

Report of the Chief Officer Economy and Planning

Application Reference

P/2024/0239

Applicant

CASTLE GREEN HOMES

Site Address

LAND TO THE NORTH AND SOUTH OF LANE FARM ROSSETT ROAD
TREVALYN ROSSETT WREXHAM LL12 0DS

Description of Development

ADEILADU SWYDDFA WERTHU DROS DRO, POLYN BANER, MAES PARCIO
GYDA THIRLUNIO A GOLEUADAU CYSYLLTIOL / ERECTION OF TEMPORARY
SALES OFFICE, FLAGPOLE, CAR PARKING WITH ASSOCIATED LANDSCAPING
AND LIGHTING

Ward

Rossett

Community

Rossett

Recommendation

Grant

Officer Report

Site Description

The application site relates to land north and south of Rossett Road, Rossett. The land is allocated for residential development within the adopted Wrexham Local Development Plan (2013-2028) and benefits from extant planning permission for the erection of 132 dwellings and associated works.

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Proposal

Full planning permission is sought for the erection of a temporary cabin on the site to be used for the sale of new homes. Consent is also sought for the construction of a temporary car parking area with four spaces to serve the sales building, associated landscaping and external bollard lighting.

Reason for Committee Determination

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Rossett Community Council have objected to the application.

Site History

P/2018/0560:

OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT OF TWO PARCELS OF LAND (NORTHERN PARCEL FOR UP TO 61 NO. DWELLINGS, SOUTHERN PARCEL FOR UP TO 71 NO. DWELLINGS), EXTENSION TO COMMUNITY PARKING FACILITY (IN ASSOCIATION WITH NORTHERN PARCEL) WITH ASSOCIATED MEANS OF ACCESS AND ALL OTHER MATTERS RESERVED WITH INDICATIVE PROVISION MADE FOR PEDESTRIAN CROSSING, PEDESTRIAN LINKAGES, PUBLIC OPEN SPACE AND AFFORDABLE HOUSING; Decision: Refused; Date: 07/01/2019. Appeal subsequently allowed 14/02/2020.

P/2019/0460:

OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT OF TWO PARCELS OF LAND (NORTHERN PARCEL FOR UP TO 61 NO. DWELLINGS, SOUTHERN PARCEL FOR UP TO 71 NO. DWELLINGS), EXTENSION TO COMMUNITY PARKING FACILITY (IN ASSOCIATION WITH NORTHERN PARCEL) WITH ASSOCIATED MEANS OF ACCESS AND OFF-SITE HIGHWAY IMPROVEMENTS WITH ALL OTHER MATTERS RESERVED BUT INDICATIVE PROVISION MADE FOR PEDESTRIAN CROSSING, PEDESTRIAN LINKAGES, PUBLIC OPEN SPACE, LANDSCAPING AND AFFORDABLE HOUSING (RESUBMISSION OF PLANNING APPLICATION REFERENCE NO. P/2018/0560); Decision: Withdrawn.

P/2021/0110:

RESERVED MATTERS PURSUANT TO OUTLINE APPLICATION P/2018/0560; Decision: Approved; Date: 07/02/2022.

P/2021/0111:

DISCHARGE OF CONDITIONS 6 (ARBORICULTURAL METHOD STATEMENT), 8 (HIGHWAYS), 9, (HIGHWAYS) 10 (CONSTRUCTION METHOD STATEMENT) , 14 (TRAVEL PLAN) AND 15 (LIGHTING) OF PLANNING PERMISSION P/2018/0560; Decision: Approved; Date: 22/08/2023.

P/2022/0241:

PART DISCHARGE OF CONDITION 7 (DRAINAGE) OF APPEAL DECISION APP/H6955/A/19/3231048 (P2018/0560); Decision: Approved; Date: 07/12/2023.

P/2023/0435:

TEMPORARY ADVERTISEMENT CONSENT FOR SALES SIGNAGE FOR APPROVED RESIDENTIAL DEVELOPMENT (IN RETROSPECT); Committee Resolution to Grant; Date: 06/09/2023.

P/2023/0851:

DISCHARGE OF CONDITION 7 (DRAINAGE) OF APPEAL DECISION APP/H6955/A/19/3231048 (P/2018/0560); Decision: Approved; Date: 29/01/2024.

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P/2023/0852:

DISCHARGE OF CONDITION 2 (FLOOD) OF PLANNING PERMISSION

P/2021/0110; Decision: Approved; Date: 15/03/2024.

