

**REPORT OF THE CHIEF OFFICER PLANNING AND
REGULATORY – 1 November 2021**

APPLICATION NO:
P/2021 /0836

LOCATION:
THE GOULBOURNE BORRAS PARK
ROAD WREXHAM
LL12 7TF

DATE RECEIVED:
20/08/2021

COMMUNITY:
Acton

DESCRIPTION:
AMRYWIO AMODAU 6 A 7
CANIATAD CYNLLUNIO P/2018/0935
I TORRI COED A PHLANNU LLWYNI
YN EU LLE / VARIATION OF
CONDITIONS 6 AND 7 OF PLANNING
PERMISSION P/2018/0935 TO
REMOVE TREES AND REPLACE
WITH HEDGE PLANTING

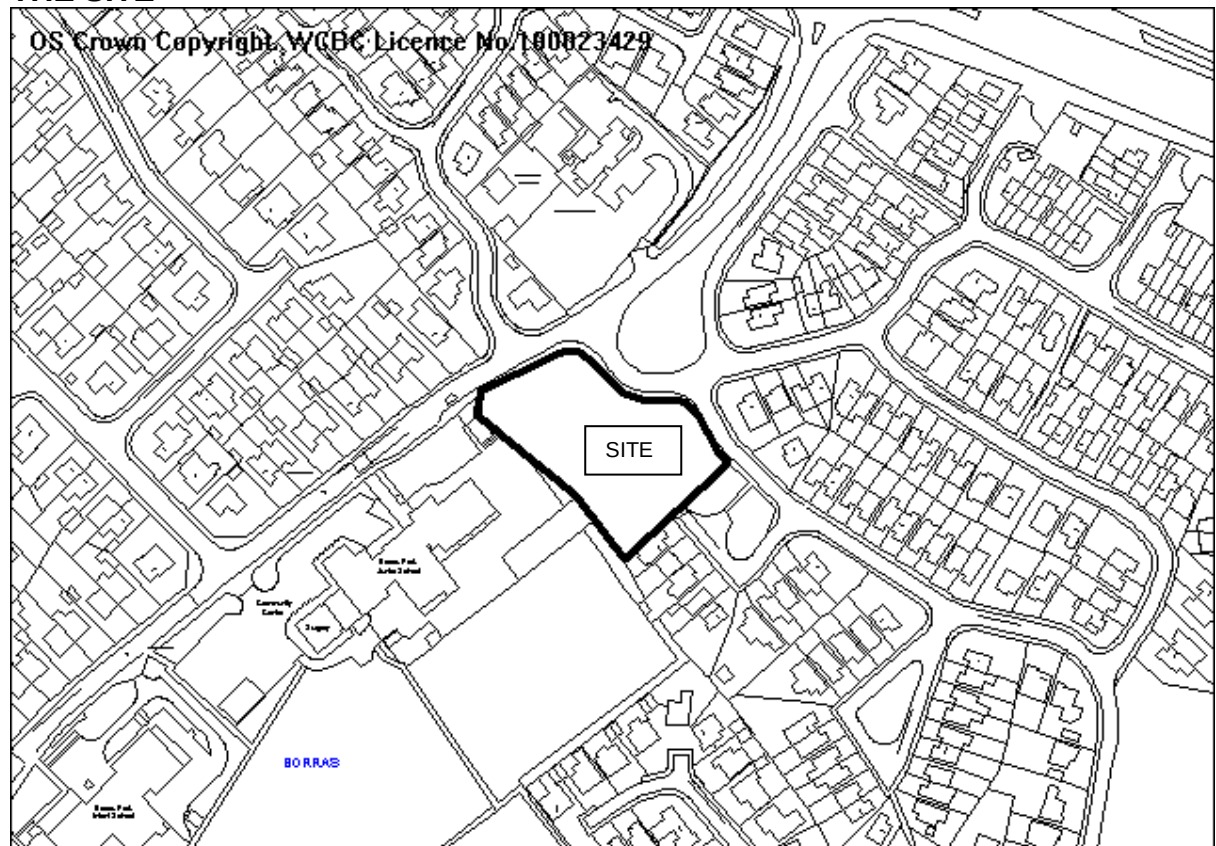
CASE OFFICER:
BB

WARD:
Rhosnesni

AGENT NAME:
BLUEPRINT LTD
MR DAFYDD EDWARDS

APPLICANT(S) NAME:
MR THOMAS NUNNDALE

THE SITE



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PROPOSAL

As above

RELEVANT PLANNING HISTORY

P/2016/1048 - Residential development (8 no detached dwellings) and construction / alteration to vehicular and pedestrian access. Granted 23.06.2017

P/2018/0935 - Application for variation of condition 13 imposed under planning permission p/2016/1048 to allow surface water drainage to be partially disposed of in the public sewer network. Granted 06.03.2019

DEVELOPMENT PLAN

The site is located within the Wrexham town centre settlement limit. Policies PS2, GDP1, GDP2, EC4, EC13, 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 Development.

