

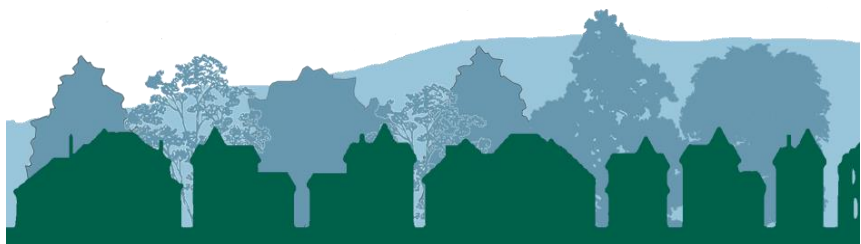
Planning Statement

Land adjacent to Mount House, Church Street, Ruabon, Wrexham



Real Planning

Dunmore, Church Street
Penycae, Wrexham. LL14 2RL
Tel: 01978 840651
Mob: 07930103090
info@real-planning.co.uk



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1. Appeal Decision [ref APP/H6955/A/11/2166553] dated 15 march 2012
2. Original Design and Access Statement [Blueprint] dated 1st June 2011)
3. Code for Sustainable Homes Design Stage Report [ecode Ref: 12-10 Church Street, Ruabon]
 - CfSH Design Stage Interim Certificate Plot 1
 - CfSH Design Stage Interim Certificate Plot 2
4. Original Arboricultural Impact Assessment: Shields Arboricultural Consultancy [ref: TMR/05/11/AIA] dated 08/08/2011
5. Arboricultural Method Statement : Tree Solutions [ref 12/AMS/WXM/101] dated 08 January 2013
6. Letter and Contamination Report [Groundsolve Ltd] - 2nd May 2013
7. Submitted Plans by Cullis Architectural Design:
 - Drawing No PD33/01 - Existing Site / Location Plan
 - Drawing No PD33/02 rev B - Proposed Floor Plans Plot 1
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 - Drawing No PD33/05 rev B - Proposed Site Plan
 - Drawing No PD33/06 rev B - Proposed Floor Plans Plot 2
 - Drawing No PD33/07 rev B - Proposed Elevations Plot 2
 - Drawing No PD33/10 rev A - Proposed Garages

1. Introduction

1.1 This Planning Statement is in support of a planning application resubmission for the erection of two dwellings and garages. The original application [ref P/2011/0403] was submitted in June 2011 and refused in August 2011. The refusal was the subject of a planning appeal which was allowed (see Appendix 1 - Appeal Decision APP/H6955/A/11/2166553) and planning permission granted on 15 March 2012 although subject to a number of conditions. Discussions had taken place with the case officer and work had begun on collecting the required information for submission seeking to discharge the pre-commencement conditions.

1.2 However, following the completion of a topographical survey, the siting of the footprints of the two proposed dwellings had to be slightly changed – an action that could not be accommodated within the current planning permission. A resubmission was, therefore, required and an opportunity was also taken to make an improvement to the design of the buildings [see Section 4].

1.3 This Statement details these changes in the proposed development, the subject of this resubmission, and seeks to address the issues identified by the Inspector which were subject to condition in his appeal decision. Apart from the reappraisal of these changes and additional information all other policy issues have already been dealt with by the Inspector. Of particular relevance is his statement that:

“In my opinion, and in the absence of any clear reasons to take a contrary view, the appeal scheme would broadly preserve both the character and appearance of the Conservation Area- indeed, in principle would enhance it to some extent, by securing the development of a neglected piece of land.”

2. The Application Site and Proposed Development

2.1 The application site is located adjacent to Mount House off Church Street in Ruabon. The site is at a substantially lower level than Church Street accessed by a steep driveway which is already in place. It is located within the settlement

limits of Ruabon as identified within the Wrexham Unitary Development Plan and is sited within the Ruabon Conservation Area. The proposed development in the main remains the same as in the previous approval [there are some minor changes – see section 4] and utilises the existing driveway and consists of two four bed dwellings of two and a half storey design.

