of the neighbouring building, it is located some distance from the nearby highway and be surrounded by similar security fencing.

**Security:** Significant concern has been raised by the members of the neighbouring bowling club regarding the security implications of having a shipping container located in such close proximity. Whilst I sympathise with the concerns raised and the nature of previous anti-social behaviour, I do not consider that allowing the container to be sited will necessarily have a detrimental impact upon the operation of the club or encourage such behaviour. The applicant has proposed to erect security fencing around the container as a future option. I am satisfied that this would restrict unauthorised access into and onto the container. Any such enclosure would be presented with the same boundary treatment as the existing bowling club boundary. Any approval would require this fence to be installed prior to the first use of the container.

I am not of the opinion that the container should be relocated on to another part of the site. The area as proposed represents a logical positioning and is where the applicant has asked the building to be considered. A more remote position from any boundary or buildings would make the structure appear more incongruous.

**Conclusion:** I am satisfied that the proposed container can be located safely without causing detriment to the visual amenity of the area or significant security issues for the neighbouring occupiers. 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 use as permitted shall cease and be abandoned before 31 December 2023. All plant, equipment machinery and/or materials forming part of or connected with that use shall be removed not later than one month after that date.
3. Within one month of the first use of the container hereby approved, all external surfaces shall be finished in a dark green colour or any other colour as may be agreed in writing by the Local Planning Authority.
4. Prior to the first use of the development hereby approved, a means of enclosure shall be erected between the points marked A and B on the approved plan in accordance with details which have been submitted to and approved in writing by the local planning authority. The fence shall be retained for the duration of the use of the siting of the container.

**REASON(S)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
  2. The building is of a non-standard construction and it is considered important to retain control over its condition in the interests of the visual amenities of the area.
  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 security and for the prevention of antisocial behaviour.
-

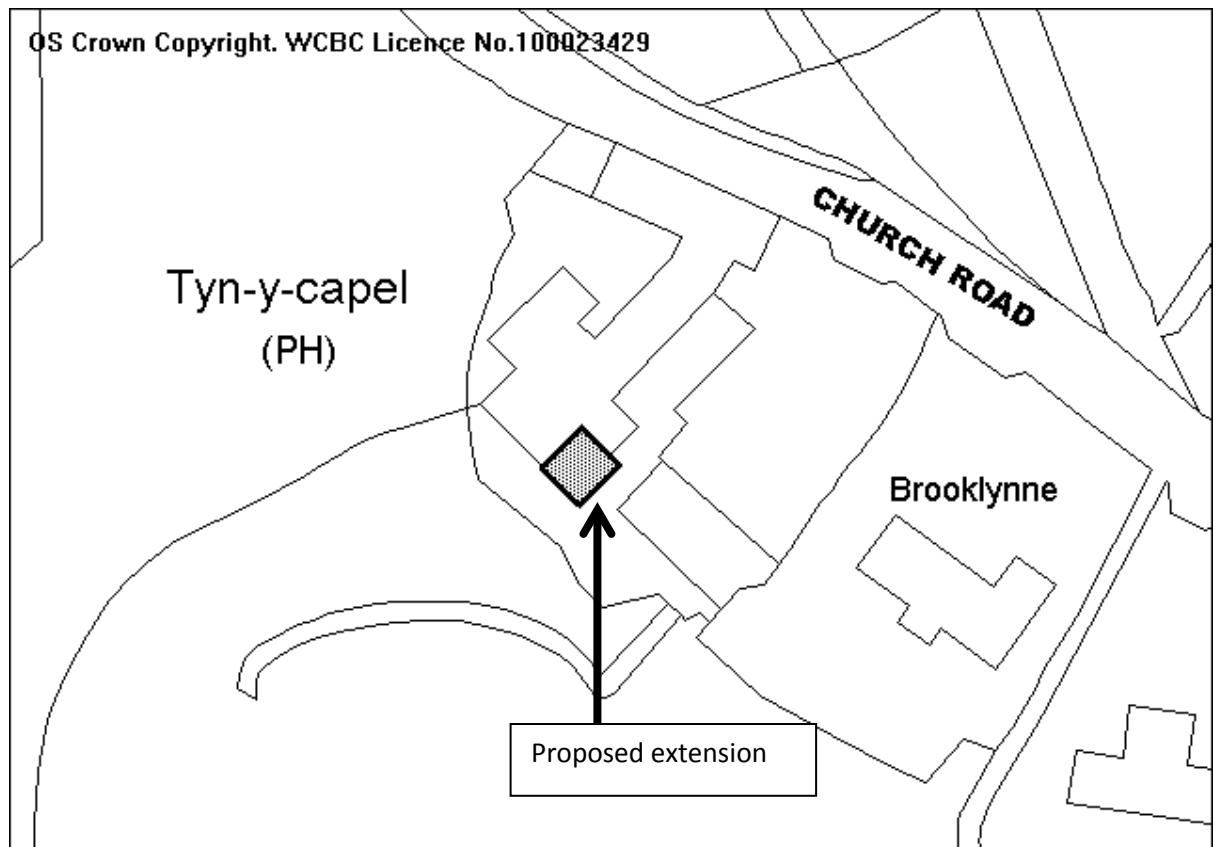
**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0740	<b>LOCATION:</b> TYN Y CAPEL INN CHURCH ROAD MINERA WREXHAM LL11 3DA	<b>DATE RECEIVED:</b> 30/08/2018
<b>COMMUNITY:</b> Minera	<b>DESCRIPTION:</b> EXTENSION TO REAR OF PUBLIC HOUSE TO PROVIDE ADDITIONAL SEATING AREA	<b>CASE OFFICER:</b> KH
<b>WARD:</b> Minera		<b>AGENT NAME:</b> AGL-LEISURE LTD MR JAMES BEAUMONT
	<b>APPLICANT(S) NAME:</b> MR JAMES BEAUMONT AGL-LEISURE LTD	

---

### **THE SITE**

Public House located off the Southern side of Church Road. St Mary's Church is to the North across Church Road. Residential properties are located to the South East of the site and to the South West screened to some extent by trees.



## **PROPOSAL**

Modest extension to the rear of the public house over an existing hardstanding enclosing an existing outdoor seating area.

## **HISTORY**

P/2011/0114	New extension to existing entrance and change of use of commercial floor space into residential accommodation at adjacent dwelling. Withdrawn
P/2011/0363	Change of use of Public House to Day-care Centre (ground floor) and offices (first floor) and change of use of ground floor of outbuilding to provide additional residential accommodation for dwelling previously approved under Code No. P/2009/0396 (partly in retrospect). Refused 25.07.2011.
P/2011/0806	Change of use of first floor to B1 use. Granted 12.12.2011

## **DEVELOPMENT PLAN**

Within settlement limit, a building of historic interest within the Minera Conservation Area. Policies PS1, PS2, GDP1 and EC7 of the Wrexham Unitary Development Plan refer.

## **CONSULTATIONS**

Community Council:	Consulted 03.09.2018.
Local Member:	Notified 03.09.2018.
Public Protection:	No comments other than to advise the applicant of the requirements to amend the premises licence accordingly.
Highways:	No adverse comments. Unlikely to increase vehicular movements to any great extent.
WACS:	No comments.
Other representations:	6 letters of objection on the following grounds: <ul style="list-style-type: none"><li>• Not enough parking on site with cars already parked on the road with on road parking increasing highway danger and the road more dangerous</li><li>• Concerned fire engine could not pass</li><li>• Pub also has deliveries to the rear access</li><li>• Noise nuisance from the additional vehicles and no public parking along this section of road</li><li>• Pub has passed into private ownership with an increase in noise and disturbance with all manner of events and live music which is sometimes outside.</li></ul>

- Car park grossly inadequate. Church Road used for parking for other uses – visitors to the Church, with associated weddings and funerals and parents and children using play areas and play ground.
  - Application will detract from nature and character of the village.

Site Notice: Expired 25.09.2018  
Press Notice: Expired 06.10.2018.

## SPECIAL CONSIDERATIONS

**Proposal:** Modest extension to the rear of the public house with the extension built on to an existing hardstanding. The floor area is 4.9m x 5.1m which is a relatively small area which should not result in any significant increase in traffic movement.

I am aware of the concerns of the residents who live nearby and existing parking congestion on the adjoining Church Road. Neighbours have suggested that private ownership of the pub recently has exacerbated parking problems on Church Road. Visitors to and events to the Church and parents and children visiting the parking and park land are increasing concerns of local residents.

Whilst I appreciate numbers visiting Tyn y Capel Inn may be increasing, I do not consider that such a modest extension will be able to accommodate more than a limited increase in numbers. The floor area internally measures 4.9m x 5.1m and it is unlikely to contribute additional movements which would be negligible. I am also conscious that the external seating area which the extension is built on would have generated a limited amount of vehicles.

**Design:** The building is of historic interest within the Minera Conservation Area. No objections are raised to enclose an existing, external seating area to form a single-storey extension to the existing building. The materials proposed are to match the existing but the use of UPVC for new doors and windows is unacceptable and will need to be timber to match those existing to the more traditional elements of the building. A condition will be required to ensure timber is used.

**Amenity:** I am conscious that the site is bounded by residential properties and concerns have been expressed regarding noise and disturbance and cars parking on Church Road which causes inconvenience and increase highway danger. Given the modest size of the extension as well as the fact that it is enclosed, any the risk of an increase in noise negligible. Furthermore the extension occupies the site of an external seating area which currently benefits from no screening to limit noise.

The limited size of the extension will also mean that additional traffic movements and therefore associated noise would be negligible.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

**Conclusion:** I am satisfied the proposal is acceptable and given its limited size will not cause any significant increase in noise or disturbance to residents, parking demand or adversely impact on the character of the building.

**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. Notwithstanding the approved drawings, new doors and windows should be timber.

**REASON(S)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
  2. To match those existing to the more traditional elements of the building and to preserve the character of the Conservation Area.
-

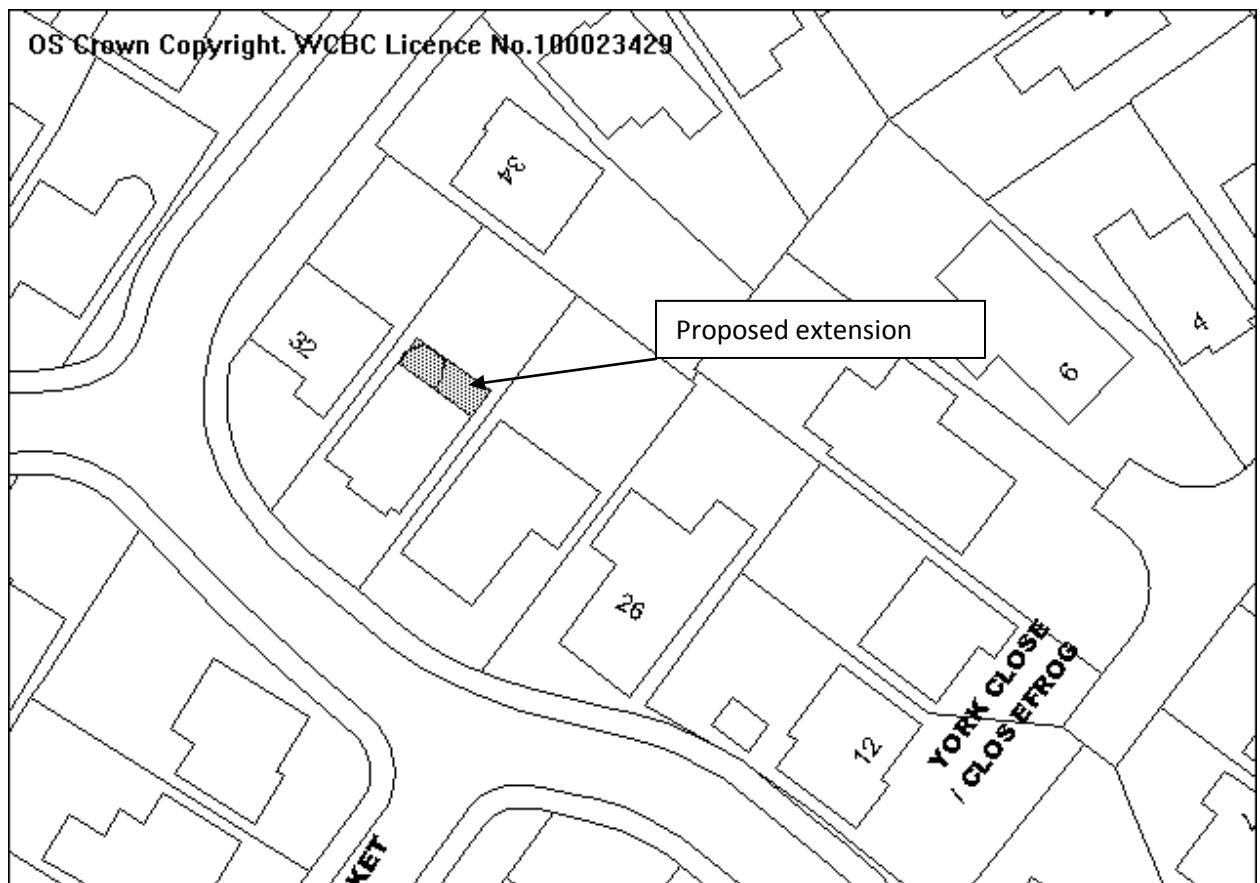
**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0762	<b>LOCATION:</b> 30 KEMPTON WAY WREXHAM LL13 0NU	<b>DATE RECEIVED:</b> 07/09/2018
<b>COMMUNITY:</b> Abenbury	<b>DESCRIPTION:</b> TWO-STOREY REAR EXTENSION	<b>CASE OFFICER:</b> LP1
<b>WARD:</b> Holt	<b>APPLICANT(S) NAME:</b> MRS KAYLEIGH NICHOLLS	<b>AGENT NAME:</b> MRS KAYLEIGH NICHOLLS

---

**SITE**

Two storey detached property in Llwyn Onn



**PROPOSAL**

Two storey rear extension as shown on the plan

## **HISTORY**

None relevant

## **DEVELOPMENT PLAN**

Lies within settlement limit, Policies GDP1 and PS2 apply

## **CONSULTATIONS**

Community Council:

No objection on the basis that the extension is in line with the neighbouring properties.

