

WREXHAM COUNTY BOROUGH COUNCIL PLANNING COMMITTEE
MEETING OF 5 MARCH 2018

REPORT OF THE
HEAD OF ENVIRONMENT AND PLANNING

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
11 – 18	BRY	P/2017/0217		√
27 – 35	WRC	P/2017/0892		√
36 – 57	GWE	P/2017/0927		√
58 – 66	COE	P/2017/0967		√
76 – 81	GRE	P/2017/1043	√	√
99 – 116	RUA	P/2018/0053		√

Pages 11 - 18 **BRY P/2017/0217**

Land at Nant Court, Brymbo
SPEAKER: FOR – Stuart Hatherall (Agent)

Pages 27 - 35 **BRY P/2017/00892**

22 Bryn Estyn Road, Wrexham
SPEAKER: FOR – Stuart Hatherall (Agent)

Pages 36 - 57 **GWE/2017/0927**

Land off Mold Road, Gwersyllt
SPEAKER: FOR – Enrique Chacoris (Representing Applicants)

Consultations

North Wales Police: We have decided it is not appropriate for us to object to the planning application per se but would like our concerns recorded regarding the future effective management of the facility and the potential impact this would have on the demands on NWP and our partners.

If these concerns could be discussed and considered by the planning committee we would be grateful:

1. Requirement for effective checks, balances and safeguards by the provider – to minimise risk to patients and wider community, and the risk of absconders
2. An understanding of the intended use of the housing development – will this be sold off for development into private housing or will sections of it be utilised by the facility as a stepping stone back into community living?
3. The planning application refers to patients coming from North Wales and ‘wider community’ – What does this refer to? Is this the north west region? Liverpool, Manchester etc. What will be the plans to re-house patients on completion of their treatment?
4. We would like the developer to apply for the ‘Secure by design’ accreditation during the design and build of the facility. This seeks to engineer out criminality and minimise the impact on the community and demand on professional services.
5. Finally, if the application is successful, NWP would like to meet with the developer and the operator to build a working relationship from the outset. Open communication and strong working relationships will assist in the smooth running of the development and the ongoing management of the facility.

Applicant’s submission

The applicant’s agent has provided two examples of two other low secure units:

Maryfield Mental Health Unit Nettleford Road, Manchester

The service offers occupancy of 27 beds for service users of adult age who may be liable to be deprived of their liberty or may be admitted on a Community Treatment Order (CTO) or Guardianship Order

The Brightmet Centre For Autism, Milnthorpe Road, Bolton

The autism specialist hospital is situated in the heart of the Brightmet community and is registered with the Care Quality Commission under part II of the Care Standards Act 2000 as amended by the Health and Social Care (Community Health and Standards) Act 2003. This mental health hospital is a specialist purpose designed and built unit which provides services and support to adult patients who may or may not be liable to be detained pursuant to the Mental Health Act 1983 as amended by the Mental Health Act 2007 and provides exclusively for adults aged 18 and over having learning disability and/or autism.

The following applies to the existing units:

1. Both take residents of a similar profile/need as proposed for Wrexham, with similar secure lobbied access control systems
2. Both are located in the community, immediately next to housing
3. No abscondions have occurred from either unit
4. The Wrexham Unit includes more security fencing purely because it provides significantly more external resident amenity space, including private resident gardens to ground floor units. The security fencing proposed is marginally higher at 3m, for the same risk profile, so overall security will be even higher. The Wrexham site is able to offer this due to its well screened location.

Observations

North Wales Police Comments

Points 2 and 3 are dealt with in my main report. With regards to point 1, site security is discussed in my main report. The matters raised by North Wales Police are outside of the scope of planning control and for the site operator to ensure effective management procedures are put in place.

Points 4 and 5 are matters for North Wales Police to take up directly with the applicants.

Applicant's submission

The Maryfield Mental Health Unit is located in a residential area on a street comprised predominately of dwellings. The Brightmet Centre in Bolton is located adjacent to dwellings with a retail park nearby. There is also a primary school approximately 200m away. The location of both is therefore broadly comparable to the proposed Gwersyllt unit.

