WREXHAM COUNTY BOROUGH COUNCIL PLANNING COMMITTEE

MEETING OF 3 OCTOBER 2016
ADDENDUM

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
31 – 38	OVE	P/2016/0504		√
56 – 72	MIN	P/2016/0646	√	√
73 – 87	MIN	P/2016/0739	√	√
88 – 97	MIN	P/2016/0740	√	√
108 – 111	WRO	P/2016/0689		√
112 – 114	WRO	P/2016/0690		√
125 - 127	GWE	P/2016/0834	√	

Pages 31 – 38 OVE P/2016/0504

Land East of and Adjoining Fairleigh, Station Road, Overton, Wrexham
SPEAKER: FOR Stuart Hatherall (Agent)

Representations

Overton Community Council – Object following re-consultation on amended plans for the following reasons:

- *Brick wall on entrance – this should be a hedge.*
- *Plot 1 – south facing solid brick wall (facing road) lacking windows*
- *Plot 2 – Parking for vehicles is to the rear of property rather than front (as other plots)*

Observations

The acceptability of the amended design is discussed in the main report. For clarity, there is no brick wall proposed at the site entrance. This will be hedging. In terms of plot 2 parking provision, I am unclear as to these comments. All parking provision for the plots is to be accessed from the

access road within the site. The primary frontage of plots 2, 3 and 4 face towards Station Road. Plot 1 elevation facing South is a blank gable and is set back from the road.

Recommendation

Remains unchanged.

Pages 56 – 72 MIN P/2016/0646

Tomlinson's Dairies, Five Crosses Industrial Estate, Minera, Wrexham
SPEAKERS: AGAINST – Mr Morgan (Objector)
FOR – David Haston (Agent)

Consultations

Community Council

The proposed development at Tomlinson's dairy is a welcomed investment and a provider of additional employment within the local area is to be encouraged in the current economic climate. However the impact on the Minera Ward and its influence was discussed at length. The Minera community council confirmed the planning application should go ahead but with the following conditions:-

- The access onto site for staff from the Gwern y Gaseg Road is to be disallowed. The junction from the main road (A525) is insufficient. Other roads in the area are unsuitable and insufficient for increased traffic. This includes Willowbank Road which is a single track lane which leads onto the Talwrn Road where cars are parked on one side making this single file traffic. Unless there is a scheme of major improvement at the Five Crosses junctions.
- The visual impact of the factory operations are to be addressed with more than adequate screening.
- The height of the proposed new milk silos are a concern. They are adverse to the current skyline, can they be redesigned, to be more visually appeasing.
- The road into the Minera Industrial Estate is to be improved due to increased traffic, providing car parking facilities for the estate where possible.
- The use of the plastic blow moulding building is to be exclusively for Tomlinson's product production on this site alone, and not to fulfil contracts for other companies at other locations.

Representations

3 additional objections received expressing the following concerns:

i. The extension is outside of the settlement boundary. Taking up green space;
ii. Undue pressure on the junction of Gwernygaseg Road and Ruthin Road at the Five Crosses;

iii. Increased amount of HGVs per day is unacceptable;
iv. Wider environmental impact. Do farms that will supply this extra milk follow good environmental practices and welfare of their animals;
v. The River Gwenfro has suffered from milk pollution. Has the impact of the expansion on local water courses been taken into account
vi. Additional traffic on narrow village roads;
vii. Pedestrian safety;
viii. This is not a suitable area for the development it is a small rural village;
ix. Wrexham Industrial Estate would be a better location.

Applicant's Submission

Amended plans that address the comments made by Highways regarding the layout of the site access.

Observations

Correction to the first paragraph on page 80 to read as follows:

The majority of the building will occupy an existing hardstanding, although around 13 metres of it will extend beyond it. It will however clearly be located within the curtilage of the site and most of it will be located immediately to the north of the phase 1 extension, with a small section extending over the roof and beyond the east elevation of the phase 1 building.