Local Member:

Notified 11 September

Site Notice:

Expired 4<sup>th</sup> October 2018

Other Representations:

Two letters received raising the following points –

- Would not object to a single storey extension but have concerns about a two storey extension being in line with the neighbouring house as it would create overlooking to garden
- Feel that privacy in the garden of the property to the rear would be compromised and reduce light levels.

## **SPECIAL CONSIDERATIONS**

**The site:** The property is a two storey detached property on the Llwyn Onn estate. The property to the south (No. 30) is a bungalow, the other neighbouring properties are all two storey. The property is set forward in relation to the neighbouring two storey property.

The proposal is for a two storey rear extension which will allow the alteration of the internal layout to provide larger bedrooms; the property will remain as a 3 bedroom dwelling.

The rear of the property is proposed to be in line with the neighbouring houses.

**Appearance and amenity:** The design of the extension is in keeping with the existing property and is appropriate for the location.

The proposal passes the BRE tests in relation to the neighbouring houses and there will be no overshadowing created.

With the rear of the property being in line with the neighbouring houses there will be a small increase in potential overlooking to neighbouring gardens; however this would not be significant and is comparable to other houses within the estate.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

A side facing window is proposed at the first floor level which is to be for the dressing room and will have obscure glazing. It will face the side elevation of No. 32 and will not afford views into that garden or affect levels of privacy.

Overall I am satisfied that the impact on the neighbouring properties would not be of a level that would warrant refusal of the planning application.

### **CONCLUSION**

The proposed extension would not result in a significant increase in overlooking to neighbouring gardens and 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) numbered Drawing 02 and as contained within the application documentation.
3. No facing or roofing materials shall be used other than materials matching those used on the existing building.

### **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.

### **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.

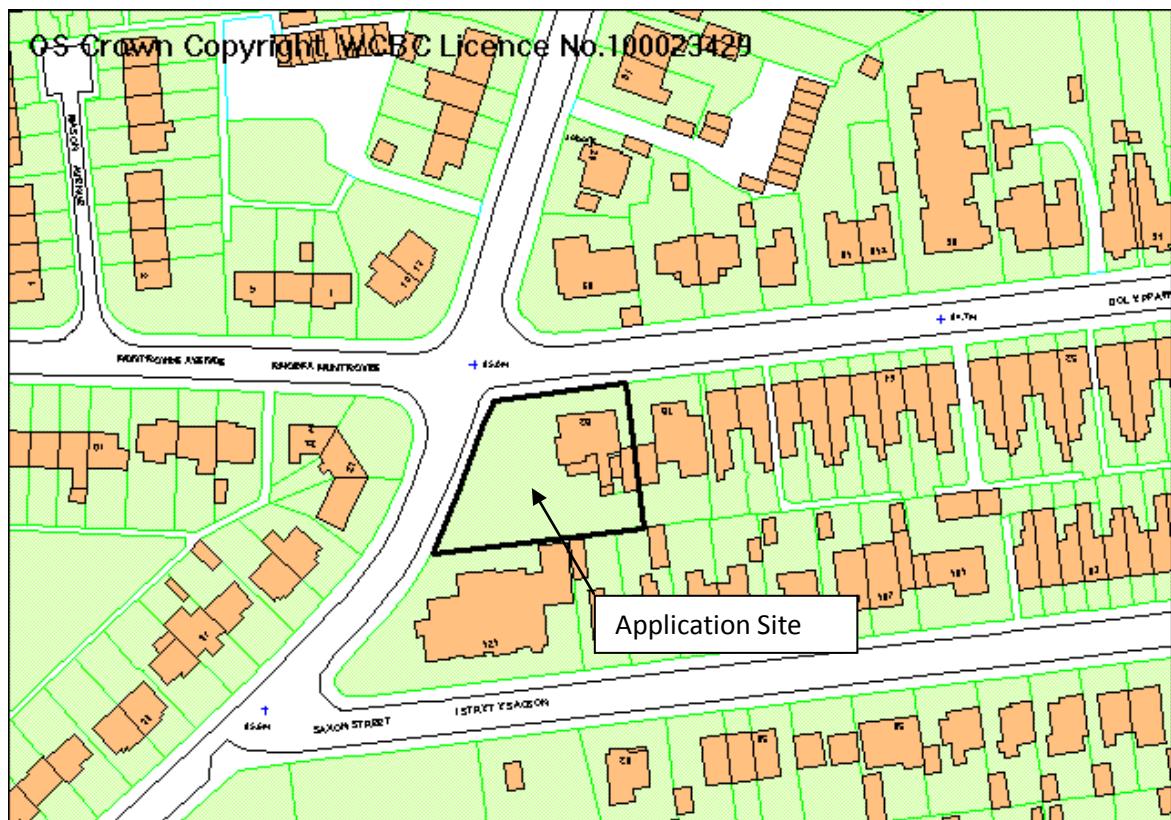
---

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0772	<b>LOCATION:</b> GARTHWYN 82 BEECHLEY ROAD WREXHAM LL13 7BA	<b>DATE RECEIVED:</b> 10/09/2018
<b>COMMUNITY:</b> Offa	<b>DESCRIPTION:</b> CHANGE OF USE TO HOUSE IN MULTIPLE OCCUPATION (HMO) 6 NO. BEDROOMS WITH 7 NO. OCCUPANTS IN TOTAL	<b>CASE OFFICER:</b> SEH
<b>WARD:</b> Hermitage		<b>AGENT NAME:</b> MR JENNIS KONADAN
		<b>APPLICANT(S) NAME:</b> MR JENNIS KONADAN

---

**SITE**



**PROPOSAL**

As above

**HISTORY**

None relevant

## **PLANNING POLICY**

Within Town Centre settlement limit. Policies GDP1, H4 and T8 apply. Local Planning Guidance Notes (LPGN) Nos.5 ‘Conversion of Dwellings into Houses in Multiple Occupation’ and 16 ‘Parking Standards’ are also relevant

## **CONSULTATIONS**

Community Council:	Object due to the over concentration of HMOs in the locality and the negative effect on local residents. Beechley Road is already subject to parking on both sides of the road creating dangers for motorists and pedestrians. There would be an objection to the loss of green space if part of the garden area was converted to parking.
Local Member:	Re-consulted 22.10.2018
Highways:	Re-notified 22.10.2018
Public Protection:	Re-consulted 18.10.2018
Housing:	No Comments.
Site Notice:	No objection provided an application is made for a HMO Licence prior to occupation as a HMO.
Neighbours:	Expired 05.09.2018 1 letter from the Beechley Road Residents' Association, 3 letters from neighbours, and 1 petition (90 signatures) received expressing the following concerns: <ul style="list-style-type: none"><li>• We have, according to the authorities' website, six existing properties which have HMO status. Five of these properties are within 100 metres of No.82. Many of these properties have, at some point, been the subject of complaint by residents regarding antisocial behaviour, drug use, or refuse issues. Furthermore, the six properties have, in total, an estimated twenty six residents and one off road parking space available for use! This would appear to be a result of ill-considered planning decisions, made in the recent past, for which residents will suffer well into the future;</li><li>• Parking in the road is a major issue. Seven additional residents will have a major impact. The proposals that have been put forward by the applicant cannot possibly be considered acceptable by the authority as they include the 'tandem' parking of 4 vehicles and the creation of further access closer to the corner of Bennions Road. Would the residents with cars be prepared to move several vehicles in order</li></ul>

to access their own? We think not. This level of manoeuvring would be undesirable at any time of day, with the road junction only a few metres away. Vehicles belonging to the existing tenants have already been observed parked on the double yellow lines leading up to the junction. This would become the norm. Photographic evidence of parking on the lines is available on request;

- The applicant has stated in his application that he has consulted with neighbours and local residents. We are not aware of anyone including the occupant of the adjacent house who has been consulted. The applicant has further stated that no one has any objection, a very misguided notion indeed;
- The applicant's submission is that no work has yet taken place, and yet, he has recently told the next door neighbour that the present occupants of his property (two he claims, more we think) are workmen, working on the house! Work has been going on since he took possession of the property and it is visited regularly by tradesmen. The drive of the house is permanently used as a dumping ground for all manner of debris including bags of household rubbish piled up around the bins, and the regular coming and going of people in the mornings and evenings, would indicate that the property is already occupied by a number of individuals;
- There are two mature and very much loved trees to the side, a chestnut and a Copper beech, what appears to be a Yew tree to the rear and a pollard tree of some description to the front of the property. Why, unless he proposes to cut them down, does he clearly state that there are no such trees? A number of residents think they may be the subject of a protection order;
- The quality of life experienced by residents of the road has been eroded steadily in recent years by the influx of short term residents. They are, in the main, young males who have no affinity with, or feel any responsibility towards, the existing community. As a result of their lifestyle they produce large quantities of waste and store this waste on their front gardens in overflowing bins. Furthermore, the bins are regularly left on the pavement for

several days spilling rubbish onto the pavement! Recyclable refuse is routinely incorrectly boxed, meaning that that the collection operatives leave it on the pavement, where it stays for a protracted period. Does this sound like a road you might want to buy a house and bring up a young family?

- The Residents' Association exists to improve the wellbeing of the whole community and we recognise the need for good quality rental properties. We strive to return Beechley Road to a place which families, and people of all ages, can consider their home without feeling marginalised by large numbers of individuals who exhibit little or no respect for their environment;
- Parking of around 6 cars will causes problems and a hazard to an already congested road,
- There are double yellow, no parking, lines from the junction of Bennions Road into Beechley Road in front of this property. Cars already illegally park here;
- Household refuse mounts up on the driveway of No.82;
- This will exceed the 10% HMO rules.

Re- notified 22/10/2018

One letter received from the resident's associated expressing the following:

- We welcome the inevitable changes the applicant has made to his submission. This effectively creates a situation whereby it should not be necessary for occupants of the property to park on the public highway;
- It does however mean the felling of a mature tree which the applicant has failed to show on his plans and of which (along with the other three mature trees) he specifically stated did not exist on the property in his original submission. The loss of any mature tree on a road which otherwise only possesses a couple of small garden specimens is very regrettable, and I am sure, contra to general planning guidelines;
- The changes to the application do nothing to change the main thrust of our argument which is that the creation of yet another HMO will contribute to the general decline of the road and the lowering of property values. The house and its garden have long been the most

admired property in the road and its loss as a family residence would be greatly missed.

## SPECIAL CONSIDERATIONS

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

- a) sub-division is possible without major alterations, extensions, or additional new buildings which would significantly alter the character of the original dwelling; and
- b) proposals accord with Policy GDP1;
- c) adequate private open space is available; and
- d) 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 are proposed.

*b) Compliance with policy GDP1*

I will deal with issues of amenity and parking separately;

*c) Private open space*

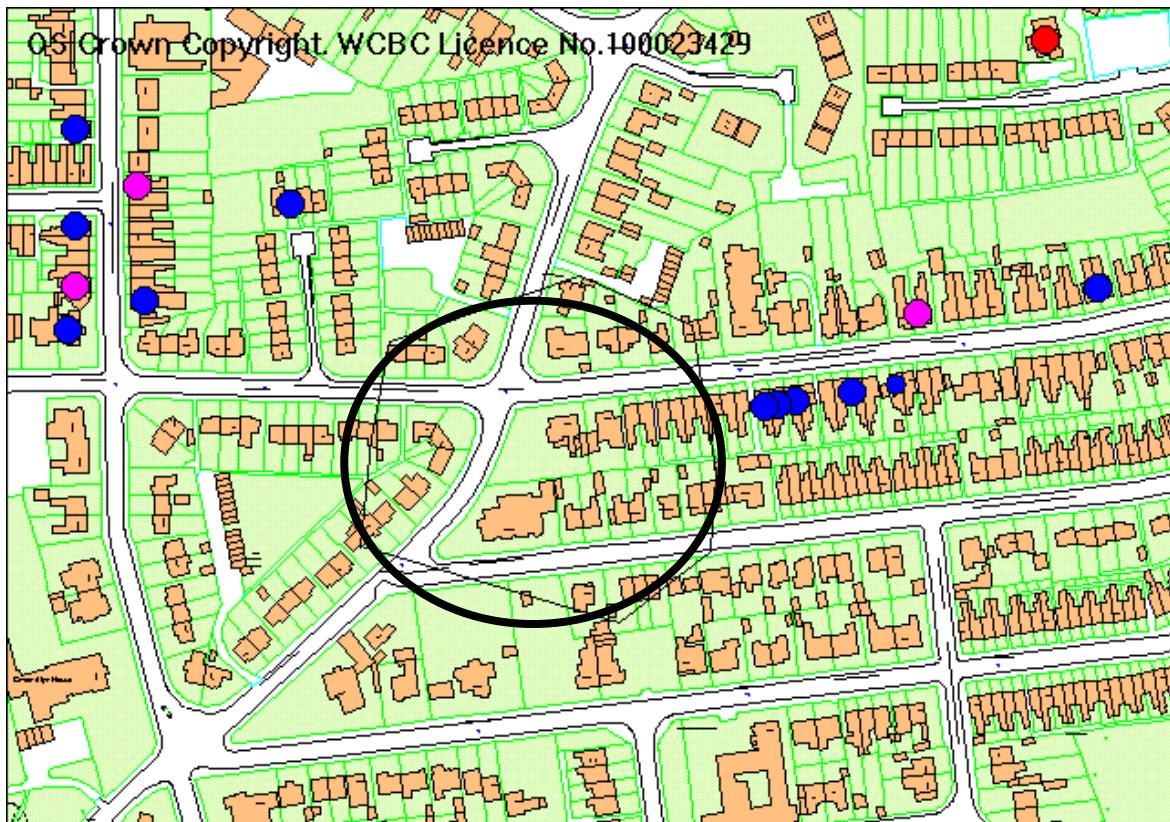
Houses in Multiple Occupation should have a large enough private outdoor area to provide external drying areas, cycle parking, bin storage and to provide for the amenity of the occupiers the property. The facilities should be secure and made available for use by all residents. The garden area is more than sufficient to provide external recreation space, and secure cycle storage is available within the existing garage.