3. Information Submitted in Support of Application

3.1 In summary, the following have been submitted in support of this resubmitted planning application:

- Planning, Design and Access Statement
- Original Design and Access Statement: Blueprint (1st June 2011)
- Code for Sustainable Homes Design Stage Report [ecode Ref: 12-10 Church Street, Ruabon]
- CfSH Design Stage Interim Certificate Plot 1
- CfSH Design Stage Interim Certificate Plot 2
- Original Arboricultural Impact Assessment: Shields Arboricultural Consultancy (ref: TMR/05/11/AIA dated 08/08/2011)
- Arboricultural Method Statement : Tree Solutions (ref 12/AMS/WXM/101 dated 08 January 2013)
- Letter and Contamination Report : Groundsolve Ltd (2nd May 2013)
- Drawing No PD33/01 - Existing Site / Location Plan
- Drawing No PD33/02 rev B - Proposed Floor Plans Plot 1
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- Drawing No PD33/06 rev B - Proposed Floor Plans Plot 2
- Drawing No PD33/07 rev B - Proposed Elevations Plot 2
- Drawing No PD33/10 rev A - Proposed Garages

4. Changes to Previous Approval

4.1 There have been a number of changes to the proposed development that was previously approved – to accommodate inaccuracies in the previous site layout and improve the design of the scheme. These are as follows:

- Site layout has altered due to actual site layout as existing was not as originally thought – now based on a topographical survey [this is the main reason for the resubmission]
- The previous hip roofs on both dwellings and garages have all been replaced with gables
- A small increase to the ground floor living room to the dwelling [Plot 2]
- Inclusion of a Landscape Scheme to the proposed Site Plan

4.2 Following submission further discussions have taken place with the Planning Case Officer and the following additional revisions have been made to the proposed scheme:-

- Roof pitch has been raised to 40 degrees
- Ground floor windows [front elevation] lowered by 75mm
- First floor cill heights [front elevation] raised by 75 mm to match
- Dormers revised to make them look more 'Victorian' and symmetrical with vertical emphasis to windows and stone headers replacing brick headers
- Roof pitch to porch has been increased
- Deletion of two roof lights to Plot 1
- Roof lights will be Conservation type
- Matching facing brick to separating walls between Plots 1 and 2 and respective garages

5. Design and Access Statement

5.1 The previous application [P/2011/0403] was supported by a Design and Access Statement (see Appendix 2 – Design and Access Statement: Proposed Development to the Vacant Land Adjacent to Mount House, Church Street, Ruabon, Wrexham [June 2011])). Discussions have taken place with the case officer for this application and it has been agreed that as nothing has changed on site or in the locality it is appropriate to resubmit the previous Design and Access Statement. There are no updates required other than what is detailed in the rest of this Planning Statement.

6. Addressing Issues Subject to Condition in Previous Approval

6.1 As stated previously, the proposed development (although now subject to some minor changes which improve the scheme) benefits from an existing permission. The Inspector's Decision Notice totals pre-commencement conditions:

- **Materials** - external facing and roofing materials
- **Code for Sustainable Homes** - Interim Certificate certifying that a minimum Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate'
- **Contamination** - scheme to deal with potential contamination resulting from any identified historical use
- **Trees** - Arboricultural Method Statement to demonstrate how existing trees will be protected
- **Landscape** - scheme of boundary treatment – particularly to include full details of planting / fencing designed to soften the visual impact of the vehicular access to the site and details of a vehicle restraint that shall be erected at the south-western end of the driveway

6.2 It is hoped that the additional information submitted in support of this resubmission and detailed below demonstrates that the above issues have been dealt with and if needed can be subject to a condition ensuring compliance. They are summarised as follows:

Materials

6.3 It is proposed to use Terca Kassandra Multi facing brick with stone lintels, natural slate, off white painted wood windows / doors and cast iron rainwater goods. Finished surfacing to access road and parking areas will be to further Local Planning Approval.

Code for Sustainable Homes

6.4 A CfSH Design Stage Report is submitted with the application including Design Stage Interim Certificates for Plots 1 and 2 (see Appendix 3) confirming that the both dwellings will be built to a Code for Sustainable Homes rating of

Level 3 with 3.5 credits under 'Ene1 - Dwelling Emission Rate', in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.

Trees

6.5 Trees on site are not covered by any statutory protection other than being located within the Ruabon Conservation Area. An Arboricultural Implication Assessment was submitted with the original application [see Appendix 4 - Original Arboricultural Impact Assessment: Shields Arboricultural Consultancy [August 2011]]. The Inspector fully considered it and all issues regarding the trees on site and concluded:

“ ... while the trees in question make a limited contribution to the character of the site, the option of retaining some or all them should not be lightly rejected. I have therefore decided to deal with the matter by applying a condition which requires the submission for the Council's consideration of details about the way the remaining trees are to be treated and have concluded that this would meet the requirements of UDP Policy EC4.”