Recommendation

Unchanged

Pages 58 - 66 **WRC P/2017/0967**

Land South of Nant Cottage, Coedpoeth
SPEAKER: FOR – Stuart Hatherall (Agent)

Pages 76 – 81 **GRE P/2017/1043**

Disused Shippon, off Village Walks, Marford, Wrexham
SPEAKER: AGAINST – Sioned Edwards (Rep Neighbour)
FOR – Stuart Hatherall (Agent)

Local Member

Concerns raised for the following reasons:

- The public footpath adjoining the development has been dug up in parts and completely taken over by scaffolding and fencing, leaving pedestrians no choice but to walk in the road. As well as this, the site itself is quite messy, leaving residents with an eyesore on their doorstep. I would recommend a site visit from planning enforcement is needed in view of this.
- The size of the garage will have a significant impact on neighbouring properties' privacy, natural light and the length of time this development is taking.
- Why are the trees in the development that have died not being replaced? Surely there should be an option for WCBC or the Community Council to replace them?

- I strongly recommend a site meeting from the planning committee may also be needed.

Observations

Matters relating to the disturbance and blockage of the adopted highway footpath can only be dealt with by the Highway Authority and the granting of a planning permission does not authorise such actions. The matter has been reported to the Council's Highways section.

All other points raised are addressed in the main report.

Recommendation

Remains unchanged.

Pages 99 – 116 RUA P/2018/0053

Ruabon Business Park Site, Adjacent to A483 Ruabon, Wrexham
SPEAKER: FOR – Bryn Richards

Representations

2 further representations received raising the following points:

- Any development must take into account how pedestrians will get to the development. NEWTRA and North Wales Police use the B5605 as a relief road when the A483 is closed;
- Traffic build up along neighbouring roads is problematic;
- Schools, drainage and doctor's surgeries must be looked at;
- It is not considered that the drainage problems have been solved in the area;
- The original application was allowed on the basis that the land was redundant. It is not, it is productive agricultural land;
- Concerns are raised regarding how the planning obligations can be managed in light of other applications in the County Borough;
- All infrastructure must be in place before first use of the development;
- Questions are raised regarding the what the education contributions will actually provide and where will the children within the 300 dwellings be educated;
- The green boundary marking the edge of the village will be lost forever.

Observations

Many of the points made above in representations raised above refer to the principle of the development which has already been established by the granting of planning permission P/2014/0021.

Matters raised regarding the current application relate to the provision of detail at specific times linked to planning obligations. The provision of detail relating to education contributions and affordable housing will still occur in line with the

council's normal local planning guidance and a Deed of Variation will be required to modify the existing legal agreement.

Recommendation

Remains unchanged

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

Pages 67 – 71 CHI P/2017/0982

4 The Parklands, Shepherds Lane, Chirk,

This application has been withdrawn.

Pages 72 – 75 WRO P/2017/1028

Eden House, 2 Bath Road, Wrexham

Representations

Local Member

- Supports the comments submitted by the Community Council, but suspects that it will be difficult for the Committee to refuse the application.
- The plans approved last year under code P/2017/0237 showed a non illuminated fascia sign, but the sign when fitted included a domestic fluorescent strip light along the top, with no means for directing the light downwards onto the sign or to preventing the upward and horizontal spread of the light. This, with a number of other lighting units fitted on the walls around the outside of the building are left illuminated all night causing disturbance to residents in the surrounding houses in the Conservation area. Lighting required for health and safety reasons could be controlled by proximity sensors.
- Recommend amendments to the conditions through the Addendum report to Committee.
 1. Conditions 1, 2 and 3 are acceptable.
 2. Need for additional condition requiring the light to be covered to prevent upward and horizontal spread of light, and to limit illumination to the sign and to the pathway leading to the front door beneath it.
 3. An additional condition limiting the use of the sign to the hours between dusk and 11 p.m.
 4. Condition 4 is meaningless, as the only person who would change the sign is the owner of the property or a person authorised by him to do so. Surely the condition should be specifying that the sign should not be changed without the approval of the Planning Authority?
 5. Condition 5 is also meaningless. Being in the Conservation, the original sign required the approval of the Planning Authority, because of the approved position attached to the front elevation of the building, it could

not obscure any signs. It is suggested conditions in points 2 and 3 would deal with any highway issues, and as far as I know, there are no plans to run a railway, canal or airport in the vicinity of Bath Road.

6. Reference to the Conservation Area and the need for planning permission for changes to the signs could also be included in the Notes to Applicant?

Observations

The conditions forming part of the recommendation are standard conditions and are required in accordance with the Town and Country Planning (Control of Advertisements) Regulations 1992. They are imposed on all approvals for outdoor advertisement control.