The garage is also capable of housing the refuse and recycling bins. This area is easily accessible from within the dwelling, by internal door from the kitchen, and the garage is within easy access of the highway for taking out on collection day. The bin storage facilities can therefore be discreetly located in the interest the visual amenities of the area and this will be secured by planning condition.

*d) Concentration of HMO properties*

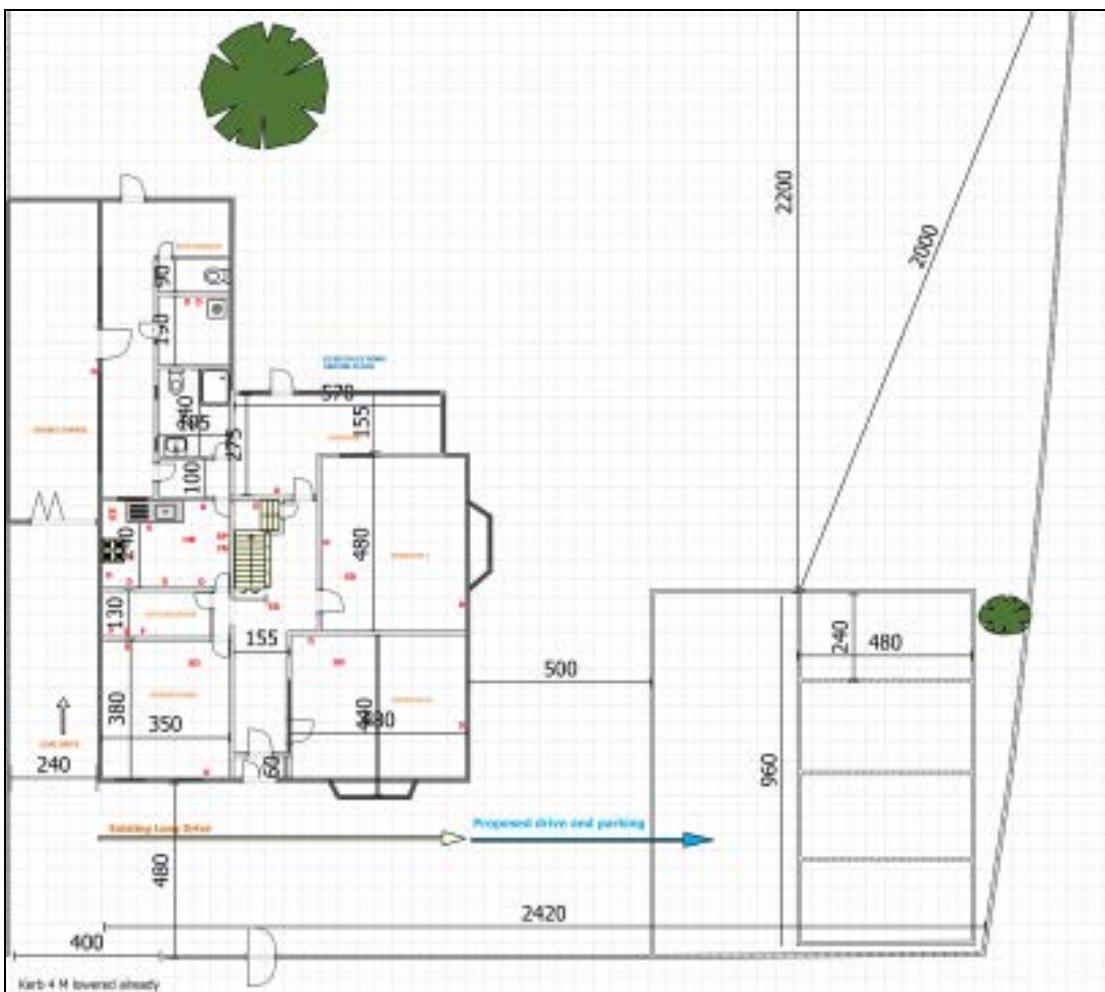
LPGN 5 advises that the Council will seek to ensure that proposals for new HMOs do not result in the number of HMOs exceeding 10% within a 50m radius of the boundaries of the application site. It goes on to advise that where the concentrations do exceed this, planning permission will not normally be granted unless there are relevant material planning considerations to justify doing so.

The map below (at figure 1) marks the existing HMOs in the locality with a dot, and the 50m radius with an oval outline. Members will see from the map that there are currently no HMOs within 50m of the application site and the proposed change of use accords with LPGN 5.



*Figure 1. Existing HMOs*

**Parking:** LPGN 16 advises that the maximum parking required for the proposed use is 4 spaces, which is the same as the 4 spaces required for the existing dwelling. Whilst parking for the existing dwelling meets with the standard, the existing driveway and garage parking is in tandem. This is not acceptable for a HMO where parking spaces should be independently accessible. The applicant has therefore amended the original scheme to provide 4 new on-site parking spaces, together with turning area (see figure 2 below), and the proposal accords with LPGN 16. The highway authority have been consulted on the proposal and any comment received will be reported by way of addendum to this report.



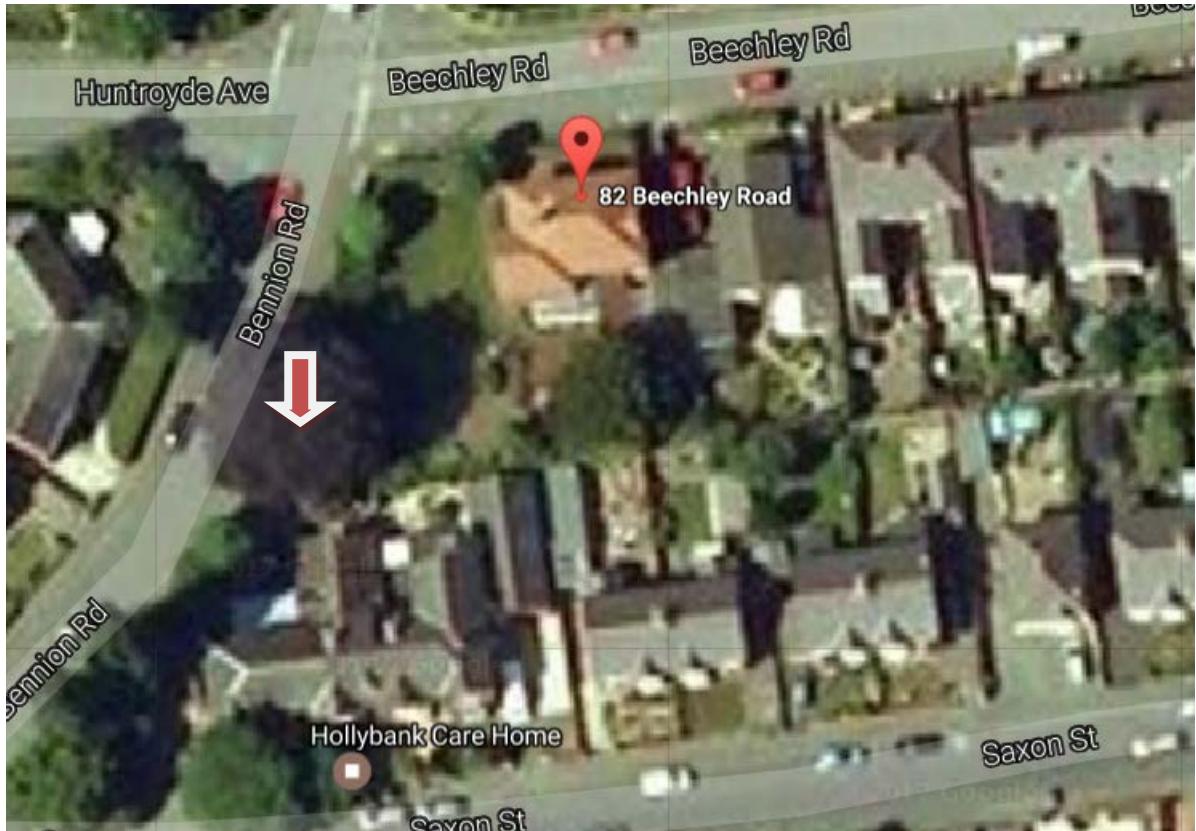
*Figure 2. Proposed Parking*

**Licensing:** In addition to requiring planning permission, most HMOs will also need a separate licence from Public Protection. Licensed HMOs are subject to conditions that require landlords to take all reasonable steps for the satisfactory management and maintenance of good physical standards of HMOs. These include mandatory conditions requiring certificated inspections for gas, electrical and fire safety, as well as specifying maximum occupancy numbers. There are also conditions requiring the licence holder to prevent anti-social behaviour. Breaching licence conditions can ultimately result in landlords being prosecuted and their licence being revoked.

Licensing requirements are entirely separate to the requirement for planning permission and it is made explicitly clear in national planning policy that the planning system must not duplicate the controls of other regulations in making decisions on planning applications.

The housing team have confirmed that there is no objection to this change of use provided an application is made for a HMO Licence prior to occupation of the dwelling as a HMO. The applicant will be reminded of this requirement by advisory note attached to the planning permission should it be granted.

**Trees:** There are a number of trees on the site. The most significant tree is a copper beech and is marked with a red arrow on the photograph below. A condition should be attached to the planning permission to ensure that this tree is retained. Care should be taken to ensure that the new on-site parking does not affect the health or stability of this tree and so a condition securing tree protection measures during construction works is required.



The other trees on site are not particularly good specimens and do not contribute to the visual amenities of the area in the same way as the copper beech does. There is no justification to insist upon their retention and their removal, should the land owner find necessary, is therefore considered acceptable.



**Other matters:** The Council has been made aware of works having already been carried out within the property. Planning permission is not required for the internal renovation and redecoration of the dwelling and they are not matters that are material planning considerations. The Council is also aware that currently 2 people reside in the property, and I confirm that this is a lawful use of the dwelling. Finally, the impact the proposal may have upon the sale value of nearby properties is not a material planning consideration.

## **CONCLUSION**

The development accords with UDP policies GDP1, H4 and T8. The re-consultation period associated with the amendments to provide on-site parking expires on Monday 5 November 2018. Delegated powers to determine the application after this date, subject to the following conditions, is therefore requested.

**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 001, 002 and 003 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. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. 001.
5. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 001 shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
6. Prior to first use of the development hereby approved a pedestrian visibility splay shall be established measured from the centreline of the vehicular access 2.4 metres back from the back edge of the footway to points 3.3 metres either side measured along the back edge of the footway. Within these splays there shall be no obstruction in excess of 0.6 metres in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
7. Nothing shall be planted, allowed to grow or erected to a height greater than 1 metre in height above the level of the nearside edge of the adjoining highway for a distance of 2.4 metres measured back from the adjoining highway along the entire site frontage with Beechley Road. The splays shall be provided prior to first use of the development and shall thereafter be permanently retained clear of any such obstruction.
8. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.
9. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.
10. Notwithstanding the details shown on the approved plans, the existing garage shall be used for household refuse and recycling bin storage, together with secure cycle parking facilities, in accordance with a scheme which has been submitted to, and approved in writing by, the Local Planning Authority. The scheme as is approved shall be fully implemented prior to first use of the development, and bins / refuse shall not otherwise be stored on any other part of the site.
11. The existing copper beech tree to the south west corner of the site shall be permanently retained, and shall not be cut down, grubbed out, lopped or uprooted. Should this tree become severely damaged or diseased, it shall be replaced with a tree of the equivalent size and species.
12. No equipment, machinery, plant or materials of any kind in connection with the development shall be brought onto the site until tree protection fencing and ground protection measures have been implemented in strict accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The details should include specification and location for the fencing. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made.
13. The tree protection fencing and ground protection measures approved in connection with condition no. 12 shall be kept in place until all external site works have been completed and the removal of the fencing has been approved in writing by the Local Planning Authority.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

14. Prior to first use of development a pavement crossing to the site shall be constructed in strict accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
15. The vehicular access hereby approved shall be a minimum width of 5 metres.

### **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 provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
6. To ensure that adequate visibility is provided at the proposed point of access to the highway.
7. To ensure that adequate visibility is provided at the proposed point of access to the highway.
8. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.
9. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
10. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- To protect the amenities of the occupiers of nearby properties.
11. To ensure the amenity afforded by the trees is continued into the future.
12. To ensure that the retained trees are adequately protected during development in the interests of amenity.
13. To ensure that the retained trees are adequately protected during development in the interests of amenity.
14. In the interests of pedestrian safety.
15. To ensure the formation of a safe and satisfactory access.

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

The applicant is advised to ensure that the proper licence is obtained prior to occupation of the dwelling as a HMO. Guidance and application forms are available at: [www.wrexham.gov.uk/english/council/housing/hmo\\_licensing.htm](http://www.wrexham.gov.uk/english/council/housing/hmo_licensing.htm)

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.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

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.