6.6 A condition (Condition No 7) was attached by the Inspector seeking the submission of an Arboricultural Method Statement (AMS). Rather than deal with this matter again by condition an AMS (see Appendix 5 - Arboricultural Method Statement: Proposed Residential Development, Mount House, Church Street, Ruabon: Tree Solutions [ref 12/AMS/WXM/101 dated 08 January 2013]) has been prepared and submitted in support of this application. It sets out the methodology and protection measures for all works within close proximity to retained trees as indicated in its Tree Protection Plan at **Appendix 2** of that document. All trees on and adjoining the site have been surveyed and are detailed within the approved Arboricultural Impact Assessment undertaken by Shields Arboricultural Consultancy (ref: TMR/05/11/AIA dated 08/08/2011) also resubmitted in support of this application. Compliance with the Arboricultural Method Statement will be subject to condition and ensure compliance to UDP Policy EC4 and the Council's local planning guidance.¹

¹ Local Planning Guidance Note 17: Trees and Development - Wrexham County Borough Council

Contamination

6.7 Despite the fact that the Council had given him no specific reason to impose it, the Inspector attached a standard contamination condition (Condition No 6 in his Schedule of Conditions) referring to the internal memo from Public Protection suggesting that the site's history warrants such a precaution. Pre-application discussions have been undertaken with Angela Guy (Contaminated Land Officer - Environmental Protection) revealing that there were actually two reasons for concern. Firstly, that a landfill site was present within 250m of the site, giving a potential for landfill gas. Secondly, that, the area had been subjected to a varied industrial past, which needed to be investigated further. However, she went on to state:

*".. there was a possibility that a former landfill was within 250m of the site, this was based on uncertain data and I have since confirmed that this was no longer a concern, the landfill in question is **not** within 250m."*

6.8 She did confirm that:

"... a statement could be submitted clarifying past uses of the land and details on boundaries - this would need to have some supporting information to demonstrate what is being stated is correct and would also need to be prepared by a person who has some understanding of the implications of the work (from a contamination perspective)."

6.9 Groundsolve was commissioned to supply this information (see its letter dated 2nd May 2013 and accompanying report) presenting the findings of a Phase I Environmental Assessment. The main points are summarised as follows:

- It failed to reveal any contaminative land uses on the site itself. The only land uses have been buildings on the western side of the site, no land use has been revealed on the eastern side of the site. In addition, it confirmed that there has never been an access to the site from Church Street or the eastern side of the site due to the presence of Mount House (the present access has only just been constructed and is the new access for the development). In addition, the only evidence of an access from the south of the site was a footpath leading to the building. The difference in ground

levels means that this site would have been unlikely to have had an industrial land use.

- A potentially contaminative land use has been encountered to the south west of the site relating to the old builders yard. With the exception of a buried tank, contamination levels were low and a 600mm inert cover was recommended in the garden areas. This site cannot have been affected by the builder's yard as it is some 3m higher in elevation.
- Also an old gas works was located to the north west of the railway line, some 40m from the site boundary. It is anticipated that this site would have been cleaned up when it was redeveloped with housing. However, as the site is underlain by permeable sands and gravels any contamination leaking into the ground could potentially have migrated beneath the site although it would be anticipated to be at significant depth, >3m. This scenario is considered unlikely, as it would have manifested itself in seepages at the boundary between the sand and gravel and underlying Ruabon Marl. No evidence for this was observed on the adjacent builder's yard site. In fact, any lateral migration from the gas works would almost certainly have been directly towards the adjacent Afon Eitha
- A study of aerial photographs conclusively proved that the only site access ever for this site was a footpath from the south.
- No landfill has been located within 250m of the site consequently landfill gas is not considered to be an issue (as confirmed by the Council's Contaminated Land Officer).

