

Application No.	Application Type	Date Valid	Expiry Date	Extension of Time Date
P/2022/0546	Discharge of Conditions Application	13/06/2022	08/08/2022	09.09.22

Applicant	Agent Name and Address
Clwyd Alyn Housing	Mr Peter Lloyd PL Planning Colwyn Bay LL29 0FX
Description of Development	Location of Development
Rhyddhau amod 3 (deunyddiau), 4 (cynllun rheoli adeiladu), 9 (lleiniau gwelededd), 11 (triniaeth ffin), 12 (datganiad o ddulliau coeddyddiaeth), 13 (tirlunio), 15 (ecoleg) a 16 (ecoleg) caniatad cynllunio p/2021/0263 / discharge of conditions	Ty Nos, Holt Road, LL13 8NE

KEY ISSUES	Acceptable	Not Acceptable	Observations below
Details submitted in respect of condition 3	x		
Details submitted in respect of condition 4	x		
Details submitted in respect of condition 9			
Details submitted in respect of condition 11			
Details submitted in respect of condition 12			
Details submitted in respect of condition 13			
Details submitted in respect of condition 15			
Details submitted in respect of condition 16			

Local Planning Guidance	Acceptable	Not Acceptable
LPGN 1: Advertisement	Y	
Strategic Policy PS1 – Broad Location of Development	Y	
Policy GDP1 – Development Objectives	Y	
Policy EC4 - Trees	Y	

PLANNING POLICY CONTEXT

Wrexham Unitary Development Plan (1996-2011) as extended:

- Strategic Policy PS1 – Broad Location of Development
- Policy GDP1 – Development Objectives

Planning Policy Wales

OFFICERS OBSERVATIONS

The application is for discharge of conditions for all the pre-commencement conditions on application P/2021/0263 - demolition of existing buildings and erection of 19 no. Apartments with ancillary office space.

MAIN ISSUES

The main considerations relevant to the determination of this planning application include:

- Design and impact upon character of the area;
- Impact upon neighbouring amenity;
- Highways Impacts;

Conditions 3 – External Facing Materials

No part of the development shall commence until samples of all external facing 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.

Following the design guidance in LPGN 30, the site is fairly small and is utilising most of the space for housing and parking. There are buildings which are being demolished to provide affordable housing within the borough.

The site has properties which are situated a lot higher than the proposed development, estimated 5m difference in land level. To the east is an apartment development on Parkleigh Court. This development is traditional brick, with grey slate roofing tiles.

The west holds an Asda which is also higher than the proposed site. It is traditional steel frame, metal clad building, accessed off Powell Road.

The design materials are a mix of brick to the ground floor and some end elevations, whilst the first floor offers areas of standing seam metal cladding.

The overall design does fit within the Wrexham UDP, Policy GDP1 which requires that all new development is of an appropriate design, scale and appearance whilst being constructed from appropriate materials which makes a positive contribution to the character and appearance of the area.

Furthermore, Strategic Policy PS2 of the Wrexham UDP requires that all new development does not materially or adversely affect the appearance or character of townscapes, the countryside or wider landscape.

Within the Wrexham County Borough Council Local Planning Guidance Notice (LPGN) 30, there is general support for good use of the site space and design which offers a good standard of privacy, a sense of openness and good visual amenity.

This is on the basis that development proposals reflect and enhance the appearance of the local character, adjoining properties and their setting. In this regard proposals should be of an acceptable scale, design and propose appropriate construction materials.

This local policy position is supported by Technical Advisory Note (TAN) 12, which advises that design that is inappropriate in its context, or which fails to enhance character, quality and the function of an area should be refused where there would be detrimental effects on communities.

In the case of the current discharge of external materials consent application, the principle of the development is considered to be acceptable, due to the granting within P/2021/0263. The proposed apartments allow affordable housing within an accessible position. The proposed design offers a good mix from the commercial enterprise to the residential properties to the north east and south of the site. As such, the proposed design of external materials would not represent or introduce an incongruous development to the locality.

Therefore, for the reasons detailed above it is considered that the proposed external materials in this specific location are acceptable in principle and in accordance with the Development Plan.