I do not consider that the type and level of luminance provided by the fluorescent strip light is detrimental to the neighbouring occupiers given its scale, position and the existing level of luminance in this urban area by way of existing street lighting. I therefore consider that any additional baffling of the lighting is unnecessary and will add to visual clutter to the detriment of the character of the Conservation Area. For the same reason I do not consider that a restriction on the hours of illumination is necessary.

A request to add a note to applicant to remind an individual that the site is within a Conservation Area or that consents are required for further proposals is unnecessary.

Recommendation

Remains unchanged.

Pages 87 – 94 LLA P/2018/0022

Land adjacent to 4 Eleventh Avenue, Llay, Wrexham

Representations

1 no. representation received from a neighbouring property on 22.02.2018 objecting to the application. Concerns raised include the proposal by virtue of its design would not be in keeping with the area, increase in overlooking, lack of control of who would occupy the units.

Observations

Whilst concerns raised by the neighbouring property are noted, the recommendation remains unchanged for the reasons set out in the report.

Recommendation

Remains unchanged as set out in the report.

Pages 117 – 122 WRA P/2018/0054

28 Richmond Road, Wrexham

Consultations

Community Council - No objections or observations to make.

Applicant's Submission

The garage is a reconstruction of what was originally there, and several properties along the street have their garages identical to that proposed. The proposed garage will now be 0.5m away from the boundary which it originally sat on. The boundary now has brand new fencing to improve security, and add value to both properties.

In addition, the proposed new garage location is over 8m further down the garden. The old location would have taken greater light from the neighbouring property. The new location is an improvement.

The timber cabin will hold garden furniture and will not extend much higher than the neighbours existing hedge, a max of 0.5m if that. It is some way down the garden hidden behind the garage.

Observations

No observations

Recommendation

No change

Pages 123 – 128 WRA P/2018/0108

Ty Nos, Holt Road, Wrexham

Applicant's submissions

The applicant has requested that Members be made aware of the following additional matters:

- The "sit up"/support unit will only be used/manned between 8pm and 8am;
- The "sit up" unit is part of a suite of measures for cold weather provision that would only be used in emergencies when other avenues had been explored.

Representations

Community Council

Supports the application. Requests that all fencing should be painted black.

Neighbouring occupiers

One neighbouring occupier response raising the following points:

- No support can be given to the siting of these units if they are to be used by drug addicts as users of Ty Nos regularly go behind the Quaker House to use drugs;
- There can be no guarantee that the facility will not be frequented by drug addicts; and
- The area is home to children and families.

Highways

- the proposed development is unlikely to result in an increased level of traffic movements beyond those currently experienced;
- 22 parking spaces are to be retained to serve the existing site and there would be adequate space to service refuse vehicles; and
- Recommend conditions to ensure the layout as shown is provided.

Observations

There is no guarantee that any unit of residential occupation will not be occupied by individuals with drug usage problems. The proposed development is to be managed by Wrexham County Borough Council with tenants selected by way of strict criteria and behaviour. Those which have drug usage problems are unlikely to be chosen to reside in the structures and any which develop further problems are likely to be asked to leave the facility.

Members should note that the units are to be secured and managed by tenants and WCBC as land owner and any concerns regarding antisocial behaviour will form part of that management procedure. The concern that secluded drug use behind the Quaker Hall takes place may very well be solved as this area will form part of the secure area.

The “sit up”/ support unit will only be a night time facility and will not encourage any additional visitors to the site during daytime hours.

Given the nature of the building construction, it is considered prudent to add a temporary condition to ensure that the council can have control over the condition of the buildings in the future.

I do not consider it necessary to insist that all security fencing be painted black. There is a backdrop above the site consisting of grass. The use of green thin mesh fencing is likely to blend in just as much as any other recessive colour.

There are no physical alterations proposed to any other element of the parking provision other than the siting of the structures and fencing. I do not consider it necessary to impose a condition to ensure that the existing provision is retained as further works to any other area of the site would require planning permission.

Recommendation

Add condition:

5. The use of the buildings and associated enclosures and CCTV provision shall cease and be abandoned before 30 June 2021. The buildings together with any hard standing, base or slab upon which it stands shall be completely removed and the land restored to its previous condition not later than one month after that date.

Reason: To ensure that the council can have control over the condition of the buildings and structures given the temporary nature of their construction.