

WREXHAM COUNTY BOROUGH COUNCIL PLANNING COMMITTEE
MEETING OF 30 JULY 2018

REPORT OF THE
HEAD OF ENVIRONMENT AND PLANNING

ADDENDUM

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 CONTROL APPLICATIONS

Page Nos	Community	Planning Ref	Speaker Against	Speaker For
15 – 35	HOL	P/2017/0527	√	√
57 – 61	LLA	P/2017/0951		√
62 – 89	LLA	P/2017/1054	√	√
102 – 106	WRA	P/2018/0373		√
107 – 120	BRN	P/2018/0375	√	√
121 – 123	WRO	P/2018/0420		√
124 – 138	RUA	P/2018/0423		√
144 – 150	GWE	P/2018/0439		√
151 – 155	WRA	P/2018/0467		√

Pages 15 – 35 HOL P/2017/0527

Land West of Wrexham Golf Club, Holt Road, Wrexham

AGAINST: *Ms Sue Steer.(Rep. Wrexham Golf Club)*

FOR: *Mr Ryan Grant DPP (Rep. Agents)*

History

Correction:

CB02893 Reserved Matters Approval (Outline Ref: CB00001) – Refused on 11/09/2000. Appeal Ref: APP/H6955/A/01 - Allowed on 30/07/2001. Development did not commence and the permission lapsed on 30/07/2003.

Consultations

Additional Highway Response -:

There is only a modest level of pedestrians predicted to walk to the development. There are dropped crossings in place which serve as a route for the PROW which runs along the North West fringe of the development. The pedestrian route was

approved by Welsh Government through the design process for the existing link road.

In consideration of the roundabout, there is no requirement to provide road marking arrows on the dual carriageway firstly due to the likely reduction in capacity at the roundabout; the roundabouts are intended to act as a 2 lane thoroughfare. If lane arrows were introduced it would create problems at peak hours where, for instance, on the uphill approach from Gourton Hall roundabout to the Golf club roundabout, vehicles wanting to turn right would drive in the outside lane for the length of the dual carriageway just to ensure that they can get in the right turning lane early enough. This would have a significant impact on capacity at the roundabout.

Secondly, lane arrows would cause issues for HGV drivers. Nearly all HGVs use the inside lane to ensure that they have adequate visibility of other vehicles using the roundabout. The Highways and Transport Unit Manager has confirmed that he does not want lane arrows on the approaches to the roundabout.

Concerns have been expressed over the speed of traffic on the south bound approach to the Golf Club roundabout. It is therefore suggested that a planning condition be attached to any permission which required the design and implementation of speed reduction features on the southbound approach to the roundabout (see recommendation below).

Representations

One additional neighbour response:

- Previously an application by the same company was withdrawn (P/2016/0630). I hope that all the objections for that planning application will be brought up in this meeting as the way that this application has been handled has been nothing more than a complete side track to get this new application approved. This is a well-known procedure to evade a second application being refused;*
- Please do not allow this application to go ahead without at least a member of your planning council coming to try and cross the bypass from the Goulbourne Estate side and not fear for their life in doing so. There will be accidents involving pedestrians no doubt if this application goes ahead;*
- Please think about the residents who already suffer from an increased traffic flow noise with the new link road, making it impossible to sleep with the windows open.*

Additional response:

- Insufficient weight has been given to the fact that this development is to be carried out on BMV (Best and Most Versatile Use) Class 3a Agricultural land. This land falls within Green Barrier where UDP Policy EC1 is applicable. Mitigation is offered by the planning officer but we feel strongly that changing rules to suit development should be avoided in most circumstances. This is a Petrol Filling Station application, it is by no means an Exceptional case. Councillors will be aware that Green Belt land, once gone is never restored and the amendment or changing of classification to suit development should and indeed is refused, on many occasions, to*

prevent Urban Sprawl and maintain amenity. The use of the term Rank Grassland is a misnomer to hide the fact that this land should be seen as permanent pasture;