The development is considered to be acceptable in terms of its impact on the street scene and would result in no adverse impacts upon the character and appearance of the surrounding built environment. The proposed extension is considered to be of an

appropriate design quality in accordance with the requirements of Policies GDP1 and PS2 of the Wrexham UDP, LPGN30 and Technical Advisory Note (TAN) 12.

To discharge this condition the approved plans are-

Detailed Layout:

C1039410 Rev D
C1039411 Rev D
C1039412 Rev C
C1039414 Rev D
C1039009 Rev D
C1039100 Rev H
External Facing Material and finishes document

It is not consider that there will be any additional impact upon visual amenity. The appearance of proposed apartments are therefore considered acceptable.

Condition 4 – Construction Management Plan

No part of the development shall commence until a Construction 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.

Within the Wrexham County Borough Council Local Planning Policy GDP1, seeks to ensure that developments does not result in adverse impacts upon the amenity of neighbouring properties. This document confirms that new development should not cause a claustrophobic effect result in a loss of light or privacy, or cause a significant amount of visual intrusion to any neighbouring properties once the development is complete and that during the construction phase, the public are safeguarded as well as the environment from the adverse effects of development.

In the case of the current discharge application, it is considered that the design, appearance and materials proposed for the development and the stages of development proposed would not cause a safeguarding issue to the public.

To discharge this condition the approved plans are-

Detailed Layout:

C1039001 Rev B
HSF018 Construction Phase Plan

As such, the proposal is considered to be an appropriate construction management plan, which would result in no adverse harm or impacts upon the amenity of any neighbouring property, in accordance with the requirements of GDP1 and PS1 and PS2.

Condition 9 – Detailed construction plan

No part of the development shall commence until a scheme detailing the construction of the following has been submitted to and approved in writing by the Local Planning Authority:

1) Detailed layout, design, drainage, surfacing and construction of the proposed new access including tactile crossing points

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

In the interests of safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan, the application was required to submit details of the construction management plans.

To discharge this condition the approved plans are-

Detailed Layout and design:

C1039410 Rev D
C1039411 Rev D
C1039412 Rev C
C1039414 Rev D
C1039009 Rev D
C1039100 Rev H
External Facing Material and finishes document

Drainage:

Approved in application P/2021/1206

20269/501 Rev F
20269/502 Rev B
20269/503 Rev C
20269/504 Rev A
20269/505
20269/506
20269/510 Rev A

20269/S104-1 Rev D
20269/S104-2 Rev D
20269/S104-3

Surfacing and construction of proposed access:

20269/401 Rev B
20269/402 Rev A
20269/403 Rev C
20269/404
20269/405 Rev A

20269/406
20269/S278-1 Rev D
20269/S278-2 Rev A
20269/S278-3 Rev B

As such, the proposed drawings are considered to be acceptable, which would result in no adverse harm or impacts upon the amenity of any neighbouring property, in accordance with the requirements of GDP1 and PS1 and PS2.

Condition 11 – Boundary Treatment

No part of the development shall commence until a boundary treatment scheme within and around the site has been submitted to and approved in writing by the Local Planning Authority. 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) and with the exception of those shown on the approved plans, no gate, fence, wall or other means of enclosure shall be erected on the site. The boundary treatment as may be approved shall be completed in all respects prior to first use / occupation of the development and shall thereafter be permanently retained.

In the interests of visual amenity and character of the street scene in accordance with Policy GDP1 and PS2 of the Wrexham Unitary Development Plan, the application was required to submit details of the boundary treatment plan.

To discharge this condition the approved plans are-

C1039016 Rev A

In accordance with LPGN 30 the boundary treatment plan includes, retention of walls on the site, the use of hard landscaping as focal points and soft landscaping with native trees along with other features that enhance biodiversity.

As such, the proposed drawings are considered to be acceptable, which would result in no adverse harm or impacts upon the amenity of any neighbouring property, in accordance with the requirements of GDP1 and PS1 and PS2.

Condition 12 – Arboriculture Method Statement

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.

The arboricultural report identifies all the points highlighted above. It has been commented that the replacement trees are slightly small and that larger ones would be referred, however the arboricultural report does highlight that the scheme does fall short in providing mitigation for the loss of the canopy cover, the majority of the tree planting shown is restricted to the site boundaries placing limitations on both species selection and the level of benefits provided.