Correction to the final paragraph on page 81/first paragraph on page 82 to read as follows:

The majority of the proposed building will be some 60 metres from the boundary of the nearest dwelling, Kalver and around 80 metres from the dwelling itself. The section extending beyond the front of the phase 1 building will be a similar distance from Kalver to the rest of that building. The extended hard surfaced area will between 30 metres and 45 metres from the boundary of Kalver. I am satisfied that the development is far enough from that property to not prove harmful to amenity by way of loss of light, privacy or by being overbearing

Comments on Community Council comments and the additional objection:

I have commented on most of the issues raised in my main report, however below are comments on matters not previously covered:

- I have recommended conditions be imposed on all three applications to require the buildings to be used solely in conjunction with the existing dairy building.

- Whether the farms supplying milk to the site operate good environmental practices and high animal welfare standards is outside of the scope of this application or indeed planning control.

Recommendation

As main report

Pages 73 – 87 MIN P/2016/0739

Tomlinson's Dairies, Five Crosses Industrial Estate, Minera, Wrexham
SPEAKERS: AGAINST – Mr Morgan (Objector)
FOR – David Haston (Agent)

See Addendum item MIN P/2016/0646 above.

Recommendation

Conditions 02, 06 and 14 be amended to refer to the amended plans submitted.
Condition 11 be amended as follows:-

To prevent HGVs entering or leaving the site via Gwernygaseg Road in the interests of highway safety and the amenity of the occupiers of dwellings fronting that road.

Pages 88 – 97 MIN P/2016/0740

Tomlinson's Dairies, Five Crosses Industrial Estate, Minera, Wrexham
SPEAKERS: AGAINST – Mr Morgan (Objector)
FOR – David Haston (Agent)

See Addendum item MIN P/2016/0646 above.

Recommendation

Condition 02 be amended to refer to the amended plans submitted.

Pages 108 – 111 WRO P/2016/0689

Ryecroft, 36-38 Percy Road, Wrexham
SPEAKER: FOR – Stuart Hatherall (Agent)

Representations

Additional recent email from Agent – Comprised a structural inspection and information relating to subsidence, underpinning, piling and resin injection.

Community Council: Object to demolition of existing property and the erection of a replacement dwelling.

Observations

The applicant has investigated the use of piled raft foundations to stabilise the building. At pre-application stage it was suggested, following discussions with the Council's Structural Engineer, that alternative methods of stabilisation also be investigated. An additional letter from Shires consulting

now advises why resin piled injection would not be suitable and briefly refers to the difficulties in using conventional mass concrete underpinning which having discussed with Building Control are accepted arguments.

The cost of repairing of the building, principally the cost of use using piled raft foundation stabilisation, forms the basis of the applicant's justification for demolition. It is not considered that the DAS provides enough information on the repair costs involved or the potential conservation deficit of undertaking the works. There is no costing schedule for the repair of the existing building (including the cost of structural repairs) and the redevelopment of the whole site including the two new buildings (there is no discussion provided why the funds from the sale of the developments at both 38 and the land to the rear cannot be used to plug any potential deficit), and no analysis of comparative house prices or valuations for similar buildings within the area.

Concerns over the design of the proposed replacement can be overcome through amendment.

Recommendation

That the application be deferred for a month to allow the Agent to provide additional information regarding the financial justification for the proposed demolition of the building.

Pages 112 – 114 WRO P/2016/0690

Ryecroft, 36-38 Percy Road, Wrexham
SPEAKER: FOR – Stuart Hatherall (Agent)

See Addendum item WRO P/2016/0689 above

Pages 125 – 127 GWE P/2016/0834

6 Meadway Close, Gwersyllt, Wrexham
SPEAKER: AGAINST – Tania Oniskiewicz (Neighbour)

Consultations

Gwersyllt Community Council objects to the application on the grounds that this structure is considered to be too large for a property of this size. Further, it is understood that a number of residents have complained about anti-social behaviour at the site and the Council fears that these problems will escalate if approval is given for the structure to remain

Representations

Addition representations made by the objector:

As you are aware this application is in retrospect and the structure has already been completed and in use. This is in my neighbouring garden, I am attached at number 8. It is described as a 'children's playroom' on the application. However its purpose and use is as a bar used by adults. A pool table, dart board and bar optics are in place. On frequent occasions its use

by the occupants of No. 6 has an adverse effect of noise and nuisance disturbances. (including loud music and swearing till the very early hours). It is an unacceptable intrusion on mine and other neighbours lifestyles and is regularly topping 85-90 db on the sound meter, it also impacts on the loss of privacy in my own garden where myself and family would like to relax. Or latterly in the day due to working hours my family are unable to sleep.