---

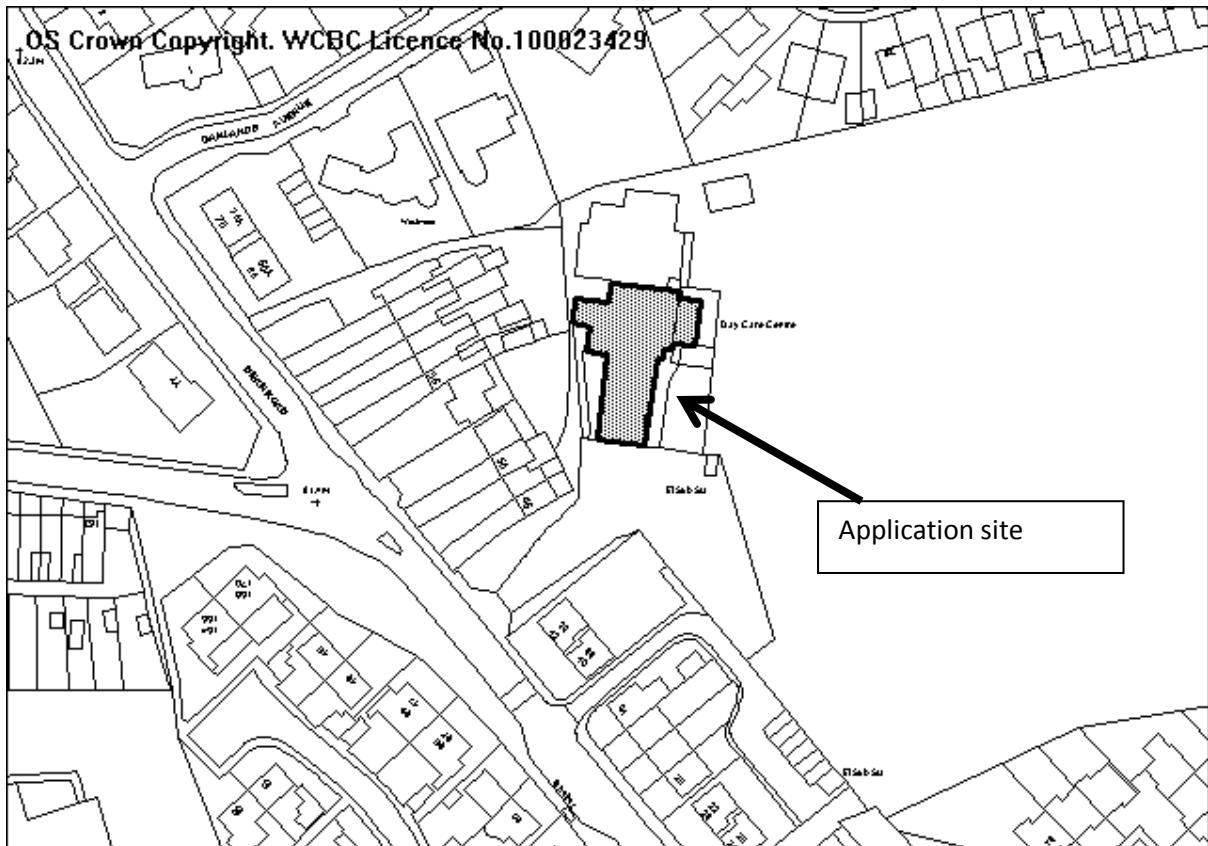
**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0793	<b>LOCATION:</b> FAMILY CENTRE DEAN ROAD WREXHAM LL13 9EH	<b>DATE RECEIVED:</b> 19/09/2018
<b>COMMUNITY:</b> Acton	<b>DESCRIPTION:</b> USE OF BUILDING AS WAREHOUSE FACILITY FOR WREXHAM FOODBANK FOR THE RECEIVING AND STORING OF NON- PERISHABLE FOOD DONATIONS	<b>CASE OFFICER:</b> KH
<b>WARD:</b> Rhosnesni		<b>AGENT NAME:</b> THE SALVATION ARMY MR CAMPBELL EDMONDSON
	<b>APPLICANT(S) NAME:</b> MR CAMPBELL EDMONDSON THE SALVATION ARMY	

---

### THE SITE

Located off the Eastern side of Dean Road, Wrexham. Residential properties bound the site to the North, West and South, with a substantial car park to the South of the building. Access is directly off Dean Road.



## **PROPOSAL**

Use of building as warehouse facility for a Wrexham Foodbank for the receiving and storing of non-perishable food donations. Building previously used as a Family Centre.

## **HISTORY**

P/2018/0673	Outline application for up to 74 dwellings together with vehicular / pedestrian access from Holt Road, open space which can be used with adjoining land to the West to create a formal sports pitch, site landscaping, sustainable drainage and other related matters. Pending.
-------------	---

## **DEVELOPMENT PLAN**

Within Wrexham Town. Policies PS1, PS2, GDP1 (b) (d) (f) of the Wrexham Unitary Development Plan refer.

## **CONSULTATIONS**

Community Council:	Consulted 20.09.2018
Local Member:	Notified 20.09.2018.

Public Protection:	Given the nature of the development and close proximity of residential properties, there may be merit in placing operational hours and delivery.
Highways:	No objection given limited numbers visiting the site. No vans are used in the process.
Other representations:	One letter of objection as the previous use as a Family Centre has caused youths to hang around the site after hours causing trouble and cars vandalised and stolen in the area. The objector is very uncomfortable as the area is already a problem area.
Site Notice:	Expired 15.10.2018.

## **SPECIAL CONSIDERATIONS**

Non-perishable goods are stored in the building prior to distribution to the 4 centres where clients are given food. No clients come to the Dean Road site to receive food parcels. The Warehouse is open on Tuesday and Friday between 10.00 am and 3.00 pm, with day time access on Monday and Wednesday for short periods to facilitate distribution and administrative requirements. The hours of operation are daytime hours. I would not anticipate any significant noise issues to the detriment of nearby neighbours or problems with parking / turning on the site. On a busy day they can have up to 4 – 6 volunteers in their cars only staying for a few minutes and on occasions a maximum of 10 with donations but staying for only a few minutes.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

**Other Considerations:** 1 neighbour has raised concerns that the Family Centre has caused youths to congregate around the site and causing problems. The objector is uncomfortable as the area is already a problem area. This is beyond the planning remit and an issue for the Police

**Conclusion:** I am generally satisfied the use will not cause highway issues and noise to detriment of nearby neighbours. Movements will be limited.

**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. Only the areas identified on the approved plans for foodbank storage / office uses shall be used for these purposes.

**REASON(S)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
  2. In the interests of highway safety and nearby residential amenity.
-

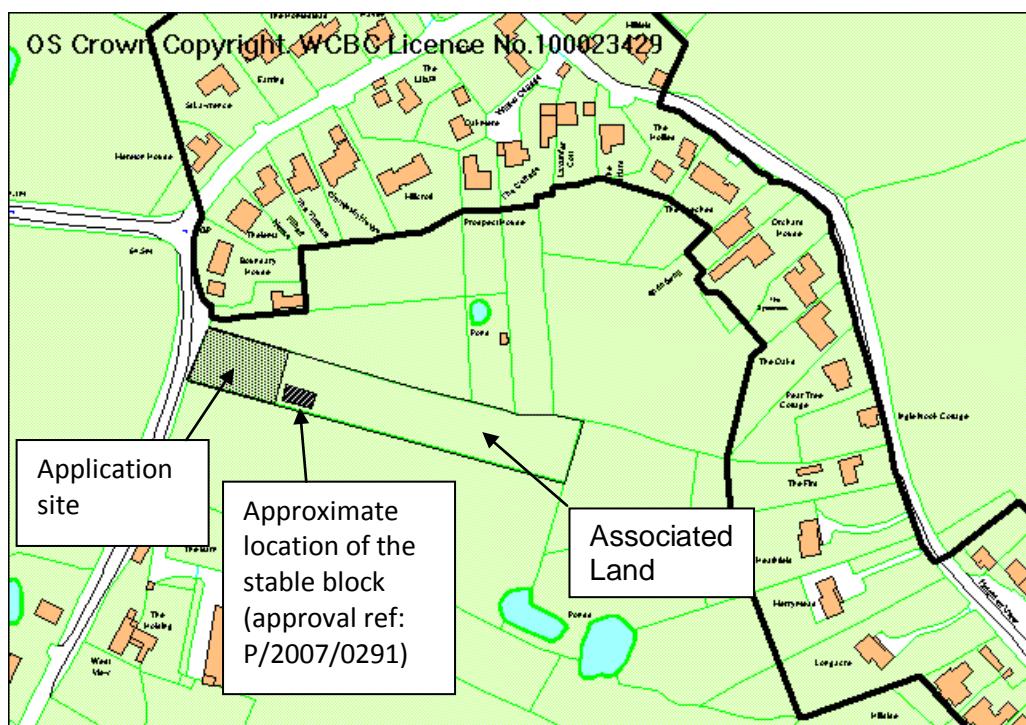
**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0795	<b>LOCATION:</b> LAND SOUTH OF BOUNDARY HOUSE HORSEMAN'S GREEN WHITCHURCH SY13 3DY	<b>DATE RECEIVED:</b> 19/09/2018
<b>COMMUNITY:</b> Hanmer	<b>CASE OFFICER:</b> SEH	
<b>WARD:</b> Overton	<b>DESCRIPTION:</b> ERECTION OF DETACHED DWELLING AND GARAGE WITH ASSOCIATED PARKING	<b>AGENT NAME:</b> MR R E FORRESTER
<b>APPLICANT(S) NAME:</b> MR R E FORRESTER		

---

### THE SITE

A rectangular piece of greenfield land measuring approximately 900 square metres located outside of the settlement limit on land to the south of Boundary House, Horseman's Green, Wrexham.



### PROPOSAL

As above

## **HISTORY**

P/2007/0291	Stable block with feed store. <b>Granted 20.04.2007</b>
P/2008/1067	General purpose agricultural building. <b>Refused 07.11.2008</b>
P/2012/0380	Stable block and store, kitchen and toilet block. <b>Refused 18.01.2013 – Appeal Dismissed</b>
P/2013/0219	Stable, store and personal facilities area. <b>Refused 17.05.2013 – Appeal Dismissed</b>
P/2013/0393	Stable, store and personal facilities area. <b>Refused 29.07.2013</b>
P/2014/0421	Outline planning application for residential development (2 dwellings). <b>Refused 01.09.2014 – Appeal Dismissed</b>
P/2017/0426	Erection of detached dwelling with associated garage, parking and new access. <b>Application Withdrawn</b>
P/2017/0725	Erection of detached dwelling with associated garage and parking. <b>Refused 06.11.2017 - Appeal Dismissed</b>
P/2018/0402	Erection of detached dwelling with associated garage and parking. <b>Application Withdrawn</b>

## **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, 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:	Cannot see any material difference from the previous application and object to the application on the same grounds as previously stated: <ul style="list-style-type: none"><li>• The site lies outside of the settlement of Horseman's Green. The applicant uses PPW 4.7.8 to justify building outside of the settlement limit to fails to consider the full wording of the policy. The council can see no possible justification for allowing the development outside of the existing settlement;</li><li>• The proposal has failed to demonstrate that Horseman's Green is a sustainable location either directly or via a functional link with Hanmer. Horseman's Green has a small community hall and a bus service which consists of one bus per week, to and from Wrexham. There are more services in Hanmer, but Hanmer is not within a comfortable walking distance of the proposed development. Hanmer is accessed by narrow,</li></ul>
--------------------	--

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

	unlit and poorly maintained country lanes. Hanmer village shop is some 1 ¾ miles from the development site and the doctors surgery is 2 miles away.
Local Member:	Notified 20.09.2018
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 a condition to secure Reasonable Avoidance Measures (RAMs) in respect of great crested newts.
Senior Flood Officer:	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:	This is near footpath Halghton 3 which should not be diverted or blocked by the development, nor during its construction.
Site Notice:	Expired 15.10.2018
Advert:	Expired 20.10.2018
Neighbours:	<b>9 letters of objection received from the local residents of Horseman's Green raising the following:</b> <ul style="list-style-type: none"><li>• Hazardous, narrow highway serving the development;</li></ul>

- 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;
- Noise pollution;
- 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;
- The weekly bus service (45F) only goes to Wrexham;
- 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;
- Without the provision of lights, sewerage works, highway improvements, speed limits, play facilities etc. this rural area cannot support any further housing;
- The development would significantly diminish the openness of the countryside to the south of the settlement and the separation it provides to the pockets of existing development in the countryside. The clear physical separation of the site from existing built development in Horseman's Green would emphasise these effects. As such, the proposed development would be unacceptably harmful to the character and appearance of the countryside around Horseman's Green.

- This application does not adequately address the reason for dismissal of the recent Appeal as were cited by the Inspector; there are no grounds on which this application could be supported.
- National planning guidance and previous appeal decisions - This application looks to be a repeat of the previous application P/2018/0402 which was dismissed by the Head of Environment and Planning. Their Report (dated 2nd July 2018), gave a comprehensive set of reasons for recommending its dismissal, which on examination look to have not been addressed in this current application and therefore the same issues remain. When I looked on the planning portal there have been 6 applications to develop the site and 4 appeals made against planning dismissals. All applications and appeals have been dismissed to date. This current application does not go on to address the reasons for the previous dismissals and the same issues remain.
- Planning policies and the Wrexham UDP guidance - This proposal goes against a number of policies in the current adopted Wrexham (UDP) and in the current Planning Policy for Wales - Feb 2014 (PPW):
  - *TAN1 :The Joint Housing Land Availability Studies Section 5.1: “Where the current study shows a land supply below the 5 year requirement, the need to increase supply should be given considerable weight when dealing with planning applications providing the development would otherwise comply with national planning policies”* One reason why previous applications were dismissed was because of the LSE on appearance and character of the site to its surroundings. The visual impact would affect more than 9 properties given the stand alone and somewhat exposed position of the proposal outside of the settlement boundary. It would materially change the character from a nucleated settlement to that of linear ribbon development.

The statement above is further supported by:

- *UDP Policy PS2 “Development must not materially detrimentally affect countryside, landscape ... character, open space , or the quality of the natural environment.”*
- *UDP Section 6.12 “Policy is designed ... to prevent ribbon development in the countryside*

*as it would result in a loss of visual quality and landscape character..."*

Horseman's Green has suitable Brownfield sites which should be considered ahead of Greenfield options as supported by:

- *UDP Policy PS3 "Development should use previously developed brownfield land... in preference to the use of greenfield land ... particularly so where greenfield land... comprises agricultural land of grades 1, 2 or 3a quality."*
- *PPW Section 1.1: "The Welsh Government will seek to ensure that previously developed land is used in preference to greenfield sites.*

Brownfield site development and restoring derelict buildings are "key principles" in the adopted Wrexham UDP. Site access is unsuitable. It is on a dangerous bend with poor visibility, is prone to localised flooding and goes against:

- *PPW Policy GDP1(d): "ensure safe vehicular and pedestrian access ... both on site and in the nearby locality."*
- The Design and Access Statement and the Proposal Description & Policy Statement which form part of the current application:
  - (i) Several times, Horseman's Green is referred to as a village whereas it is a hamlet, not having a church or other amenities associated with a village,
  - (ii) Paragraph 3.1 of the Design and Access Statement refers to "just one detached dwelling being proposed as opposed to a previous application for 2 detached properties." While a previous application did indeed refer to two detached properties, for avoidance of doubt it should be noted that the previous application (P/2018/0402) was for a single dwelling,
  - (iii) Paragraph 1.1 of the Proposal Description & Policy Statement describes the land as "of little agricultural value." This is a subjective view not borne out by the facts as a site visit attests.
  - (iv) Paragraph 1.6 refers to a "stable block situated just behind the proposed site" as being a "development precedent". This is clearly not the case as a stable block cannot be a precedent for a residential dwelling;
  - (v) Paragraph 2.1 states that "Hanmer is considered is considered within easy walking

or cycling distance of Horseman's Green." This is not true. The road is narrow, heavily potholed in parts, liable to flooding and has no pavement.

