

WREXHAM COUNTY BOROUGH COUNCIL
PLANNING COMMITTEE MEETING OF 4 MARCH 2024

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING
ADDENDUM REPORT

This report summarises information received since the Agenda was compiled including, as appropriate, suggested amendments to recommendations in the light of that information. It also lists those people wishing to address the Committee.

Where the Council has received a request to address the Committee, the applications concerned will be considered first in the order indicated in the table below. The remaining applications will then be considered in the order shown on the original agenda unless indicated by the Chair.

ITEM 4 – DEVELOPMENT MANAGEMENT APPLICATIONS

Page Nos	Community	Planning Ref	Speaker Against	Speaker For
35-47	Offa	P/2022/0597	✓	✓
49-63	Llangollen Rural	P/2022/0878		✓
65-100	Chirk	P/2022/1080		✓
101-121	Acton	P/2023/0432		✓
123-144	Marchwiel	P/2023/0752		✓

Pages 35-47 **Offa** **P/2022/0597**

9 to 11 Regent Street Wrexham

SPEAKER – FOR Fiona Wroot, Wroot Design Ltd

SPEAKER – AGAINST Sam Grange, Shoosmiths LLP

Pages 49-63 **Llangollen Rural** **P/2022/0878**

Land at Trevor Wharf, Trevor

SPEAKER – FOR Nick Wild, Canal and River Trust

Pages 65-100 **Chirk** **P/2022/1080**

Kronospan Ltd, Holyhead Road, Chirk

SPEAKER – FOR Chris Emery, Kronospan Ltd

Pages 101-121 **Acton** **P/2023/0432**

Land North of Holt Road, Wrexham

SPEAKER – FOR Matt Grant, Bellway Homes (North West) Ltd

Pages 123-144 **Marchwiel** **P/2023/0752**

Land North of Maelor Works/Access Roads to Maelor Gas Works

SPEAKER – FOR Kirk Denton, Innova Renewables Ltd.

ADDENDUM

Pages

13-26

Code Number

P/2021/0528

Consultations

Councillor Phil Wynn

Withdraws his objection on the basis of the amended plans showing an entrance to the development from Hope Street.

Recommendation

Unchanged

Pages

35-47

Code Number

P/2022/0597

Consultations

Public Protection Officer

Advises that the matters raised in the additional representation objecting to the application requires further consideration.

Representations

1 additional representation raising the following matters:

- Where would residents park?;
- Where would bins be stored?;
- Would it make more sense to re-use empty units in Eagle's Meadow and bring shops back into the city centre; and
- It would be a shame if another shop closes and doesn't re-locate within Wrexham.

1 additional representation objecting to the application raising the following concerns:

- The development presents a risk of increased noise complaints due to proximity to an existing music venue;
- This would put the venue under sustained risk of closure, undermining the Agent of Change principle set out in national planning policy;
- The noise assessment is not appropriate for a planned residential development in close proximity to a music venue. It cannot be said with any confidence the data from the survey can inform the planning application robustly;
- A representative survey would mean active participation from the music venue operators to ensure data was captured during a worst case-scenario event;

- Permitting the development would undermine the objectives of the Town Centre Masterplan and conflict with national planning policy.

Observations

The matters raised in the first representation are addressed in the main report.

Due to the late submission of the additional objection and the technical nature of the matters raised, it has not been possible to give the matters full consideration.

Recommendation

That the application be deferred to allow further consideration to be given to the matters raised in the objection.

Pages

49-63

Code Number

P/2022/0878

Consultations**Councillor Rondo Roberts**

Objects to the application unless the Canal and River Trust (CRT) give the assurances they gave during a meeting with Councillor Roberts and the Community Council of 5th March, which was the maximum number of boats being on site totalling 21, comprising 17 weekly hire and 4 day hire boats;

Considers the Committee Report misleading as not total number of boats are mentioned, giving CRT the opportunity to do whatever they want.

Observations

The background to the condition and the reasons why it is now proposed for removal are dealt with in the main report.