6.10 It is, therefore, concluded that from the evidence collected it is clear that this site has never been subjected to a contaminative land use, presents a very low risk to the health of future site users, controlled waters or construction workers and is, therefore, in accord with the Council's local planning guidance.²

Landscaping

6.11 The Inspector also attached a condition (see Condition No 8 in his Schedule of Conditions) seeking the submission and approval of a scheme of

² *Local Planning Guidance Note 23: Development of Sites with Land Contamination – Wrexham County Borough Council*

boundary treatment to include full details of a planting / fencing scheme designed to soften the visual impact of the vehicular access to the site, together with details of a means of vehicle restraint that shall be erected at the south-western end of the driveway. The application site is at a substantially lower level to Church Street and is quite exposed upon entering the access road. Identified on the Proposed Site Plan (Drawing No PD33/05 - Proposed Site Plan and Location Plan) are the following:

- A 1.8m close boarded timber fence panels on 300mm concrete gravel boards along the western boundary and separating the two plots.
- Facing brick boundary walls to front elevations between Plots 1 and 2 and each garage.
- Shrub and tree planting bed (Bed 1 on the Proposed Site Plan) along part of the western boundary – an important area for treatment, as you drop into the site it is very noticeable that there is a large gap here to the adjacent site [see Photo 2 overleaf] and it is not sufficient to rely on the 1.8m close boarded fence.
- it is proposed to replace the means of enclosure between the two front elevations of the dwellings and between the dwellings and their garages with matching facing brick



Photo 2 Showing open boundary to adjacent site

- As identified by the Inspector, the steep bank immediately adjacent to the access road requires landscape treatment. This area was originally just shown as grassed. It is important that planting is introduced to help soften this approach down into the site. Again, additional shrub and tree planting (Bed 2 on the Proposed Site Plan) are proposed. It is a steep bank and will be easier to maintain if planted. The planting extends around the end of the retaining wall and garage gable elevation near the public boundary to marry-in the different levels in this location.
- Small planting beds 3, 4 and 5 are shown to the front elevations of the two properties to assist in softening the extent of hard surfacing.
- A 300mm knee rail along the top of this access into the site.
- A Traffic Retaining Wall built in stone – 1200mm in height and 500mm in width – is proposed at the bottom of the access as requested (see Proposed Site Plan).
- Shrub and Tree Schedules are shown to the left on the Proposed Site Plan.

6.12 The submitted landscape scheme is comprehensive. Great care has been taken in ensuring the proposed landscape scheme softens the impact. Extensive planting [Bed 2] is located immediately long-side the access road and where the site is most visible. None of the close boarded fencing will be seen from any public view point and when looking into the site from the access point most of it is behind the buildings and garage. At the only point where it is visible extensive planting is proposed [Bed 1]. With regards to boundary treatment it should be noted that the Inspector did not withdraw permitted development rights for future occupiers to introduce additional or alternative boundary treatment after the scheme had been occupied.

6.13 All the above proposed hard and soft landscape treatment is in accord with the Council's local planning guidance³ and Wrexham Unitary Development Plan Policies GDP1 and EC4.

6.14 There are a number of 'compliance conditions' identified in the Inspector's Decision Notice which no doubt will be asked for again to ensure the provision of:

³ *Local Planning Guidance Note 7: Landscape and Development - Wrexham County Borough Council*

- vehicular access providing visibility splays of 2.4m x 33m in both directions and
- identified parking and turning areas.

7. Conclusion

7.1 This Planning Statement accompanies a resubmission of a proposed development which is mostly unchanged. The changes are minor and do not have a negative impact upon the scheme which in the main, is the same as that previously accepted by the Planning Inspector. Nevertheless, an the opportunity has been taken to improve upon design issues. It is considered that the proposal continues to comply with the Council's Policies contained within the Wrexham Unitary Development Plan, the advice contained in Ruabon Conservation Area Character Assessment and Management Plan and takes into account advice contained in the relevant Local Planning Guidance Notes.

References

1. Wrexham Unitary Development Plan: Wrexham County Borough Council – May 2006
2. Planning Information Sheet: Planning Application Validation Requirements - Wrexham County Borough Council
3. Planning Information Sheet: Design and Access Statements – Wrexham County Borough Council
4. Ruabon Conservation Area Character Assessment and Management Plan (July 2010) – Wrexham County Borough Council
5. Local Planning Guidance Note 6: Access to and Use of Buildings – Wrexham County Borough Council
6. Local Planning Guidance Note 7: Landscape and Development – Wrexham County Borough Council
7. Local Planning Guidance Note 16: Parking Standards - Wrexham County Borough Council
8. Local Planning Guidance Note 17: Trees and Development – Wrexham County Borough Council
9. Local Planning Guidance Note 23: Development of Sites with Land Contamination – Wrexham County Borough Council
10. Local Planning Guidance Note 30: Design
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