**5 letters of support received from residents in Ruabon, New Broughton, Bettisfield and Penycae, raising the following:**

- Rural communities require some new developments from time to time to remain sustainable;
- Smaller villages such as Horseman's Green have suffered from a lack of new housing and the sustainability of these rural communities requires that new housing be allowed;
- The dwelling is single storey and so it will have no detrimental impact upon the area. To say otherwise is frankly rubbish and very much untrue;
- The dwelling will be hardly visible above the boundary hedge, as is the stable to the rear of the site;
- Smaller developments when added together significantly contribute to the housing land supply;
- There is weekly transport to Horseman's Green and daily transport in nearby Hanmer making the location sustainable;
- Development already exists on this small paddock and so the proposed site is appropriate for development;
- The impact of the development would be insignificant and represents just a minor extension to the Village which is acceptable under PPW;
- The pub, school and shop in Hanmer need the support of this development;
- The development is a minor extension to the settlement and complies with PPW policies relating to rural areas.

**SPECIAL CONSIDERATIONS/ISSUES**

**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 an 'L' shaped timber structure containing 3 no. stables and feed store was granted in 2007 (P/2007/1291).

Planning permission to erect a second building for additional facilities including a kitchen, toilet and store has since been refused on three separate occasions. Subsequent appeals to the Planning Inspectorate against refusal refs:

P/2012/0380 and P/2013/0219 have since been dismissed. In reaching his decisions, 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, located between the approved stable and the frontage with the public highway. Planning permission was refused (P/2014/0421) and a subsequent Appeal to the Planning Inspectorate was dismissed. In reaching his decision, the Inspector 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 locality. He went on to say that '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. In his appeal, the Appellant referred to the shortfall in the supply of housing within the County Borough by way of justification for the development. 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 UDP Policies PS1, PS2, PS3, PS4, GDP1 and H5 and the requirements of Planning Policy Wales (PPW).

In 2017, a full application for planning permission to erect 1 no. single storey dwelling was submitted, which was subsequently withdrawn (P/2017/0426). Later that same year another application was submitted (P/2017/0725) again for permission to erect a single dwelling. The differences between this and the 2014 proposal were that the number of units had been reduced from 2 to 1, the dwelling was reduced in height from two to single storey, and the dwelling was proposed to be an affordable unit. Along with the merits of the previous application for residential development of the land, it was necessary to also 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. Planning permission was again refused and a subsequent Appeal dismissed. In reaching his decision, the Inspector again commented that the site is separated from the nearest built development in Horseman's Green and that the development would significantly erode the rural character and the associated appearance of the well-defined edge to the Village. The Inspector maintained his opinion that the location of the development and the lack of local facilities meant that it would not minimise the demand for travel, especially by private car. While the proposed development would provide an additional affordable dwelling to meet housing need, the Inspector commented that the small contribution to housing land supply only

provides limited weight in favour of the appeal scheme and as such the appeal was dismissed.

Earlier this year (2018) an application was again submitted for the erection of a single dwelling (P/2018/402). The main difference between this and the 2017 proposal being that it is no longer proposed to be an affordable dwelling. This application was subsequently withdrawn.

This application now under consideration is no different to the previously withdrawn application save for the proposition that this development will provide a retirement home for the applicant.

**Housing Land Supply:** PPW paragraph 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 paragraph 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 as such, will be deemed to have a zero land supply.

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, this 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 satisfies all of the relevant planning considerations and represents a sustainable form of development.

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. 977 houses) this equates to a requirement for additional land to be brought forward approximately 3376 new houses .

In July 2018 the Welsh Government temporarily dis-applied paragraph 6.2 of TAN1 which advised that ‘considerable’ weight should be attached to the need to increase housing land supply where local planning authorities were unable to demonstrate a 5 year housing land supply. The weight afforded to this matter must therefore now be determined on a case by case basis.

Given that Wrexham has a zero housing land supply as a result of the UDP having expired, and because of an identified requirement for housing, the need

to increase the supply of land available for housing should still be afforded considerable weight when determining relevant planning applications, subject to proposals also complying with relevant **development plan** and **national planning policy**.

**Development Plan Policy:** As members are very much aware, the UDP is now beyond the period for which it was planned. However, in the absence of any more up to date national planning policy, the UDP remains the basis for decision making.

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 weight attached to this policy has already been established through previous appeal decisions and Policy H5 remains relevant.

The principle of development in this location also remains unacceptable when assessed against the Policy PS1 as it is not located within a defined settlement limit. However, as already mentioned above, weight should be given to the need to increase housing land supply when dealing with planning applications outside of the settlement limit and this is a material consideration.

Policies 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, remain consistent with PPW. This has already been established in previous appeal decisions and these policies attract full weight.

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. 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 the harm to the locality against which the UDP policies already mentioned above were designed to protect, and thus would not comply with the above development plan policies.

**National Policy:** PPW also provides further guidance in respect of development in the countryside in paragraphs 4.7.7, 4.7.8 and specifically in respect of housing, paragraph 9.2.22. For the benefit of Members the above mentioned paragraphs are included in full below:

*4.7.7 For most rural areas the opportunities for reducing car use and increasing the use of walking, cycling and public transport are more limited than in urban*

areas. ***In rural areas the majority of new development should be located in those settlements which have relatively good accessibility by non-car modes*** when compared to the rural area as a whole. Local service centres, or clusters of smaller settlements where a sustainable functional linkage can be demonstrated, should be designated by local authorities and be identified as the preferred locations for most new development including housing and employment provision. The approach should be supported by the service delivery plans of local service providers.

**4.7.8 Development in the countryside** should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access and habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where it meets a local need for affordable housing, but new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should respect the character of the surrounding area and should be of appropriate scale and design

**9.2.22 In planning for housing in rural areas** it is important to recognise that development in the countryside should embody sustainability principles, benefiting the rural economy and local communities while maintaining and enhancing the environment. There should be a choice of housing, recognising the housing needs of all, including those in need of affordable or special needs provision. In order to safeguard the character and appearance of the countryside, to reduce the need to travel by car and to economise on the provision of services, new houses in the countryside, away from existing settlements recognised in development plans or from other areas allocated for development, must be strictly controlled. Many parts of the countryside have isolated groups of dwellings. Sensitive filling in of small gaps, or minor extensions to such groups, in particular for affordable housing to meet local need, may be acceptable, but much depends upon the character of the surroundings, the pattern of development in the area and the accessibility to main towns and villages.

The new dwelling would be remote from jobs, shops and services located within the larger settlements. There are no shops, churches, public houses, medical facilities or areas of public open space etc. near to the site, nor are there regular bus services to access these facilities. Public transport serving the Village is extremely limited, there being only a weekly bus service to Wrexham. 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. This is not considered to be a reasonable or comfortable regular walking distance and, given the lack of footways and lighting, together with the narrowness and poor surface of the roads, both walking and cycling are not considered a realistic option as modes of transport. Penley and Hanmer are also only serviced by limited a limited number of bus services between to Wrexham and Whitchurch. Future occupiers of the site are therefore likely to be reliant on the private car for most journeys, increasing the number of private car journeys in the vicinity.

Horseman's Green is not 'one of those settlements which have relatively good accessibility by non car modes when compared to the rural area as whole' and to allow housing in this unsustainable location would be contrary to paragraph 4.7.7 of PPW. The proposal would not minimise the demand for travel, especially by means of the private car and Horseman's Green cannot therefore 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. The site is not adjoining the settlement limit of Horseman's Green, being separated from it 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. 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, and the rural character and associated appearance of the well-defined edge to the village. The development would not therefore accord with the national planning policy and would therefore represent an inappropriate form of development in this countryside location.

**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 these highway alteration would be to the detriment of the character of the area and I consider this to be unnecessary 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. 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 report on GCN has previously 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 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:** There have been no fundamental changes in planning policy since the previous refusals of planning permission for the development of this site, and the appeals dating back to 2012 have consistently been dismissed. The key issues remain that the residential development of this greenfield land would have a detrimental impact upon the character and appearance of the area, and the location of the application site conflicts with the 'presumption in favour of sustainable development' included in PPW. The development would not comply with the objectives for sustainable development 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. The proposed development is unacceptable in principle and would fail to deliver development plan and national planning policy objectives.

**RECOMMENDATION:** That permission be REFUSED

**REASON(S)**

1. By virtue of its location outside of any settlement limit, the residential development of this greenfield land would be materially detrimental to the locality 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 countryside. The proposals do not accord

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

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 and H5 of the Wrexham Unitary Development Plan (UDP). The proposal is not considered to represent sustainable development as set out in Planning Policy Wales and there are no material considerations associated with the scheme to justify departing from UDP policies in instance.

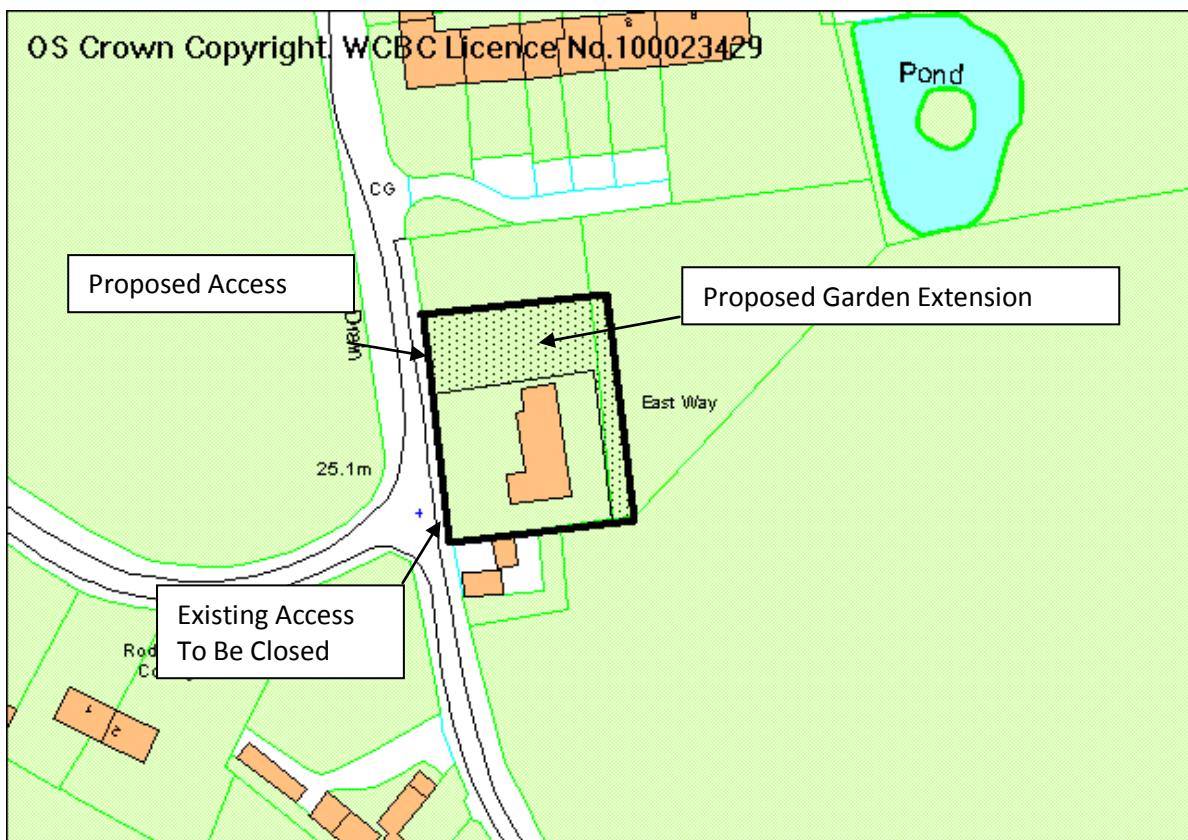
---

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

<b>APPLICATION NO:</b> P/2018 /0825	<b>LOCATION:</b> EAST WAY BOWLING BANK WREXHAM LL13 9RR	<b>DATE RECEIVED:</b> 26/09/2018
<b>COMMUNITY:</b> Isycoed	<b>DESCRIPTION:</b> CLOSURE OF EXISTING ACCESS AND CONSTRUCTION OF NEW ACCESS (AWAY FROM JUNCTION) AND EXTENSION TO RESIDENTIAL CURTILAGE	<b>CASE OFFICER:</b> SEH
<b>WARD:</b> Holt		<b>AGENT NAME:</b> ST OSWALDS ARCHITECTURAL MR GERRARD MARSHALL
	<b>APPLICANT(S) NAME:</b> MR DAVID BRERETON	

---

**THE SITE**



**PROPOSAL**

As above

## **HISTORY**

6/15730	Erection of Farmworkers Dwelling.
P/2010/0193	Extension to form Farmworkers Annex. Application Withdrawn
P/2018/0825	Single Storey Front, Side and Rear Extensions with Balcony above, Dormer Extension to Rear Roof Plane with Access to Balcony. Granted 03/04/2018

## **DEVELOPMENT PLAN**

Outside of settlement. UDP Policies PS2, T8 and GDP1 apply. Local Planning Guidance Notes Nos. 13 'Housing in the Countryside' and 21 'Space around Dwellings' are also relevant.