- Unitary Development Plans are set by Councils to prevent just such an application as this. To change the rules for this application would be in breach of the UDP and sets a dangerous precedent for further development along the Eastern side of the Link Road.*
- We also refer Councillors to the PLN Transport Assessment, notably Section 7, where traffic figures are discussed. The proportion of Passby/Divert Ratios is set for a Supermarket. There is no TRICS report for this type of development, so the figures are assumptions and not facts. The facts are, that the Ratio of Flow to Capacity (RFC) is already high at peak times of the day and above theoretical capacity set at 0.85 RFC and therefore congestion is likely to increase if this proposal is granted.*
- Further consideration should be made to the Multimodal Trip attraction calculations. The figure of 60 pedestrian trips during the morning peak, is likely to be less than presented, thus leading to a potential increase in vehicle trips during peak hours. This is due to the fact that the A5156 is a dual carriageway, where national speed limits apply, i.e. 70 mph for general vehicles and no pedestrian infrastructure has been proposed by the development.*
- Justification for this development on the basis of lack of current amenity is also a vague factor. There are many A roads in this country where roadside services are spaced further apart than the site mentioned in the report at Chester and this proposal. The A483 is already adequately provisioned from both the South and the North. There is already a roadside PFS facility at junction 3 of the A483 with similar facilities to those proposed and this is only 7.3 miles from the site at the Posthouse Junction, Chester. Locally within Wrexham, there are a number of PFS that already exist and adequately provide amenity. There is no reasonable need for an increase in this number.*

Observations

All concerns expressed above have been addressed in the main agenda report.

Recommendation

Additional Condition and Reason -:

Condition

No part of the development shall commence until a scheme detailing the construction of vehicular speed reduction measures on the south bound approach to the Golf Club roundabout, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme as is approved shall be fully implemented prior to first use of the development.

Reason

In the interests of highway safety.

Pages 57 – 61 LLA P/2017/0951

1 Cae Pentre, Singrett Hill, Llay, Wrexham

FOR: *Stuart Hatherall (Agent)*

Pages 62 – 89 LLA P/2017/1054

Land at Home Farm, Gresford Road, Llay, Wrexham

AGAINST: *Mr Dennis Owen (Rep. Gresford Rd Action Group and Llay CC)*

FOR: *Mrs Rebecca Hilton (Rep. Agents)*

Consultations

Councillor Rob Walsh wants the following comments noted:

- I am unhappy that the historical stone wall that runs along the southern section of the site (opposite 100-114 Gresford Road) has been proposed for demolition. Is it possible that this could be preserved?
- I am unhappy that the Oak Tree (T20) is to be removed. This is a mature healthy Oak Tree. Is it possible this could be preserved?
- I am concerned that the proposed road link within the site from the Straight Mile entrance to the Boulevard entrance on Gresford Road, will be used as a “short-cut” for motorists.
- With the above concern in mind, I would find it extremely difficult to support an application without prior knowledge of the Crown Crossroads detailed scheme for improvement, which is dependent on Condition 15 of the outline permission.

Highways have commented on the latest amended plans as follows:

- The design of the internal roads appears to be in full accordance with current Council guidelines; the amendments made to the horizontal alignment are considered acceptable.
- The footway requested on the inside of plots 63 -77 & 29 – 36 has still not been shown – this will have to be dealt with by condition
- There is nothing within the current application which considers how the development site will link into or complement the existing Active Travel route. There is scope to improve the existing and proposed Active Travel routes. It is considered that a development of this size should contribute towards improving these routes.
- Some outstanding issues with the Travel Plan. It is not therefore unreasonable to request the developer to pay towards improvements to Active Travel routes.
- Additional condition in respect of visibility splays added.

Representations

1 additional objection expressing the following concerns:

- Differences between the original master plan and current plans;
- Size and location of retail unit
- Access to retail;
- Application should not be considered until detailed plans for the retail unit are submitted.

Applicant's Submission

Some further amended plans have been submitted making minor changes to the alignment of some small lengths of internal estate roads. Highways have confirmed that these comply with Council guidelines.