P/2023/0853:

NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2021/0110 TO AMEND LAYOUT AND LANDSCAPING PLAN INCLUDING ADDITION OF AN ATTENUATION BASIN AND PUMP STATION; Decision: Granted; Date: 29/01/2024.

P/2024/0023:

NON-MATERIAL AMENDMENT TO RESERVED MATTERS APPROVAL

P/2021/0110 TO VARY CONDITION 2; Decision: Granted; Date: 29/01/2024.

P/2024/0097:

DISCHARGE OF CONDITION 3 (LANDSCAPE MANAGEMENT PLAN) OF RESERVED MATTERS APPROVAL P/2021/0110; Decision: Approved; Date: 01/03/2024.

P/2024/0144:

NON-MATERIAL AMENDMENT TO RESERVED MATTERS P/2021/0110 TO AMEND APPROVED PLANNING LAYOUT; Decision: Granted; Date: 11/04/2024.

P/2024/0238:

ADVERTISEMENT CONSENT FOR 16 SIGNS; Decision: Pending.

Development Plan

Future Wales: The National Plan 2040

Adopted Wrexham Local Development Plan (2013-2028):

- SP2: Location of Development
- SP14: Natural Environment
- SP19: Green Infrastructure
- H1: Housing Allocations
- NE3: Trees, Woodlands and Hedgerows
- DM1: Development Management Considerations
- T1: Managing Transport Impacts

Wrexham Local Planning Guidance Notes (LPGN):

- 16 - Parking Standards
- 30 - Design
- 32 - Biodiversity and Development

Relevant National Policy

- Planning Policy Wales (Edition 12, 2024)
- TAN 5: Nature Conservation & Planning

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- TAN 12: Design
- TAN 18: Transport

Consultation Responses

Rossett Community Council:

Objects on the grounds of highway safety and noise.

Local Ward Members:

Cllr Hugh Jones: No response received.

Cllr Ross Shepherd: No response received.

Natural Resources Wales:

No objections and note that the development is unlikely to increase the amount of phosphorous entering the SAC Catchment.

Dwr Cymru Welsh Water:

Advises that any permission granted should be subject to a condition to prohibit surface water from draining into the public sewerage network.

Ramblers Wrexham:

Nearby public right of way footpaths should not be diverted or blocked during the course of construction.

Contaminated Land Officer:

No comments to make.

Public Protection Officer:

No objections.

Highway Officer:

No overall objections however further information is requested in relation to the proposed external lighting.

SAB Officer:

No response received.

Ecology Officer:

No overall objections but additional information concerning the proposed external lighting is required.

Publicity Undertaken:

- Press Notice
- Six neighbouring properties were notified by letter

Public Representations:

Four public representations have been received at the time of writing; all in objection to the proposals. The comments received are summarised as follows:

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- The site's planning permission for residential development is invalid and void;
- Flood risk concerns;
- The development would impact upon access to existing properties;
- Access and pedestrian access issues associated with the consented residential development on the site;
- Noise and disturbance issues associated with people and cars coming and going from the site;
- Land ownership issues; and
- Concerns regarding the lack of W.C. facilities within the proposed cabin.

Background

The application seeks planning permission for the erection of a temporary sales building, associated car parking area and associated works, linked to the residential development of the site, which benefits from an extant planning permission for residential development.

The temporary sales building itself would benefit from permitted development rights under Schedule 2, Part 4 (Temporary Buildings and Uses) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales). However, the Agent confirms it has been included within the application for completeness.

The site access already benefits from extant planning permission, and therefore the only elements of the proposal requiring planning permission are the proposed car parking area and external lighting.

Planning permission is sought for a period of two years.

Principle of Development

Policy SP2 of the Wrexham LDP directs new development to defined settlement limits as identified on the LDP Proposal Maps. As noted, the application site relates to an allocated housing site within the LDP, and lies wholly within the settlement boundary for Rossett.

The application site benefits from extant planning permission for the construction of 132 dwellings. It is considered that such temporary sales facilities are a common feature of new housing sites. In line with the provisions of both local and national planning policy, the development as proposed is acceptable in principle.

Design

The proposed sales office is of an overall modest scale and is of a standard design which is a common sight at such residential development sites. Given its modest scale and acceptable appearance, it is considered that the sales office would not cause any adverse impact upon the visual amenities of the application site and its environs.

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The proposed car parking area is also noted to be of an overall modest scale and is required to serve the sales office and show homes. Due to its modest scale and nature, the car park would not cause any negative visual impact upon the character of the area.

The application proposes the installation of external bollard lighting on the external areas outside. Low-level lighting is a common feature of temporary sales offices. This would not detract from the character of the site or locality.