Recommendation

Unchanged

Pages

65 – 100

Code Number

P/2022/1080

AONB JAC Comments

Expresses disappointment that the Officer report places undue weight upon the applicant's LVIA in appraising visual impact and does not relay or adequately address the concerns raised by the AONB Joint Committee during the consultation exercise. It is accepted that comments are summarised but the report does not accurately reflect the essence the JAC's responses.

Comments that there clearly will be an adverse impact upon the AONB both in terms of its setting and views out from the designated area. It is therefore contrary to LDP Policy NE4. That is not to say, of course, that other material considerations such as the environmental benefits to Chirk residents outweigh this matter on this occasion. However, it is incorrect and indeed misleading to state that it is "compliant with the requirements of LDP policy NE4, when it is not.

Comments that there is obviously an impact because central to the Officer's justification in recommending approval is the extent of the proposed mitigation. It is in this regard that the JAC recommend that further conditions be imposed to mitigate the impact in respect of the following:

- Permitted Development Rights under Part 8, Class A & B (Industrial & Warehouse) should be removed. The proposal is effectively an extension to the existing industrial curtilage and covers a large area. The absence of a condition removing permitted development rights could result in the applicants erecting buildings and hardstanding etc on this land without having to apply for planning permission. In fact, they could erect a building up to 1000 sq m in size and up to a height of 15 metres under their permitted development rights. This is of particular relevance when the Officer is justifying and accepting the visual impact here, on basis that the tallest structure will be the 3 storey weighbridge at 9 metres.
- Notwithstanding the proposed conditions on landscaping and tree protection measures, there does not appear to be any condition which specifically requires the retention of both existing and proposed woodland areas in perpetuity. Given the importance of screening in supporting this development, it seems remiss of the LPA not to make this more explicit, should you be minded to grant permission.
- In addition to the removal of Permitted Development rights, it may also be prudent and for the avoidance of doubt, to include a further condition restricting the both the uses and the areas specifically to those shown on the approved plan.

Comments that this is a very large extension. The extent of the application site area includes open areas which could result in further incremental encroachment of

industrial/storage development beyond that shown on the proposed layout plan. Without adequate controls the potential impact could be far greater than currently envisaged.

Observations

The additional comments received from the Clwydian Range and Dee Valley AONB Joint Committee are noted.

However, based upon the submitted information and as is outlined within the Committee Report, Officers consider that subject to the implementation of the comprehensive landscape planting which is recommended to be secured by condition, there would be no long-term harmful impact upon the natural beauty of the AONB, as is required by LDP Policy NE4. This is consistent with NRW's comments regarding designated landscapes provided during the course of the application; with NRW not raising any objections.

It is considered that a suitably worded condition to remove permitted development rights for industrial and warehouse development is reasonable and would help to limit any further development of the site, noting its sensitive location. The effect of the condition would be that any further development would need to be subject to applications for planning permission.

In terms of securing the long-term retention of woodland areas, it is considered that this would be covered satisfactorily by conditions 5 and 6 and the Planning Obligation. Officers do not consider it would be necessary to attach a further condition explicitly to state that areas of woodland shall be retained.

Finally, it is not considered necessary to attach a further condition to restrict the uses and areas to those shown on the site layout as any breach of this plan would already constitute a breach of Condition 2.

Recommendation

That the recommendation remains unchanged save for the addition of a further condition under Recommendation C to read as follows:

Notwithstanding the provisions of Schedule 2, Part 8, Classes A and B, of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no further development shall take place on the application site other than that expressly authorised by this permission.

Reason: To enable the Local Planning Authority to retain control over any future development on the site which has the potential to cause an adverse impact upon the surrounding landscape and the natural beauty of the Clwydian Range and Dee Valley AONB.

Pages

101-121

Code Number

P/2023/0432

Recommendation

To amend condition 01 to refer to Drawing no. PC3213-RHD-ZZ-HR-DR-D-0100
Revision **P03**: Preliminary Access Layout General Arrangement

To amend condition 02 as follows:

Prior to first occupation of the dwellings hereby approved the vehicular access shall provide visibility splays of shown on drawing no. PC3213-RHD-ZZ-HR-DR-D-0110 Revision P01. 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.