## **CONSULTATIONS**

Community Council:	Consulted	01/10/2018
Local Member:	Notified	01/10/2018
Highways:	No objection subject to conditions securing visibility splays and access layout.	
Site notice:	Expired	23/10/2018
Other representations:	3 letters received expressing the following concerns:	<ul style="list-style-type: none"><li>• The existing access is on the widest part of the road, opposite the junction, which is the safest option;</li><li>• To move the access to the narrower section of the road is not a safe option;</li><li>• At this time, the hedge is cut and visibility is good from the junction but when it is overgrown, visibility is poor;</li><li>• In principle we have no objection to the new proposal for entry / access to East Way so long as the entrance is no wider than a standard Barred Gate and that the verge forming the entrance is curved inward so as to allow passing vehicles sight of a car exiting from the property;</li><li>• The gate should be set back so vehicles clear the road and don't stick out whilst the gate is being opened on access and closed on exiting, remembering the owners have light commercial vehicles;</li><li>• Considering this is a minor road there is a lot of traffic and is primarily of large vehicles delivering cattle food, milk tankers collecting milk and a huge number of lorries collecting and delivering chicks and chickens from the Chicken Farm nearby. Added to this there are also a large amount of agricultural machinery movements</li></ul>

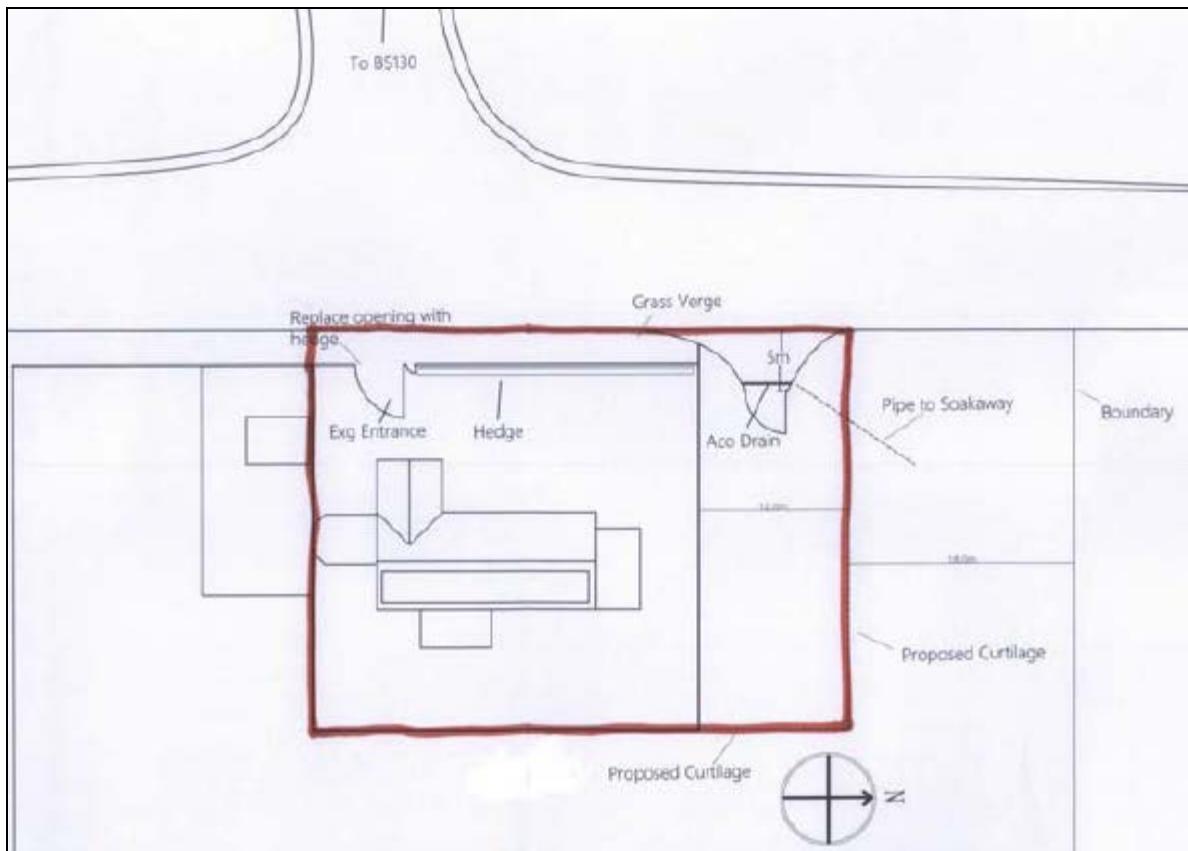
made on a regular basis which causes other cars to have to reverse at the area of the proposed access, as the road is not wide enough for two vehicles to pass unless small private cars. There is a bend in the road just before the proposed access from which it is not possible to determine vehicles coming in the opposite direction unless they are high sided vehicles particularly in the period of the year when the farm hedging grows from April to early October;

- New access is too close to the barn conversions;
- Flooding on the lane;
- Speed of traffic;
- No screening for the new parking area is shown;
- The proposed development is substantial and detrimental to the other properties in the area and not in line with land use in the re which is farm land and farm buildings.

## **SPECIAL CONSIDERATIONS**

**Background:** Proposed is an extension to the residential curtilage / garden area, closure of the existing vehicular access, and creation of a new vehicular access. The main issues to consider relate to the impact of the development upon visual and residential amenities and upon highway safety.

**Visual and Residential Amenity:** The proposed minor extension to the residential curtilage will not harm the overall character and appearance of the rural landscape. The existing curtilage is quite tight to the rear of the dwelling, and the extension will provide a small buffer between the built development and the field beyond. Vehicular access to the site is substandard and to allow the extension to the side of the dwelling will allow for the creation of a safer access, away from the junction.



*Figure 1. Proposed Residential Curtilage and New Access Point*

In order to protect the visual amenities of the area, and in accordance with LPGN 13, a condition is required to remove permitted development rights to safeguard against uncontrolled new built developed (including sheds and greenhouses) being erected on the land. A hedge formed of indigenous plant species should form the enlarged curtilage boundary and the land should be properly landscaped in accordance with a scheme that has been submitted for further approval, which will be secured by planning conditions.

The garden extension approx.18 meters away from the access road to the nearby barn conversions which provides a more than adequate buffer. As mentioned above the new curtilage boundary will be screened by a native hedgerow, and there will be no significant impact upon residential amenity as a result of this development.

**Highway Safety:** The development site is located on a narrow classified rural road subject to a 60mph speed limit. However, I would estimate typical speeds at being around 30mph given the geometry of this section of the road. Visibility splays at the new access should be the same or better than the existing. A condition is therefore required to secure a minimum visibility splay of 2.4 x 43

metres to the south and 2.4 x 18 metres to the north, in the interests of highway safety.

**Conclusion:** The garden extension is acceptable in terms of extent and design, and there would be no significant impact upon visual amenity. The proposed access would be moved to a safer location away from the junction, with increased visibility, and 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) numbered A0001 and as contained within the application documentation.
3. No part of the development shall commence until full details of a hard and soft landscaping scheme, including native boundary hedgerow planting, together with a timescale for the implementation of works have been submitted to and approved in writing by the Local Planning Authority.
4. The landscaping scheme submitted and approved in connection with condition no. 3 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
5. Prior to first use of the new access hereby approved, the existing vehicular access as shown on plan re: A0001 shall be permanent closed up in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
6. No part of the development shall commence until further details of the proposed vehicular parking and turning facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained prior to first use of the development, and shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
7. Prior to first use of the development hereby approved the vehicular access shall provide minimum visibility splays of 2.4 metres x 43 metres in both directions measured to the centreline of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
8. No part of the development shall commence until further details of the proposed vehicular parking and turning facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained prior to first use of the development, and shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

9. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.
10. 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.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification), no development shall take place, within the application site as outlined in red, under Classes A, B, C, D, E, F or G of Schedule 2 Part 1, other than the development hereby granted permission.

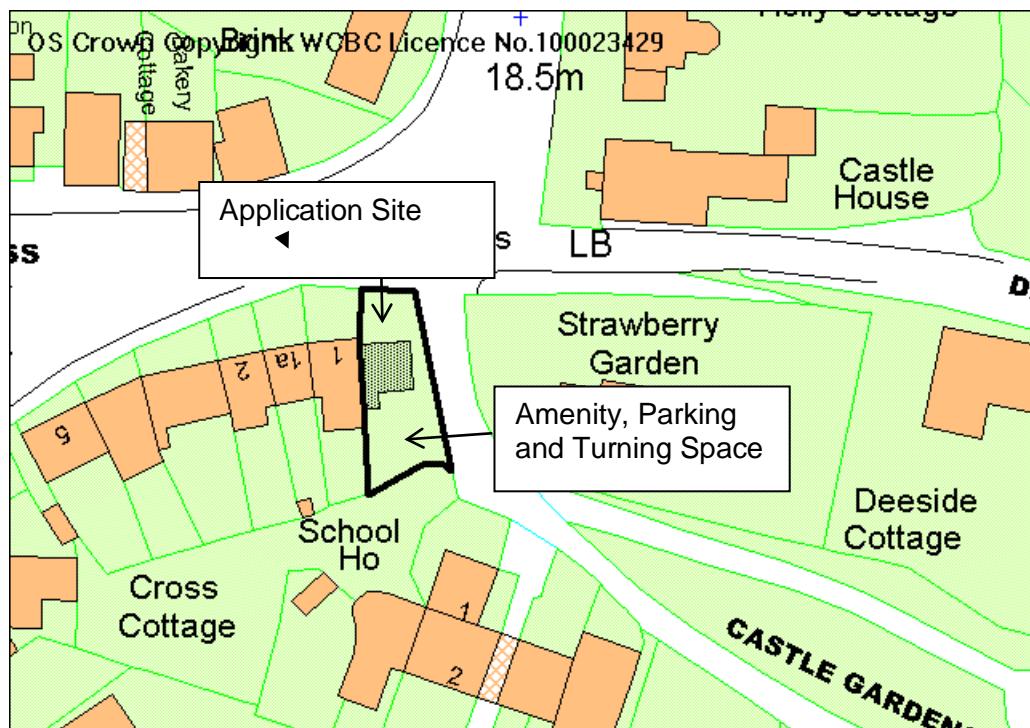
### **REASON(S)**

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. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
  5. In the interests of highway safety.
  6. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
  7. To ensure that adequate visibility is provided at the proposed point of access to the highway.
  8. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
  9. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
  10. In the interests of highway safety.
  11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
-

<b>APPLICATION NO:</b> P/2018 /0836	<b>LOCATION:</b> THE LODGE CROSS COTTAGE CASTLE STREET HOLT WREXHAM LL13 9YL	<b>DATE RECEIVED:</b> 02/10/2018
<b>COMMUNITY:</b> Holt	<b>DESCRIPTION:</b> CHANGE OF USE OF HOLIDAY LET TO FORM SELF - CONTAINED DWELLING	<b>CASE OFFICER:</b> SEH
<b>WARD:</b> Holt		<b>AGENT NAME:</b> MRS S LEA - MURRAY
	<b>APPLICANT(S) NAME:</b> MRS S LEA - MURRAY	

---

### THE SITE



### PROPOSAL

As above

### REVELANT HISTORY

- P/2012/0326 Change of use of garage to a 1 room holiday let  
Granted 11/06/2012
- P/2006/0215 Erection of garage – Granted 08/05/2006

## **DEVELOPMENT PLAN**

Within settlement. UDP Policies PS1, PS2, PS3, PS4, GDP1, H2, EC7 and T8 apply. Local Planning Guidance Notes Nos. 16 'Parking Standards' and 21 'Space around Dwellings' are also relevant.

### **CONSULTATIONS**

Community Council:	Consulted	03/10/2018
Local Member:	Notified	03/10/2018
Highways:	No objection subject to a condition to secure permanent retention of the on-site parking area.	
PP:	Consulted	03/10/2018
WACS	Consulted	03/10/2018
Site Notice:	Expired	25/10/2018
Neighbours:	One objection received on the basis that there is no parking provision for a permanent dwelling. On-street parking is already an issue at the junction in front of the development site, which impedes visibility. If this proposal is approved, the Council should take the necessary measures to mark out the junction as a 'no parking area'.	

### **SPECIAL CONSIDERATIONS/ISSUES**

**Background:** The building lies within the Holt Conservation Area and occupies the corner plot at Castle Street. The building has a garage on the ground floor with a holiday let above. Proposed is the conversion of both floors to a permanent dwelling with sitting / dining room and kitchen on the ground floor, and bedroom / bathroom above. There are no external changes proposed, with the exception of the replacement of the garage doors on the rear elevation with bi-folding doors. The main issues to consider relate to the impact of the development upon highway safety and the amenity afforded to the future occupiers of the development.

**Design and Residential Amenity:** The only external change is restricted to the rear elevation and is the replacement of the garage doors with bi-folding doors. The proposed change will not be visually obvious with the conservation area, and as such, the character of the conservation area is preserved. The internal layout proposed is acceptable to meet modern standards of living. Adequate daylight and privacy are provided to all habitable internal rooms and the proposed outdoor recreational, bin and drying spaces provided are in accordance with LPGN 21.

**Highway Safety:** The proposed development site is located off Church Street which is a classified highway subject to a 30mph speed limit. The property is accessed via Castle Gardens which is a narrow road with no footway, and serves approx. 11 dwellings. Whilst visibility from the access is adequate to the east, it is inadequate to the west. I would therefore not wish to support any new development which is likely to cause a significant increase in use of a

substandard access. As the property is already a 1 bedroom holiday let, the proposed change of use to a 1 bedroom dwelling is considered unlikely to result in any significant increase in vehicle movements at the site.

The application site currently provides a garage for the parking of a motor vehicle for the occupiers of the adjacent dwelling known as 'Cross Cottage'. The proposed change of use will result in the loss of this parking space; however there are 3 parking spaces at the adjacent property which is in accordance with LPGN 16. There is already a parking space for the users of the existing 1 room holiday let, and this will be retained on site to provide for the permanent dwelling. The development is not likely to give rise to a significant increase in on-street parking demand to the detriment of highway safety.