Observations

In response to the matters raised by Councillor Rob Walsh:

The loss of the existing stone wall along Gresford Road is proposed in order to achieve adequate visibility from proposed accesses and adequate provision for pedestrians. Tree T20, a category B (moderate quality) oak tree is located where the main site access onto Gresford Road is proposed. These works will change the character of the site frontage but must be balanced against the need to for a high standard of design of the development as a whole, which the proposals achieve. The development also provides for attractive means of boundary enclosure for the Gresford Road frontage as well as compensatory tree planting within areas of public open space that more than adequately off-sets the loss of T20.

T20 is only one of two trees to be removed as a result of the development, the other being T19 a category C (low quality) hawthorn tree. The site layout allows for the retention of two category B oak trees (T21 and T22), both located within the Gresford Road frontage. Where the position of the site accesses revisited, I consider it unlikely that these trees could be retained.

The main estate road through the site from Straight Mile to Gresford Road has been designed to appropriate standards and is acceptable to Highways. As noted in my main report, the accesses onto the Straight Mile and Gresford Road also have adequate visibility. Where drivers to use this road to be used by drivers to avoid Crown Crossroads it would therefore not present a risk to Highways safety.

As noted in my main report, condition 15 (improvements to Crown Crossroads) is a pre-commencement condition. There is no requirement for the details to be agreed prior to the reserved matters being approved and it would be unreasonable to withhold reserved matters approved until such details have been submitted.

In response to matters raised by Highways

The comments made in respect of a footway across the frontage of specific plots is addressed in condition 05 (see main report), although I do not consider it necessary for a footway to extend along the frontages of plots 71-77. Those plots front onto a road that is likely to be lightly trafficked and will be adequately served by a footway running parallel to the estate road and site boundary.

I note Highways comments regarding the lack of provision in the application to promote Active Travel and as a consequence that there are some outstanding matters with the Travel Plan.

The concerns that Highways have raised could only be addressed via off-site improvements to pedestrian footpaths and to public transport. There is no specific

requirement in the outline planning permission for these measures either via conditions or the Planning Obligation.

In dealing with the reserved matters application the Council can only consider the matters for which approval is sought – access, appearance, landscaping, layout and scale. It is not possible to revisit whether the scope of the conditions or the Planning Obligation are appropriate. In any case, the fact that these matters are not required by the condition and are absent from the Obligation confirms that the Planning Inspector and First Minister did not consider them to be necessary in order to grant planning permission. Because the principle of development has been established on that basis, the Council cannot make the approval of reserved matters dependent upon the provision of off-site infrastructure.

With regards to the Travel Plan I am satisfied that the measures contained within it are sufficient for encouraging occupiers of the site to make sustainable transport choices, as such it can be approved.

In response to the matters raised by the objector

The matters raised by the objector are dealt with in my main report.

Recommendation

Amend the wording of condition 06 as follows

No dwelling shall be occupied until it has been provided with a parking and turning area in accordance with details down on drawings no. PLA01 Revision **P** Planning Layout Sheet 1 of 2, PLA02 Revision **P** Planning Layout Sheet 2 of 2 and PLA03 Revision **P**: Overall Planning Layout. The parking and turning areas for each dwelling shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times.
Additional condition:

Additional Condition:

07. Prior to the first of the accesses they shall be provided with the visibility splays shown on no. PLA01 Revision P Planning Layout Sheet 1 of 2, PLA02 Revision P Planning Layout Sheet 2 of 2 and PLA03 Revision P: Overall Planning Layout. 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.

Reason:

To ensure that adequate visibility is provided at the proposed point of access to the highway.

Amended RECOMMENDATION B

Condition 09

Knotweed Eradication Specialist Weed Control & Consultants, Invasive Weed Management Plan reference 1774B dated 22 November 2017

Condition 12

Ascerta Arboricultural Method Statement drawing no. P.906.17.01 Revision C
Arboricultural Method Statement

Condition 16

SCP Transport Travel Plan reference LB/17112/TP/2 dated June 2018

Condition 18

Wardell Armstrong Noise Assessment Report dated June 2018

Pages 102 – 106 WRA P/2018/0373

2 Lichfield Close, Wrexham

FOR: *Stuart Hatherall (Rep. Applicant)*

Applicant's submissions

Further justifications have been received from the applicant in support of the proposal. These are summarised as follows:

- The Council's decision should be consistent with other similar examples of fences within the street scene (examples 4 similar fences on corner plots on Mile barn Road have been provided);
- These examples show close boarded fences ranging between 1.6m and 1.8m in height;
- The fencing is required to provide screening to the amenity space of the applicant; and
- Painting the panels as constructed would bring them further in keeping with other in the area.

