

Dr Kim Collins

Tan Y Marian

High Street,

Glyn Ceiriog

23rd May 2022

The Planning Inspectorate,

Cathays Park,

Cardiff CF10 3NQ

Dear Sir/Madam,

RE: Planning Application P/2021/0055: Land adjacent to Bronydd access, High Street, Glyn Ceiriog

PEDW ref CAS-01668-J9J9L2

I am writing in support of the decision by Wrexham CBC to refuse planning permission for the development above and have previously voiced my objections in line with the correct procedures.

I wish to make you aware of a number of strong objections that my husband and I have with regard to the proposed development of an additional property on open to the rear of our property Tan Y Marian. As an immediate neighbour to the site of proposed development, we are of the view that the proposed development impact on our lives. Our main objections are as follows:

1. Detrimental impact upon residential amenities

District wide local plan, policy 4.19: Proposals for development should be of sound good design and respect the character of the surroundings. The LPA will have regard for the appearance and treatment of the spaces between and around buildings ii) the amenities of local residents

District wide local plan, policy 6.49: In determining applications for residential infill development, the LPA will take into account the form, size and character of adjoining development. Etc. There should be sufficient space between old and new buildings to maintain the amenity and privacy of adjoining houses.

District wide local plan, policy 6.8: New developments will be expected to i) complement and respect the character and amenity of neighbouring developments ii) provide a high standard of layout and design that ensures adequate privacy for the occupants of the building and of adjacent residential properties iii) provide a pleasant and safe residential environment.

I believe that the proposed development is in direct contravention of these policies as it does not respect local context. The scale and design are completely at odds with existing properties and the inversion of the property and inclusion of a balcony is entirely out of keeping. The properties most directly affected (ourselves, Glyn Cottage and the terraces of 1,2 and 3 High Street) are constructed on Welsh slate and rendered.

2. Loss of privacy and overlooking

District wide local plan, policy 6.8: New developments will be expected to i) complement and respect the character and amenity of neighbouring developments ii) provide a high standard of layout and design that ensures adequate privacy for the occupants of the building and of adjacent residential properties iii) provide a pleasant and safe residential environment.

The proposed dwelling being inverted and having a substantial balcony, combined with the topography of the site would result in our garden and house being severely overlooked no matter the wording of the application. All of the garden and directly into our bedroom windows. A serious invasion of our privacy. This is in direct contravention of the above policy as it does not afford adequate privacy. I would urge you to consider the responsibilities of the council under the **Human Rights Act protocol 1, article 1** which states that a person has the right to peaceful enjoyment of all of their possessions which includes the home and other land. I believe that the proposed development would have completely dominating impact upon us and our right to a quiet enjoyment of our property. **Article 8** of the Human Rights Act states that a person has the substantive right to respect for their private and family life. This matter even at this stage is having a serious impact on my mental health and my understanding is that it is for the council to uphold my right to privacy.

In the case of Lough vs First Secretary of State 2004 that the right to privacy should be considered as an integral part of the planning decision, and not just a “footnote” and could be important in considering the legality of a decision.

Should a dwelling have to be constructed on the site then a single story dwelling would at least mitigate somewhat. Having an inverted property with a balcony would mean that the vast majority of the day would be spent in the most obtrusive position. I find it hard that the strength of feeling in previous objections has been completely disregarded. How does that make for good neighbours?

3. Ground stability and drainage

District Wide Local Plan, Paragraph 3.57: Government guidance on land stability contained in PPG14 ‘Development on unstable land’ states that the principle aims of considering land instability at the planning stage are to minimise the risks and effects of land instability on property, infrastructure and the public, and to assist in safeguarding public and private investment by a proper appreciation of site conditions and necessary precautionary measures.

District Wide Local Plan, Paragraph 3.60: The structure plan acknowledges that the stability of land can have significant implications as to what form of development is appropriate or could be considered

District Wide Local Plan, Paragraph 3.62: certain areas of the borough have been identified where particular consideration of instability will be needed, in particular land that is graded

As I have now had more time to research the proposed development and the history of the area I have serious concerns about the potential impact the proposed works could have on the stability of our property. The land is steeply graded and I know that subsidence is a problem in the village as I was turned down for a mortgage on a property. I believe that any excavation work on the site could have a serious adverse impact upon the stability of our ground and potentially our property. The steeply sloping site is believed to be largely slate spoil from the local slate quarry and is not the most

stable platform. I am not a structural engineer but my research into the site and local history suggests the site is not particularly suitable for a two storey dwelling and should anything be built a single storey dwelling would place less stress on unstable ground.

I would also raise concerns about access to the site which is between ourselves and 1 High Street. This is extremely limited and already there have been collisions involving heavy plant vehicles and our slate gatepost and more worryingly the house wall of 1 High Street. Our boundary fence has been damaged and even removed completely to facilitate access. I am concerned about the large plant which would be necessary to excavate footings/foundations sufficient to provide stability on a slate spoil bank. The worry of all of this is detrimental to my health.

4. Non-compliance with other District Wide Local Plan policies

District Wide Local Plan, Chapter 2.13, Objective 4: To protect or enhance the local environment, including wildlife habitats, trees and woodland parks and gardens, urban open space, water resources, the coastline and the green belt.

The plan is for the development of and consequent destruction of a beautiful wildlife habitat in direct contravention of the above objectives. I have read in detail the mitigation proposed but I do not see how the destruction of habitat will not lead to the destruction of a substantial colony of slow worms. It is illegal to destroy or harm these creatures under the **Wildlife and Countryside act 1981** and after further research I find that they are also considered a priority species under **UK Post 2010 Biodiversity framework**. This small, but ecologically significant sector of land is a valuable ecosystem and should be cherished and protected, not destroyed.

There has already, unfortunately been a large number of trees felled and removed from the site which I take to be preparatory work. There are still a few trees remaining and these should be protected from further removal.

My understanding from the research I have done is that the current sewage treatment provision in the village is insufficient to cope should any further load be placed upon it by any new build developments within the village. As the current sewage treatment works discharges into the River Ceiriog this again has a huge potential environmental impact. The River Ceiriog has SSSI status and protection and as the sewage treatment works is not going to be replaced or upgraded if it could not cope then the development should not take place until such time as it can.

5. Non-compliance with Government guidance

Government Planning Policy Statement PPS1, Paragraphs 17-19: The Government is committed to protecting and enhancing the of the natural and historic environment, in both rural and urban areas. Planning policies should seek to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole. A high level of protection should be given to the most valued townscapes and landscapes, wildlife habitats and natural resources.

As above. The destruction of a protected species should not be permitted. The distribution of slow worms within this area of Wales makes them of even greater ecological significance.

Government Planning Policy Statement PPS3: Housing, Paragraph 13: Good design should contribute positively to making places better for people. Design which is inappropriate in it's context should not be accepted.

A large-scale modern construction of an inverted nature with a balcony does not meet these criteria.

I would like to thank you for the opportunity to make my views known and to issue a heartfelt plea to prevent this development for the reasons outlined.

Yours faithfully,

Dr Kim Collins

Mr Christopher Collins