*Figure 1. Proposed Site Layout*

## **CONCLUSION**

The creation of a permanent dwelling will not significantly increase the intensity of use of the building to a significant level and as such, there would be very little impact if any upon the local residents or upon highway safety. The amenity that will be afforded to the occupiers of the development is acceptable and the character of the conservation is preserved.

**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 10B, 14, 15, and 16, and as contained within the application documentation.
3. Prior to their use on the development samples of any external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.
4. The vehicular parking and turning areas as shown on approved drawing No. 10B shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
5. Prior to their installation on the building, drawings to the scale 1:5 and 1:20 fully detailing all new or replacement windows / doors shall be submitted to and approved in writing by the Local Planning Authority. The details shall fully describe the proposed materials and decorative/protective finishes. The works shall only be carried out in strict accordance with such details as are approved.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification), no further development shall take place within the application site, under Classes A, B, C, D, E, F or G of Schedule 2 Part 1, other than the development hereby granted permission.

**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. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
6. Due to the restricted application site and its relationship with adjoining properties it is considered important to ensure that no additional development as described in the condition is carried out without the permission of the Local Planning Authority.  
To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

**NOTE(S) TO APPLICANT**

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

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

The applicant 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.

---

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

**LIST OF DELEGATED DECISIONS ISSUED**

CHI P/2017/0421 GRANTED 11/10/2018	KRONOSPAK LTD, HOLYHEAD ROAD, CHIRK, WREXHAM, LL14 5NT	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2016/0219:- CONDITION 5 - SUBMISSION OF LANDSCAPING STRATEGY TO MITIGATE THE VISUAL IMPACT OF THE SITE FROM PUBLIC VIEW POINTS
CEF P/2018/0299 GRANTED 25/09/2018	FORMER BANK PREMISES, CRANE STREET, CEFN MAWR, WREXHAM, LL14 3AB	RENOVATION OF FORMER BANK PREMISES TO PROVIDE A1 RETAIL UNIT TOGETHER WITH FIRST FLOOR EXTENSIONS TO PROVIDE 2 NO. TWO BEDROOM FLATS
BRY P/2018/0358 APPROVED 08/10/2018	LAND AT, NANT COURT, BRYMBO, WREXHAM, LL11 5BH	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2017/0217:- CONDITION 3 - SUBMISSION OF PHASED SITE INVESTIGATION OF THE NATURE AND EXTENT OF CONTAMINATION
COE P/2018/0463 GRANTED 05/10/2018	COOPERATIVE GROUP LTD, HIGH STREET, COEDPOETH, WREXHAM, LL11 3UF	DEMOLITION OF EXISTING PETROL FILLING STATION AND ADJACENT RESIDENTIAL PROPERTY AND CONSTRUCTION OF A PETROL FILLING STATION, CONVENIENCE STORE AND ASSOCIATED CAR PARKING
ROS P/2018/0509 GRANTED 17/10/2018	DARLAND BARN, DARLAND LANE, ROSSETT, WREXHAM, LL12 0BA	ERECTION OF NEW REPLACEMENT GARAGE / STORE, PROPOSED PERGOLA ABOVE EXISTING PAVED AREA, CHANGES TO EXTERNAL WINDOWS / DOORS TO EXISTING EXTENSION
MAR P/2018/0516 GRANTED 11/10/2018	57, THE RIDGEWAY, MARCHWIEL, WREXHAM, LL13 0RU	SINGLE-STOREY REAR EXTENSION
GRE P/2018/0527 GRANTED 23/10/2018	ALLINGTON FARM, COX LANE, ROSSETT, WREXHAM, LL12 0BH	LISTED BUILDING CONSENT FOR EXTENSIONS INCLUDING EXTERNAL AND INTERNAL ALTERATIONS
LLR P/2018/0538 GRANTED 25/09/2018	DEE VIEW, METHODIST HILL, FRONCYSYLLTE, WREXHAM, LL20 7SN	TWO-STOREY EXTENSION TO DWELLING
RUA P/2018/0582 GRANTED 04/10/2018	2 FIELD COTTAGES, PEN Y LAN, RUABON, WREXHAM, LL14 6HP	ERECTION OF DETACHED GARAGE

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

ROS P/2018/0585 GRANTED 03/10/2018	THE NOOK, STATION ROAD, ROSSETT, WREXHAM, LL12 0HE,	DEMOLITION AND RE-CONSTRUCTION OF THE REAR SECTION OF THE EXISTING DWELLING, REFURBISHMENT OF FRONT SECTION OF THE BUILDING AND REPLACEMENT OF EXISTING WINDOWS
GWE P/2018/0586 APPROVED 28/09/2018	GWERSYLLT COUNTY PRIMARY SCHOOL, DODDS LANE, GWERSYLLT, WREXHAM, LL11 4NT	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2018/0301:- CONDITION 3 - SUBMISSION OF A DETAILED ARBORICULTURAL METHOD STATEMENT CONDITION 4 - SUBMISSION OF A SCHEME OF SURFACE WATER DRAINAGE (AREAS 1 AND 2) CONDITION 5 - SUBMISSION OF BIO SECURITY RISK ASSESSMENT
WRC P/2018/0600 REFUSED 11/10/2018	PRIVATE SHOP UK, 6 YORKE STREET, WREXHAM, LL13 8LW	CONVERSION OF REDUNDANT FIRST AND SECOND FLOORS OF RETAIL UNIT INTO 4 NO. SELF CONTAINED BEDSITS
WRR P/2018/0601 GRANTED 12/10/2018	THE ELMS, RHOSDDU ROAD, WREXHAM, LL11 1EB	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION NO. 4 OF PLANNING APPEAL REFERENCE NO APP/H6955/A/17/3176350 - SUBMISSION OF FULL DETAILS FOR THE ARBORICULTURAL SUPERVISION OF TREE PROTECTION MEASURES
MAR P/2018/0607 GRANTED 17/10/2018	PROVIDENCE HOUSE, WREXHAM ROAD, MARCHWIEL, WREXHAM, LL13 0PH	APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING 1 METRE HIGH GARDEN BOUNDARY FENCE FRONTING THE HIGHWAY
WRO P/2018/0610 GRANTED 25/09/2018	12, BROOK STREET, WREXHAM, LL13 7LL	CHANGE OF USE FROM HAIRDRESSERS TO COFFEE SHOP (IN RETROSPECT)
GWE P/2018/0614 GRANTED 17/10/2018	2 RAND VILLAS, MAIN ROAD, OLD RHOSROBIN, WREXHAM, LL11 4RL	SINGLE-STOREY EXTENSION
ROS P/2018/0616 DISCHARGED 24/09/2018	RACKERY FARM, BURTON, ROSSETT, WREXHAM, LL12 0AE	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION CODE NO P/2018/0282: CONDITION 3 - DETAILS OF THE EXTERNAL COLOUR OF EACH SAFARI TENT CONDITION 4 - DETAILS OF HARD AND SOFT LANDSCAPING

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

WRR P/2018/0617 GRANTED 28/09/2018	THE ELMS, RHOSDDU ROAD, WREXHAM, LL11 1EB	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION NO. 6 OF PLANNING APPEAL REFERENCE NO APP/H6955/H/17/3176350 - SUBMISSION OF DRAWINGS FULLY DETAILING ALL NEW OR REPLACEMENT WINDOWS AND DOORS
LLA P/2018/0619 REFUSED 03/10/2018	LAND OFF, PARK ROAD, CEFN Y BEDD, WREXHAM, LL12 9UG	SITING OF 2 NO. STATIC CARAVANS FOR RESIDENTIAL PURPOSES (IN RETROSPECT)
RUA P/2018/0623 GRANTED 21/09/2018	FORMER HSBC BANK, HIGH STREET, RUABON, WREXHAM, LL14 6AA	CONVERSION OF GROUND FLOOR TO 2 NO. APARTMENTS
GLY P/2018/0624 GRANTED 11/10/2018	THE LILACS, PONTFADOG, LLANGOLLEN, LL20 7AS	ALTERATIONS AND EXTENSION TO DWELLING AND ERECTION OF DOUBLE GARAGE
WRR P/2018/0627 GRANTED 25/09/2018	187, CHESTER ROAD, WREXHAM, LL12 8DW	FRONT PORCH AND REAR LOUNGE EXTENSIONS
COE P/2018/0631 GRANTED 03/10/2018	PENTRE FRON FARM, PENTRE FRON ROAD, COEDPOETH, WREXHAM, LL11 3BU	STATIONING OF MOBILE HOME TO SUPPORT ASSISTED LIVING FOR FAMILY
WOR P/2018/0639 GRANTED 25/09/2018	BOWLING BANK FARM, MULSFORD LANE, WORTHENBURY, WREXHAM, LL13 0AW	APPLICATION FOR PRIOR NOTIFICATION OF PROPOSED AGRICULTURAL MACHINE SHED BUILDING
WRR P/2018/0641 GRANTED 28/09/2018	THE LEMON TREE, 29 RHOSDDU ROAD, WREXHAM, LL11 2LP	LISTED BUILDING CONSENT FOR PROPOSED DEMOLITION OF EXISTING SINGLE-STOREY EXTENSION AND ERECTION OF NEW TWO-STOREY EXTENSION TO FORM ADDITIONAL BEDROOMS
WRR P/2018/0642 GRANTED 26/09/2018	THE LEMON TREE, 29 RHOSDDU ROAD, WREXHAM, LL11 2LP	PROPOSED DEMOLITION OF EXISTING SINGLE-STOREY EXTENSION AND ERECTION OF TWO-STOREY EXTENSION TO FORM ADDITIONAL BEDROOMS
RHO P/2018/0643 GRANTED 22/10/2018	111, BRYNHYFRYD, JOHNSTOWN, WREXHAM, LL14 1PR	CONVERSION OF GARAGE TO PLAYROOM AND FIRST FLOOR EXTENSION OVER TO FORM ADDITIONAL BEDROOM / OFFICE SPACE
OVE P/2018/0646 GRANTED 03/10/2018	BRYN HALL FARM, KNOLTON BRYN, OVERTON, WREXHAM, LL13 0LF	ERECTION OF WAREHOUSE BUILDING

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

OVE P/2018/0648 GRANTED 04/10/2018	KNOLTON HALL, OSWESTRY ROAD, OVERTON, WREXHAM, LL13 0LG	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2017/0691: CONDITION 3 - SUBMISSION OF COLOUR OF PAINTED FINISH FOR ALL EXTERNAL JOINERY CONDITION 4 - SUBMISSION OF DETAILS OF NEW PIPEWORK, METER BOXES, FLUES, VENTS AND DUCTWORK CONDITION 5 - NOTICE OF MEETING WITH COUNCIL'S CONSERVATION OFFICER TO APPROVE MIX AND FINISH OF LIME BASED MORTAR CONDITION 6 - SUBMISSION OF DETAILS OF AN APPROPRIATE PHOTOGRAPHIC SURVEY OF THE EXISTING BUILDINGS CONDITION 7 - SUBMISSION OF DETAILS OF ALL NEW OR REPLACEMENT WINDOWS AND DOORS CONDITION 8 - SUBMISSION OF DETAILS OF ALL NEW OR REPLACEMENT JOINERY CONDITION 10 - NOTICE OF MEETING WITH COUNCIL'S CONSERVATION OFFICER AND CONTRACTOR TO DETERMINE EXTENT OF REPAIR AND REPLACEMENT OF THE HISTORIC FABRIC CONDITION 11 - SUBMISSION OF SAMPLES OF ALL EXTERNAL FACING AND ROOFING MATERIALS
WRR P/2018/0649 GRANTED 04/10/2018	165, CHESTER ROAD, WREXHAM, LL11 2SW	APPLICATION FOR WORKS TO COPPER BEECH TREE SUBJECT TO TREE PRESERVATION ORDER WMBC NO. 25: - CROWN RAISE TO PROVIDE A CLEARANCE OF 3.0M OVER THE DRIVEWAY OF NO. 163 CHESTER ROAD, TO BE ACHIEVED IN PART BY REMOVING BACK TO SOURCE, 3 IDENTIFIED HORIZONTAL LIMBS LOCATED OVER THE DRIVEWAY AND FOOTPATH AND BY LIGHTLY TRIMMING ANY REMAINING FOLIAGE WITHIN THE 3.0M CLEARANCE ZONE - PRUNE INDIVIDUAL BRANCHES TO PROVIDE APPROXIMATELY 0.5CM CLEARANCE FROM OVERHEAD UTILITY LINES PASSING THROUGH THE CROWN - CROWN RAISE TO PROVIDE MAXIMUM 6.0M CLEARANCE ABOVE CHESTER ROAD