CONSULTATIONS

Community Council: Supports. The Council welcomes the removal of the low value conifer hedging/trees to the perimeter of the site. However the Developer should ensure that the protected trees on this site continue to be safeguarded and the proposed hedging to the frontage should include a mixed range of semi mature species to improve the biodiversity of this site.

Local Member: Notified 25/08/2021

Arboricultural officer: No objection.

Neighbours: Notified 02/09/2021. 18 neighbours notified. 5 responses in support of the application. 4 responses in objection.

Object:

- Existing trees remain viable.
- Proposed purchasers may want to remove other protected trees in future.
- Climate emergency and removing trees results in a contribution to CO2 gasses.
- Trees and existing boundary treatment form a flood defence.
- Noise and wind break.
- Loss of privacy.
- Impact on the character of Gourton Square.

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Support:

- Dangerous and could be brown over when windy.
- Eyesore.
- Overgrown.
- Acceptable height no longer possible.
- Removal would help preserve three broad-leaved trees on Gourton Square.

SPECIAL CONSIDERATIONS

Background and proposal: Planning permission had been granted in 2017 for 8 dwellings and later amended in 2019 to allow changes to drainage. This proposal seeks to amend condition 6 and condition 7 to allow the removal of the existing Layland Cypress hedge along the south eastern boundary.

Condition 6 would be altered to include an additional plan which shows the location of the replacement hedge and an addendum to the Arboricultural Impact Assessment with the specification of the hedge. The hedge would be a native species planted 1.2m with 4-5 plants per square meter. The previously approved Arboricultural Method Statement would remain an approved document and this application only concerns the south eastern boundary between plot 8 and Gourton Square.

Condition 7 would be amended to include the hedge planting and replacement fence as an approved boundary treatment.

Design and appearance: Whilst the removal of the trees would result in a notable alteration to the street scene this is considered to be acceptable. The trees are tall and occupy a relatively short space along the boundary and have been categorised as C trees (low value). The removal of the trees would contribute to retaining the open character of the existing square and would provide lines of sight towards the existing group of broadleaf trees which are considered to be of higher quality than the Laylandi. These are trees which have been protected through the original approval. A replacement hedge would occupy part of the boundary (23.5m in length) from broadly from the centre of the boundary to the footpath. Due to the 1.2m height of the planting, it is considered to provide a clear boundary between the private Plot 8 of the development and Goulbourne Square. Overall, with the introduction of a native hedgerow species, which would develop in time, the removal of the trees is considered to have a positive impact on the street scene and as such would comply with policy GDP1.

In order to ensure that the hedge develops into a substantial hedge it is considered reasonable to condition (condition 14 and 15) that the planting scheme implemented in connection with condition no. 6 is undertaken during the first planting season following first use of the development and shall be

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permanently retained. Any planting which becomes 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 within the next available planting season by plants of similar size and species to those originally required to be planted.



Figure 1 View from Ansell Road in a north west direction - Retained broadleaf trees in foreground, trees to be removed in the background



Figure 2 View from Ansell Road in a southerly direction - Leyland Cypress trees proposed to be removed