Observations

Other examples of fencing in close proximity of the site have been noted. There is no planning history associated with these examples inferring that the local planning authority have never had any control over their erection. These fences are now lawful through the passage of time. This does not mean that these fences are visually acceptable and nor does it mean that a similar proposed fence should be considered acceptable. I do not consider that to continue to erect fences in the locality of this character would be beneficial to the visual amenity of the area.

Recommendation

Remains unchanged.

Pages 107 – 120 BRN P/2018/0375

Cae Bach, Ellesmere Road, Bronington, Wrexham

AGAINST: *Ms Lisa Molyneux (Neighbour)*

FOR: *Mr Rob Middleton (Applicant)*

Representations

1 additional objection expressing the following concerns:

- Noise;
- No mention of whether activities will be confined to the site;

Observations

I have dealt with the matter of noise in my main report.

There is no suggestion in the application details that activities will take place off site – i.e on local lanes or footpaths. In any case the use of other land or indeed public rights of way/highways is outside of the scope of planning application.

Recommendation

Unchanged.

Pages 121 – 123 WRO P/2018/0420

39 Gibson Street, Wrexham

FOR: Stuart Hatherall (Agent)

Pages 124 – 138 RUA P/2018/0423

Ruabon Business Park, Adjoining A483, Ruabon, Wrexham

FOR: Ms Joanna Gabrilatsou r JLL (Rep. Agent)

Representations

Cadw – a response has been received to the reconsultation referred to in the main report. No objections are offered relating to the impact of the proposed development on the scheduled monuments assessed in their response letter dated 13 June 2018 or the registered historic parks and garden PGW (C) 64 Wynnstay (grade I).

Tree Officer – Objects to the proposal in its current form for the following reasons:

- *The design does not go far enough in addressing the impact of the development upon microclimate including local air temperature and quality, storm water management and visual screening from the wider landscape and would be contrary to the Council's Tree & Woodland Strategy;*
- *There is a lack of planting around the building boundaries and the expanse of parking bays and hard standings and a lack of specification of load bearing tree planting pits;*
- *There are measures to mitigate loss of habitat but no measures to enhance biodiversity;*

Applicant's submission

Amended plans have been received detailing the following:

- A change to the 2.4 high close boarded fencing to the southern and eastern boundary of the retail unit. This has been amended to a 0.45m high knee rail fence;
- The alteration of the parking layout serving the A3 drive-thru unit to accommodate an additional disabled parking bay;

Observations

The comments of the tree officer are acknowledged. The applicant has provided additional planting following concerns raised with the initial submission. This has bolstered planting along the northern main highway boundary as well as provide additional hedge planting along the main access road into the site. Additional planting has also been specified in the car parking areas where available end-of-row areas permit. The applicant has declined to specify structural loaded tree pits on the basis of cost.

As identified in the main report I have accepted that the character of the site will change to a more urban form. Whilst I do not dismiss the conclusions of the Tree Officer I am satisfied that the applicant has provided a sufficient form and level of vegetation planting. A significant consideration is that this is the first phase of a wider larger mixed use scheme. Further phases of development will consist primarily of residential units and will feature much less hardstanding with greater vegetation coverage. This is likely to offset the harsher urban form which is inevitable with the current form now proposed. Additional boundary treatments can be specified when the neighbouring built form is identified. I remain satisfied that a refusal of planning permission could not be justified on the basis of the landscaping scheme presented.

An amendment to condition no. 1 is required to reflect the amended plan numbers that have been received. This is reflected in my amended recommendation below.

RECOMMENDATION

Amend Condition 1 as below.