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

GWE P/2018/0651 GRANTED 03/10/2018	PENDINE PARK NURSING HOME, SUMMERHILL ROAD, STANSTY, WREXHAM, LL11 4YE	PROPOSED FIRST FLOOR EXTENSION WITHIN COURTYARD TO PROVIDE 1 NO. BEDROOMS AND EXTENSION TO GROUND FLOOR SERVERY
BRY P/2018/0654 GRANTED 25/09/2018	46, CHESHIRE VIEW, BRYMBO, WREXHAM, LL11 5AW	CONSTRUCTION OF NEW VEHICULAR ACCESS AND OFF-ROAD PARKING AREA TOGETHER WITH RETAINING WALL (PARTLY IN RETROSPECT)
BRY P/2018/0661 GRANTED 25/09/2018	BRYMBO IRON AND STEELWORKS, NEW HIGH STREET, BRYMBO, WREXHAM, LL11 5BT	ONE NARROW GAUGE TRAIN MAINTENANCE DEVELOPMENT, ONE SINGLE-STOREY BUILDING INCORPORATING THE TEMPORARY USE OF FOUR SHIPPING CONTAINERS, ONE ADDITIONAL SHIPPING CONTAINER ALONGSIDE BUILDING, ASSOCIATED LAMP HUT BUILDING, NARROW GUAGE TRACK AND PARKING TO BE CONSTRUCTED, TWO STATIONARY HERITAGE TRAIN CARRIAGES ON ISOLATED TRACK, SECURITY FENCE TO PERIMETER, FOUR SHIPPING CONTAINERS ALONGSIDE EXISTING PATH FOR STORAGE
WRO P/2018/0679 GRANTED 05/10/2018	36, HIGH STREET, WREXHAM, LL13 8HY	LISTED BUILDING CONSENT FOR INTERNAL ALTERATIONS FOR BAR USE
WRO P/2018/0680 GRANTED 05/10/2018	36, HIGH STREET, WREXHAM, LL13 8HY	CHANGE OF USE OF GROUND FLOOR FROM OFFICES TO BAR / WINE BAR (A3 USE)
BRN P/2018/0682 GRANTED 25/09/2018	PARKLEY LODGE, BROOMERS LANE, ISCOYD, WHITCHURCH, SY13 3AR	LISTED BUILDING CONSENT FOR THE INSTALLATION OF REPLACEMENT OIL FIRED HEATING SYSTEM WITH ADDITIONAL RADIATOR PROVISION
OVE P/2018/0690 GRANTED 04/10/2018	MACHINE HOUSE, 6 PENYLLAN STREET, OVERTON, WREXHAM, LL13 0EE	NOTIFICATION OF PROPOSED WORKS TO TREES WITHIN OVERTON CONSERVATION AREA: 1 NO. CHERRY (T1) - TO BE REDUCED IN HEIGHT BY 1 METRE AND SPREAD BY 1 METRE BY THINNING OUT SMALL BRANCHES 3 NO. CONIFER TREES (T2) - TOPPING BY UP TO 1 METRE 2 NO. SMALLER CONIFER TREES (T3) - GENERAL TIDYING UP 1 NO. PLUM TREE (T4) - REMOVAL OF SMALL BRANCHES TO REDUCE SPREAD INTO NEXT DOORS GARDEN

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

WRR P/2018/0691 GRANTED 17/10/2018	12A, KENYON AVENUE, GARDEN VILLAGE, WREXHAM, LL11 2SP	APPLICATION FOR WORKS TO TREE SUBJECT TO TREE PRESERVATION ORDER WCBC NO. 254: LIME (T6) - RE-POLLARDING TO PREVIOUS POLLARD POINTS
HOL P/2018/0694 REFUSED 11/10/2018	LAND ADJACENT TO, HILLSIDE FARM, HOLT ROAD, LLAN Y PWLL, WREXHAM, LL13 9SA	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR 2 DETACHED DWELLINGS WITH ASSOCIATED GARAGES
WRA P/2018/0695 GRANTED 17/10/2018	2, LITTLE ACTON DRIVE, WREXHAM, LL12 8DH,	SINGLE-STOREY REAR EXTENSION
MAR P/2018/0696 GRANTED 12/10/2018	4, ELWYN DRIVE, MARCHWIEL, WREXHAM, LL13 0PU	SINGLE-STOREY SIDE EXTENSION TOGETHER WITH BEDROOM AT FIRST FLOOR LEVEL
ABE P/2018/0697 GRANTED 01/10/2018	VILLAGE BAKERY LIMITED, COED ABEN ROAD, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9UH,	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2018/0222 CONDITION 3 - SUBMISSION OF A DETAILED DRAINAGE FOR SURFACE WATER DISPOSAL
RHO P/2018/0699 GRANTED 17/10/2018	YR HENDRE, VINEGAR HILL, RHOSLLANERCHRUGOG, WREXHAM, LL14 1EH	TWO-STOREY REAR EXTENSION AND ERECTION OF DETACHED GARAGE
BRN P/2018/0705 GRANTED 03/10/2018	LONG LANE COTTAGE, LONG LANE, BRONINGTON, WHITCHURCH, SY13 3EY	SITING OF MOBILE STABLE AND SHELTER IN ORDER TO STORE HAY / STRAW AND PROVIDE COVER FOR SMALL TRACTOR ETC (IN RETROSPECT)
ROS P/2018/0706 GRANTED 11/10/2018	KINROSS, ROSEMARY LANE, BURTON, ROSSETT, WREXHAM, LL12 0LA	SINGLE-STOREY SIDE EXTENSION
WRO P/2018/0707 GRANTED 03/10/2018	MAESGWYN HALL, MOLD ROAD, WREXHAM, LL11 2AF	SITING OF STEEL GARAGE (CONVERTED SHIPPING CONTAINER) FOR USE BY BLOOD BIKES - WREXHAM BRANCH) AS SECURE GARAGING FOR MOTOR CYCLES (IN RETROSPECT)
PEN P/2018/0708 GRANTED 03/10/2018	PEN Y CAE JUNIOR SCHOOL, AFONEITHA ROAD, PEN Y CAE, WREXHAM, LL14 2PF	SITING OF SHIPPING CONTAINER TO FRONT OF SCHOOL FOR STORAGE PURPOSES
GWE P/2018/0715 GRANTED 25/09/2018	49, PENRHYN DRIVE, GWERSYLLT, WREXHAM, LL11 4LY	GROUND FLOOR SINGLE STOREY EXTENSION TO SIDE OF DWELLING
WRR P/2018/0716 GRANTED 20/09/2018	9, SUSSEX GARDENS, WREXHAM, LL11 2YB	EXTENSION TO SIDE, REAR AND FRONT WITH INTERNAL ALTERATIONS AND ALTERATIONS TO CONSTRUCTION OF GARAGE ROOF

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

ROS P/2018/0717 GRANTED 17/10/2018	INGLENOOK, BURTON ROAD, BURTON, ROSSETT, WREXHAM, LL12 0HU	ERECTION OF SINGLE STOREY SIDE / REAR EXTENSION FOLLOWING DEMOLITION OF EXISTING OUT RIGGERS
MIN P/2018/0720 GRANTED 17/10/2018	WHITE COTTAGE, MAESYFFYNNON ROAD, MINERA, WREXHAM, LL11 3DE	DEMOLITION OF EXISTING PORCH AND ERECTION OF REPLACEMENT PORCH EXTENSION
WRA P/2018/0721 GRANTED 28/09/2018	16 DENNING ROAD, WREXHAM, LL12 7UG	FIRST FLOOR EXTENSION AND INTERNAL ALTERATIONS
MIN P/2018/0722 GRANTED 21/09/2018	THE LARCHES, RUTHIN ROAD, COEDPOETH, WREXHAM, LL11 3US	SINGLE-STOREY REAR EXTENSION
MIN P/2018/0727 GRANTED 22/10/2018	CAE NEWYDD, HAFOD WEN LANE, WERN, BERSHAM, WREXHAM, LL14 4LT	SUBSTITUTION OF HOUSE TYPE
ISY P/2018/0728 REFUSED 22/10/2018	LAND OFF, ABBEY ROAD, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9UE	EXTENSION TO APPROVED INDUSTRIAL WAREHOUSE (PLANNING REF P/2017/1013) - USE CLASS B1, B2 AND B8), TOGETHER WITH ASSOCIATED SERVICE YARD
ERB P/2018/0733 GRANTED 08/10/2018	THE FIRS, CRABTREE GREEN, WREXHAM, LL13 0YF	PROPOSED EXTENSION TO THE FIRS
WRO P/2018/0739 REFUSED 12/10/2018	72, RUABON ROAD, WREXHAM, LL13 7PH	INSTALLATION OF REPLACEMENT WINDOWS (IN RETROSPECT)
PEN P/2018/0741 GRANTED 12/10/2018	BRIDGE END FARM, TAI NANT, PEN Y CAE, WREXHAM, LL14 1UG	CONSTRUCTION OF SINGLE-STOREY SIDE EXTENSION WITH ACCESS LINK INCLUDING STAIRCASE AND ASSOCIATED EXTERNAL WORKS
ESC P/2018/0744 GRANTED 22/10/2018	STARBUCKS AND ADJOINING LAND, WREXHAM ROAD, RHOSYLLLEN, WREXHAM, LL14 4EJ	DISPLAY OF 3 NO INTERNALLY ILLUMINATED FASCIA SIGNS AND 5 NO. ILLUMINATED AND NON-ILLUMINATED OTHER SIGNS
GWE P/2018/0745 GRANTED 12/10/2018	GWERSYLLT COUNTY PRIMARY SCHOOL/JUNIOR SCHOOL/YSGOL Y GAER INFANTS SCHOOL, DODDS LANE, GWERSYLLT, WREXHAM, LL11 4NT	APPLICATION FOR VARIATION OF CONDITION 4 IMPOSED UNDER PLANNING PERMISSION P/2018/0301 RELATING TO SURFACE WATER DRAINAGE
WRC P/2018/0747 GRANTED 22/10/2018	1, GOODWICK DRIVE, WREXHAM, LL13 0JY	FIRST FLOOR SIDE EXTENSION

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

WRA P/2018/0748 REFUSED 08/10/2018	LAND TO THE REAR OF, EAST BOUND FOOTWAY, HOLT STREET, WREXHAM, LL13 8DH	INSTALLATION OF A 20 METRE HIGH GROUND BASED PHASE 5 SLIM STREETWORKS MONOPOLE WITH GRP SHROUD, 3 X MULTI-BAND ANTENNAS, 2 X 0.3M DIA TRANSMISSION DISHES, 3 X GROUND BASED EQUIPMENT CABINETS AND OTHER ANCILLARY EQUIPMENT AND CABLING TO BE INSTALLED TO THE REAR OF THE EAST BOUND FOOTWAY ON HOLT STREET
GWE P/2018/0752 GRANTED 03/10/2018	36, ASHBOURNE AVENUE, GWERSYLLT, WREXHAM, LL11 4RR	SINGLE-STOREY SIDE EXTENSION
WRR P/2018/0763 GRANTED 17/10/2018	3 TO 9 GROSVENOR ROAD, WREXHAM, LL11 1DB	PROPOSED REPLACEMENT OF FRONT BOUNDARY WALL (PARTLY IN RETROSPECT)
WRR P/2018/0764 GRANTED 17/10/2018	3 TO 9 GROSVENOR ROAD, WREXHAM, LL11 1DB	CONSERVATION AREA CONSENT FOR DEMOLITION OF FRONT BOUNDARY WALL TO NO. 9 GROSVENOR ROAD WITHIN GROSVENOR ROAD CONSERVATION AREA
WRR P/2018/0765 GRANTED 11/10/2018	NIGHTINGALE HOUSE, CHESTER ROAD, WREXHAM, LL11 2SJ	EXTENSION TO FLOOR AREA BY INFILLING EXISTING COURTYARD AND COVERED ACCESS AREA
WRR P/2018/0767 GRANTED 16/10/2018	THE ELMS, RHOSDDU ROAD, WREXHAM, LL11 1EB	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING APPEAL DECISION APP-H6955/A/17/3176350 (PLANNING REF P/2016/1111) TO:- - REMOVE CHIMNEY STACK - AMENDMENTS TO STYLE, NUMBERS AND POSITIONS OF WINDOWS - AMENDMENT TO EXISTING AND NEW ACCESS RAMPS
BRN P/2018/0770 GRANTED 11/10/2018	LOWER BARNES FARM, LOWER BARNES, MALPAS, WHITCHURCH, SY14 7LB,	FIRST FLOOR EXTENSION
GRE P/2018/0774 GRANTED 11/10/2018	BRYN ONNEN, 50 HILLOCK LANE, GRESFORD, WREXHAM, LL12 8YL	SINGLE-STOREY REAR EXTENSION AND PORCH TO FRONT
LLA P/2018/0775 GRANTED 17/10/2018	THE WARREN WORKSHOPS, MINERS PARK ROAD, LLAY INDUSTRIAL ESTATE, LLAY, WREXHAM, LL12 0PD	ERECTION OF DETACHED STEEL PORTAL FRAMED BUILDING TO ACCOMMODATE 4 NO. 10M X 10M INDUSTRIAL UNITS WITH B2 PLANNING CONSENT
WRR P/2018/0779 GRANTED 12/10/2018	THE PLAS COCH, PLAS COCH RETAIL PARK, PLAS COCH, , WREXHAM, LL11 2BW	CHARGING POINTS ALONGSIDE 2 EXISTING CAR PARKING SPACES WITH ANCILLARY BOLLARDS, SIGNAGE POSTS AND POWER FEEDER PILLAR

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING – 5<sup>th</sup> NOVEMBER 2018**

MAE P/2018/0781 GRANTED 12/10/2018	LAND AT, ELLESMORE LANE, PENLEY, WREXHAM, LL13 0LP	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2017/0270:- CONDITION 5 - SUBMISSION OF SCHEME FOR THE COMPREHENSIVE AND INTEGRATED DRAINAGE OF THE SITE
GWE P/2018/0789 APPROVED 11/10/2018	GWERSYLLT COUNTY PRIMARY SCHOOL, DODDS LANE, GWERSYLLT, WREXHAM, LL11 4NT	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2018/0301: CONDITION 6 - SUBMISSION OF SCHEME OF LANDSCAPING
WRA P/2018/0800 GRANTED 25/09/2018	THE GOULBOURNE, BORRAS PARK ROAD, WREXHAM, LL12 7TF,	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION(S) IMPOSED UNDER PLANNING PERMISSION P/2016/1048:- CONDITION 5 - SUBMISSION OF SAMPLES OF ALL EXTERNAL FACING MATERIALS
WRA P/2018/0801 REFUSED 23/10/2018	THE GOULBOURNE, BORRAS PARK ROAD, WREXHAM, LL12 7TF	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2016/1048 TO REMOVE CONDITION 13 REGARDING LAND DRAINAGE RUN-OFF AND SURFACE WATER DISCHARGE
WRA P/2018/0803 GRANTED 17/10/2018	88, SMIITHY LANE, WREXHAM, LL12 8AS	SIDE AND REAR EXTENSIONS
COE P/2018/0812 GRANTED 22/10/2018	1, TUDOR STREET, COEDPOETH, WREXHAM, LL11 3RR	DEMOLITION OF EXISTING DOUBLE GARAGE, ERECTION OF NEW DOUBLE GARAGE WITH HOME OFFICE OVER AND TERRACE
ROS P/2018/0813 GRANTED 04/10/2018	Y CELYN, STATION ROAD, ROSSETT, WREXHAM, LL12 0HE	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION REF: P/2017/0801 TO RAISE HEIGHT OF THE FIRST FLOOR EXTENSION