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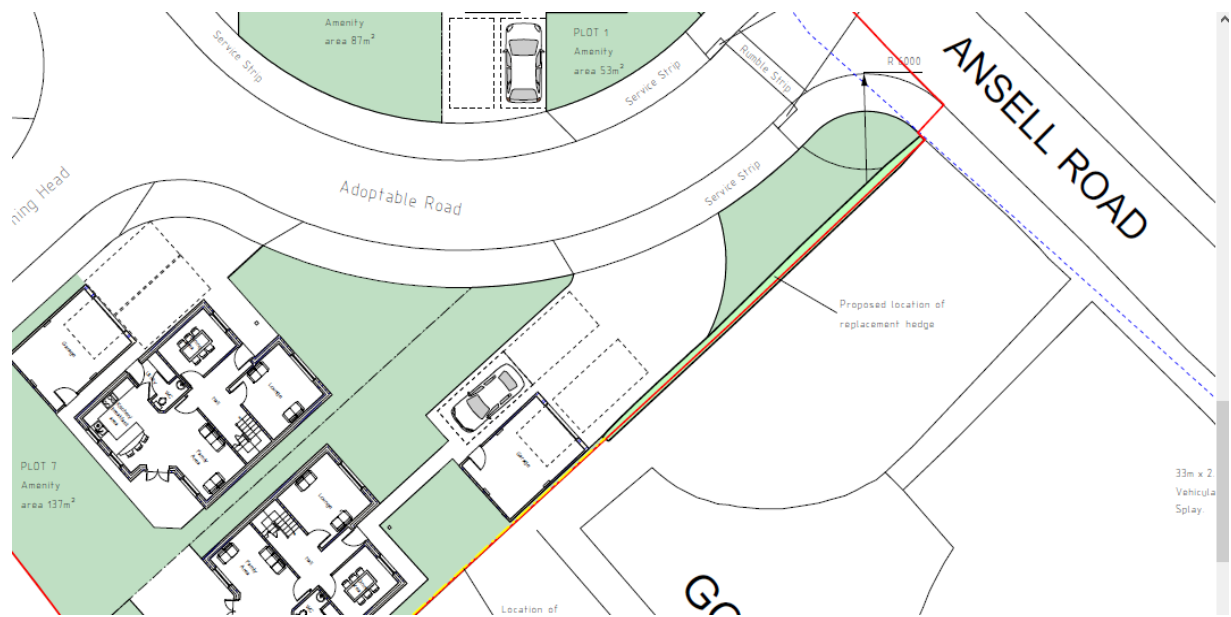


Figure 3 Location of proposed replacement hedge

Amenity: Concerns have been raised over potential overlooking from the development site should the trees be removed. Window to window separation distances would far exceed 22m. The nearest separation distances between habitable rooms would be 37m from Plot 1 and 10 Goulbourne Square and approximately 50m between Plot 8 and dwellings on Ansell Road. As such, the development would remain fully compliant with the minimum separation distance of 22m as outlined within LPGN21. Additionally, there is already a higher degree of mutual overlooking from existing residential properties surrounding the development site.

Concerns have been raised over additional noise disturbances as the trees may provide a noise barrier. The existing street is residential and any noise from the development is not considered to go over and above that possible at any of the existing residential properties which encompass the development site. As such it is not considered that as a result of the loss of these trees that noise levels would become a statutory nuisance to dwellings within or outside the development site. Due to the location of the trees set away from the boundary with Borrass Park Primary School, they are not considered to provide a substantial noise barrier between the school and Ansell Road. The new development itself provides more of a noise barrier.

Overall, the removal of the trees are not considered to impinge on the amenities of neighbouring properties to an unacceptable degree.

Trees and biodiversity: Policy EC4 states that development which results in the loss or significant damage to valuable trees will not be permitted.

The proposal is for the removal of Layland Cypress trees on the south east boundary with the site. The Council's Arboricultural Officer has raised no

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concerns and considers the replacement hedge to be sufficient mitigation. C category trees are not considered to be of high enough value to ensure their protection when considering the mitigation proposed. The removal of the trees would not impact upon the group of broad leafed trees on Gourton Square and all other trees identified as being retained within the original submission would remain unaffected.

Concerns have been raised over the loss of trees and the impact on local biodiversity. The hedge would be replaced with native species and in time would provide habitat for local wildlife. The details of the hedge have been amended so that it would be planted at a minimum height of 1.2m and with 4-5 plants per square metre which is considerably more substantial than the saplings original proposed.

Concerns have been raised over the removal of the trees and the release of greenhouse emissions. The impact is considered to be a minor when factoring in the replacement planting proposed on the site.

Overall, in light of the above assessment the proposals are considered to comply with policy EC4.

Other matters: Concerns have been raised over ambiguity in relation to which trees are to be removed. The addendum is clear, it would be trees located along the south eastern boundary with plot 8 and Gourton Square which are proposed to be removed. All other existing trees would remain as outlined within the originally approved documents and the method statement.

Concerns have been raised that the removal of the trees and adjacent dwarf wall would increase the probability of flooding. The site is not located within a flood risk area and it is not identified as an area susceptible to surface flooding. The wall and trees are not a purpose built flood barrier. As such, the proposal is not considered to result in an increase in probability of the site flooding.

Concerns are raised that the existing trees provide a wind break. Given the distance of the trees from adjacent dwellings it cannot be comprehensively proven that the trees provide a windbreak, the trees themselves could even funnel wind around them which, in cases, can prove to be more problematic. Given the residential character of the site, it is not considered that high winds are especially prevalent in this particular area over and above other residential developments in the Borough, as such, a wind break would not need to be considered as part of the scheme.