The National Planning Policy Framework published in 2012 suggests that my concerns are grounds of an application being denied, however I appreciate my neighbours are entitled to their own enjoyable life style but wish to point out that the use of this building is not as described in the application, nor is it the mandatory dimensions. If granted I ask that they are required to put sound proofing in the structure to block out noise, or use it as described in the application. The application also includes pictures not relating to the property before the build commenced. I also appreciate that my objection may also fall under different guides not pertaining to the actual structure but wish for you to consider the impact it is having.

Observations

I have dealt with the above matters in my main report.

The objector refers to the National Planning Policy Framework. This is national planning policy for England has is therefore not applicable in Wales.

Recommendation

Unchanged

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

Pages 21 – 27 GRE P/2016/0392

Representations

1 Neighbour

- *Confirming FAW regulations are understood by the neighbour, appear difficult and inflexible to enable a fair and reasonable judgement.*
- *The licence applicant must have in place at least 250 covered seats.*
- *There is already an existing stand for 50 people.*
- *All users of trust land including the football club have a legal service level agreement with Gresford Trust and any club wishing to make replacement and alterations to land and fixtures and any planning applications can only do so with prior written approval of The Trust.*

Gresford Trust

- *Inaccuracies on planning application.*

- *Application should have been for an additional 200 seated stand.*
- *Clarification of the use of tannoys*
- *Request by Gresford Trust to reiterate that as landowners, agreed for Gresford Football Club to submit a planning application without prejudice and accepting that this did not imply the approval of The Trust.*

Observations

As referred to in the preamble to this application, I have confirmed that 188 seats will be provided and not 288 and that a conversation with the League Secretary has confirmed seating requirements. In accuracies have been rectified on the application form. With regards to tannoys, this application does not seek permission for a tannoy system. If an existing system is in place planning would need to ascertain the existence of any permission, the length of time any system has been on site and the expediency of taking action.

Recommendation

As main report.

Pages 48 – 55 RHO P/2016/0585

Consultations

Correction: The 7th point made by Highways as listed in my main report should read as follows:

- It is considered that the submitted plans generally benefit highway safety.

Applicant's Submission

An amended plan that addresses the matters referred to by Highways has been submitted.

Recommendation

Permission is **GRANTED**

Condition 02 be amended as follows:

The development shall only be carried out in strict accordance with approved elevation and floor plan drawings received on 22 June 2016 and the approved 1:200 scale site layout plan and 1:100 section drawings received on 19 September 2016.

Condition 06 be amended as follows:

With the exception of the demolition of the existing building, no development shall take place until a scheme detailing the following has been submitted to and approved in writing by the Local Planning Authority:

a) The layout, design, drainage and construction of the proposed new footway and build out have been submitted to and approved in writing by the Local Planning Authority;
b) The provision of double yellow road markings along the Fennant Road and Brynydd frontages of the site.
The dwellings shall not be occupied until the scheme as approved has been implemented in full.

Pages 103 – 107 ESC P/2016/0677

Observations

Amendments are required to condition no. 5 to ensure that it is enforceable. I am also amending the same condition to ensure that the existing vegetation forming the site boundary with Ruabon Road forms part of the planting scheme.

Recommendation

Amend condition no. 5 as follows:

5. Prior to commencement of development a planting scheme shall be submitted to and approved in writing by the local planning authority detailing a scheme of new planting along the site frontage with Ruabon Road. This scheme shall also take into account the existing hedging forming the site boundary with Ruabon Road. The scheme as may be approved shall be implemented within the first available planting season following the first use of the development. Any planting becoming severely damaged or seriously diseased, or which is in poor physiological condition and/or is removed without the written permission of the local planning authority shall be replaced within a timescale to be submitted to and approved in writing by the local planning authority.

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

Note to Applicant

Given the nature of the proposed use, you are advised that the proposed security fencing should remain in place in perpetuity.