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:-

1847NESW-100A Location Plan-A3
 1847NESW-101A Existing Site Plan-A1
 1847NESW-102F - Proposed Site Plan - A1
 1847NESW-103C-Proposed ALDI GA Plan-A1
 1847NESW-104D-Proposed ALDI Elevations-A1
 1847NESW-105D-Proposed ALDI Roof Plan-A1
 1847NESW-106A-Proposed ALDI Roller Shutter Detail-A3
 1847NESW-107D-Proposed ALDI Boundary Treatment-A1
 1847NESW-112A-Proposed Costa GA Plan-A3
 1847NESW-113A-Proposed Costa Elevations-A3
 1847NESW-114A-Proposed Costa Roof Plan-A3
 1847NESW-115B-Proposed Costa Boundary Treatment-A3
 1847NESW-116B - Proposed Substation Details -A3
 M18-26-01 Rev 02 – Proposed Site Layout
 M18-26-03 Rev 01 – Building Plan & Elevations

M18-26-04 Rev 02 – Proposed Site Elevations
1847NES Design Statement (Rev B) - A4
V1847-L01E Landscape Plan
Phasing Plans:-
1847NESW-095A-Phasing Plan-A3
1847NESW-096B-Proposed Phasing Plan- A1
and as contained within the application documentation.

Pages 144 – 150 GWE P/2018/0439

Gwersyllt Newsagents, Hope Street, Gwersyllt, Wrexham
FOR: Stuart Hatherall (Agent)

Pages 151 – 155 WRA P/2018/0467

42 Ffordd Jarvis, Wrexham
FOR: Ms Amy White (Applicant)

Representations

Two further representations received in support of the proposal. The reasons are summarised below:

- The business has no direct effect on the day to day life of the neighbouring occupier. The occupier works nights and noise is not of concern;
- There are no issues regarding additional cars as the neighbours have extended their drive to accommodate the vehicles that visit to drop off and if customers do park on the highway it for no longer than a few minutes;
- The property remains as a dwelling house in character;
- Since the business began there have been no highway incidents reported;
- There is no traffic regulation order preventing vehicles parking at the front of the property;
- The hours of operation are not unreasonable;
- The number of dogs on site at any one time does not exceed general dog ownership numbers; and
- The representor is aware the applicant keeps meticulous logs of customer visits

One further representation received supporting the proposed development on the basis that there has been no noticeable increase in traffic or noise since the business started.

Applicant's submissions

The applicant has raised concern that the wording of condition no. 3 is restrictive in that it prevents customers who have more than one dog making one single visit. This could result in additional traffic movements. I have discussed the matter with the applicant and have suggested that the condition is reworded so that only one customer shall visit the premises at any one time. This is reflected in my amended recommendation.

Recommendation

Amend condition no. 3 as follows:

3. The maximum number of customers attending the dog grooming business at number 42 Ffordd Jarvis (The Premises) shall not exceed one customer at any one time.

Reason: To regulate and control activity levels and to restrict any potential intensification of use.

Recommendation

Remains unchanged.

ALL OTHER ITEMS WILL BE SHOWN IN THE ORDER OF THE ORIGINAL AGENDA

Pages 36 – 46 and 47 – 56 ROS P/2017/0623 and P/2018/0223

Broad Oak Farm, Llyndir Lane, Rossett, Wrexham

Representations

Written representation received from the agent dated 26.07.2018. Summary of comments made are listed below.

- The applicant has endeavoured to work with officers throughout the course of the two applications and is disappointed that both applications are going back to Planning Committee without a positive recommendation.
- The agent states that the scheme requires a certain number of units to make it commercially viable, particularly given the highway improvements required, and that officers would rather fight an appeal than enter into discussion with the applicant to achieve a revised scheme.
- The agent requests that the applications are granted planning permission in their present form, which the applicant believes is the best scheme for the site.

Recommendation

Extensive discussions have already taken place with the applicant to address the issues raised, prior to the applications first being reported to Committee on 02nd July.

However during the course of the discussions, it became apparent that the applicant was unwilling to make the changes required as advised by officers, to enable both applications to comply with UDP Policy H3 and LPG 03 and 13. In view of this reluctance and the conflict with local plan policies and guidance, it was

agreed, at the time by both parties, that the applications would be recommended for refusal accordingly.

Recommendation remains unchanged as set out in the report.