Concerns have been raised over the amendment procedure. There is nothing in planning legislation which prevents applicants from seeking to remove or vary conditions in a situation such as this. The town and country planning act provides the mechanism to apply for the changes proposed, each application is assessed on its own merits against local and national policy.

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CONCLUSION

Given the above assessment the proposed removal of trees are considered acceptable and the development would remain policy compliant.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered N027/014 Sheet 1 of 1 Rev H, N027/004 Sheet 1 of 1 Rev B, N027/005 Sheet 1 of 1 Rev C, N027/006 Sheet 1 of 1 Rev A, N027/007 Sheet 1 of 1 Rev C, N027/008 Sheet 1 of 1 Rev B, N028/008 Sheet 1 of 1, N029/008 Sheet 1 of 1, N027/009 Sheet 1 of 1 Rev B and N027/012 Sheet 1 of 1 and contained within the application documentation.
2. Notwithstanding the provisions of Class A of Schedule 2, Part 1 the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification) (as amended) no development shall take place that would constitute the enlargement of plots 5, 6 or 7 where the enlarged part of the dwelling would extend beyond a wall comprised in a side or rear elevation of those dwellings.
3. Notwithstanding the provisions of Class E of Schedule 2, Part 1 the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification) (as amended) no development permitted by that class shall take place that constitutes the provision of a building, enclosure, raised platform, pool or container used for domestic heating purposes for the storage of oil or liquid petroleum gas that would extend beyond a wall comprised in a rear elevation plots 5, 6 and 7.
4. The development shall be carried out in accordance with the materials specification approved under planning permission P/2016/1048.
5. The development shall be carried out in accordance with the Arboricultural Method Statement & Tree Protection Plan ref: AMS/GBW/05/18 dated 23.05.2018 of S. Shields approved under planning permission P/2016/1048 and, specifically in relation to the south eastern boundary between plot 8 and Gourton Square, Arboriculture Impact Assessment Addendum Tree Removal ref: AIA/GBW/11/16/ADD-2 Rev B and Site & Location Plan NO27/026 1 of 1 Rev B 10/21 approved under planning permission P/2021/0836.
6. All boundary treatments shall be implemented in accordance with the details as shown on drawing numbers N027/015 Sheet 1 of 1 Rev C and N027/016 Sheet 1 of 1 approved under planning permission P/2016/1048 and, specifically in relation to the south eastern boundary between plot 8 and Gourton Square, Site & Location Plan NO27/026 1 of 1 Rev B 10/21 approved

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under planning permission P/2021/0836. The replacement hedge shall be planted in the first planting season following first occupation of plot 8.

7. The development shall be carried out in accordance with the Dust Control Method Statement dated 26.07.2017 and amended 05.09.2018 approved under planning permission P/2016/1048.

8. The development shall be carried out in accordance with the Construction Traffic Management Plan (Building Process) dated 26.07.2017 and amended 05.09.2018 approved under planning permission P/2016/1048.

9. 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 33 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.

10. The vehicular access as shown on drawing no. N027/014 Sheet 1 of 1 Rev H approved under planning permission P/2016/1048 shall be fully laid out, surfaced and drained prior to first use of the development.

11. The site shall be drained in accordance with the details shown on approved drawing no 6859-01 Rev B DRAINAGE LAYOUT.

12. The development shall be carried out in accordance with the details contained in the approved SuDS Management Plan for Coed Derw at Goulbourne, Wrexham of Coopers dated 07 December 2018 document reference 6859SMP.

13. The hedge to be planted under condition no. 6 shall be planted no later than within the first available planting season October to February following the first use of the development.

14. The planting scheme implemented in connection with condition no. 6 shall be permanently retained. Any planting which becomes 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 within the next available planting season by plants of similar size and species to those originally required to be planted.

REASON(S)

1. To comply with section 71ZA(2) of the Town and Country Planning Act 1990.

2. To protect trees which are of significant amenity value to the area.

3. To protect trees which are of significant amenity value to the area.

4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

5. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).

6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

7. To protect the amenities of the occupiers of nearby properties.

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8. In the interests of highway safety.
 9. To ensure that adequate visibility is provided at the proposed point of access to the highway.
 10. In the interests of providing a safe and convenient vehicular and pedestrian access to the site.
 11. 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.
 12. 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.
 13. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
 14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
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