In light of the above, the design, scale and visual impact of the proposed development is considered to be acceptable and in accordance with the requirements of LDP Policy DM1.

Impact on Neighbouring Amenity

Due to the separation distance of the proposed sales office, car park and external lighting from existing dwellings, along with the fact that the type and hours of illumination could be controlled by suitably worded planning conditions, it is considered that the development would not have an unacceptable impact upon the living conditions of nearby residents. The Council's Public Protection Officer has also raised no objections to the proposed development in this regard.

Having regard to the above, the proposed development accords with LDP Policy DM1.

Highway Considerations

As noted above, the site access already benefits from planning permission, and upon consultation, the Council's Highway Officer raises no objections in relation to access and parking/turning arrangements.

Accordingly, it is considered that the proposed development is acceptable with regards its impact upon highway safety, and complies with LDP Policies DM1 and T1.

Natural Environment

The application has not been accompanied by any supporting ecological reports. However, noting that the application benefits from extant planning permission for a major residential development, there is considered to be a low potential for the proposed temporary development to have any significant impact upon any protected species. Both NRW and the Council's Ecology Officer raise no objections to the proposed development.

It is noted the Ecology Officer has requested details with regards the proposed external lighting. The applicants have confirmed external illumination would be by way of low-level bollard lighting. Due to its limited height and extent of illumination it would not have a significant impact upon nocturnal wildlife.

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The application has been accompanied by a Green Infrastructure Statement. This confirms that there would be no impacts upon existing green infrastructure. It further outlines that whilst no measures to secure a net benefit for biodiversity (NBB) have been proposed as part of the current application, planning permission is sought for a temporary period only. Features to secure NBB have been secured as part of the planning permission for the residential development of the site. Given that the proposals are of a temporary nature together with the fact NBB would be provided as part of the wider development of the site, it is considered that a suitably worded condition to secure additional NBB would be unnecessary in this instance. It is also noted that the Ecology Officer has raised no objections on this basis.

In terms of foul drainage arrangements and potential impacts upon the integrity of the River Dee and Bala Lake Special Area of Conservation (SAC), the Applicant has confirmed that the proposed sales office would not contain W.C. facilities and both staff and customers would instead use staff welfare facilities until the show homes are completed. Given the proposed development does not contain W.C. facilities, there is no potential for the development to increase the volume or concentration of wastewater produced on the site. On this basis, it is concluded that the development would have no likely significant effect upon the SAC.

In light of the above, the development would not cause any adverse impact upon the natural environment in accordance with Policies SP14, NE1 and NE6 of the LDP.

Flood Risk

The site of the proposed temporary development is not located within an area at risk of either fluvial or surface water flooding as per NRW's updated Flood Map for Planning. Given the Flood Map for Planning represents the most accurate and up to date information NRW holds on flood risk, it is therefore considered the development is acceptable in this regard in accordance with the requirements of TAN 15.

Other Considerations

Whilst the majority of the objections raised within the public representations have been addressed above, the following responds specifically to the additional objections received.

In terms of land ownership, all of the proposed development would take place on land within the control of the Applicant.

The planning permission for the site's residential development remains extant and implementable.

Based upon the submitted plans, there is no evidence that the temporary development would prejudice access to neighbouring properties. The Council's Highway Officer has not raised any concerns or objections in this regard.

Conclusion

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Taking the above issues into consideration, in accordance with the listed local and national planning policies and guidance, the proposed temporary development would not unacceptably detract from the character of the surrounding area and it would not have any negative impact on highway safety, neighbouring residential amenity or the natural environment. As such, the proposal is considered to be acceptable and the recommendation is that planning permission be granted.

Conditions

1. The use of the sales office and car park hereby permitted shall cease before the expiration of 2 years from the date of this permission. All buildings, areas of hard standing and associated development shall be completely removed from the site not later than one month after that date.
2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
 - ROSSRD-LP-TSS.01 REV B - Site Location Plan
 - R1-0017 SALES-01 REV D - Proposed Site Layout
 - Cabin Signage Summary Version 2
 - Applicant Cover Letter [Dated: 21/03/2024]
 - Green Infrastructure Statement [Received: 10/06/2024]
 - Email from Applicant [Received: 07/05/2024]
 - PANAMA Professional Solar Bollard Light User Manual

Reasons

1. To ensure that local amenities are safeguarded and to comply with Policy DM1 of the adopted Wrexham Local Development Plan.
2. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

Notes

The proposed 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

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 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

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Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru 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.