The trees that need to be removed to facilitate the proposed development are self-sown trees around the perimeter of the site and are in poor condition. A similar number of trees to those lost will be planted around the perimeter of the site where space permits. The specimen of trees selected are compact forms that will grow within the limited space and that will not interfere over time with the facades of the buildings or take light from the windows. Planting within the development is limited due to the density of the development and provision for car parking and access arrangements. There are some soft planting areas but tree planting in these areas is constrained by underground services and proximity to the new buildings. These areas are also vulnerable to be overrun by vehicles.

As such, the proposed drawings and report are considered to be acceptable, which would result in no adverse harm or impacts upon the amenity of any neighbouring property, in accordance with the requirements of GDP1 and PS1 and PS2.

Condition 13 – Landscaping details

No part of the development shall commence until full details of both hard and soft landscape works, to include some native planting has been submitted to and approved in writing by the Local Planning Authority. The plan shall include a timescale for the implementation of works, and shall provide for ecological improvement / habitat creation and enhancement in the soft landscape areas for the benefit of biodiversity conservation specifically tailored to the landscape features.

In the interests of visual amenity and character of the street scene in accordance with Policy GDP1 and PS2 of the Wrexham Unitary Development Plan, the application was required to submit details of the landscaping plan.

To discharge this condition the approved plans are-

As such, the proposed drawings and report are considered to be acceptable, which would result in no adverse harm or impacts upon the amenity of any neighbouring property, in accordance with the requirements of GDP1 and PS1 and PS2.

Condition 15 – Net Biodiversity

Prior to commencement a plan to provide net biodiversity benefit on site should be submitted and approved.

To protect named species, habitats, biodiversity which would otherwise be damaged lost by the development in the permitted application, the development is required to identify net biodiversity benefits in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

The report recommended biodiversity enhancement measures which included the provision of bat and bird boxes, hedgehog highways and the control and eradication of Japanese knotweed *Fallopia japonica* from site.

The report concludes that the development will reduce the amount of hardstanding, reduce trees by a total of 2 but increase native hedging, ornamental planting and a 50m² rain garden. There are also examples of the types of bird and bat boxes which will be included into the development.

The report concludes that the site currently has limited biodiversity and that the proposed additions although not excessive, would be an increase in biodiversity net gain, in accordance with the requirements of GDP1 and PS1 and PS2.

Condition 16 – Japanese Knotweed

Prior to commencement the applicant should supply a treatment plan and method statement for dealing with the Japanese knotweed on site.

To protect neighbouring properties which would otherwise be damaged, lost by the retention of this invasive species on the site in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan, a Japanese Knotweed treatment plan was requested.

The report indicates that the knotweed is mature and well established, but has not spread to a wide area at the time. It was being maintained by being pruned often, but has shown little evidence of chemical treatment.

The chosen method called Xtract, which is an excavation process that is cost effective and an eco-alternative to dig and dump. Due to the time constraints the proposal is to use Xtract, but if the budget is tight then dig and dump.

This is in accordance with the requirements of GDP1 and PS1 and PS2.

CONCLUSION

The proposed development is considered to be an appropriate design, safety measures and mitigation measures within the Wrexham County Borough Council Local Planning Policy GDP1, PS1 and PS2 and seeks to ensure that developments does not result in adverse impacts upon the amenity of neighbouring properties. The documents and drawings confirm that new development should not cause a claustrophobic effect result in a loss of light or privacy, or cause a significant amount of visual intrusion to any neighbouring properties once the development is complete and that during the construction phase, the public are safeguarded as well as the environment from the adverse effects of development.

The proposal would result in no significant or material harm, and complies with the requirements of the Wrexham Unitary Development Plan Policies PS1, PS2 GDP1 and T6, and also with the Wrexham County Borough Council Local Planning Guidance Notice 1 and 30 and with Technical Advisory Note (TAN) 12.

RECOMMENDATION	
GRANT	Yes
REFUSE	No
S106 Required	No
Cadw/ WG Referral Required	No
Is application EIA Development?	No

Planning Manager	Date Signed
Matthew Phillips Interim Head of Planning Policy	<u>7/10/22</u>