

WREXHAM COUNTY BOROUGH COUNCIL PLANNING COMMITTEE

MEETING OF 3RD JANUARY 2012

ADDENDUM

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT

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.

ITEMS 4 AND 5 – DEVELOPMENT CONTROL APPLICATIONS AND TREE PRESERVATION ORDER WCBC No 185 (2011)

Page Nos	Community	Planning Ref	Speaker Against	Speaker For
2 – 11	ESC	P/2011/0719	√	
41 – 46	MIN	P/2011/0818	√	√
63 – 69	LLR	P/2011/0871	√	
Agenda Item No. 5	HOL	TPO WCBC 185 (2011)	√	

Pages 2 – 11 ESC P/2011/0719

Site of former foundry, Mount Street, Rhostyllen, Wrexham
AGAINST: Mr B.T. Badwick (Representing Neighbours)

Consultations

Local Member: Notified 30.9.2011.

Observations

As part of Recommendation A, the sum of money to cover the shortfall in educational facilities has not been included. Based upon LPG 27, the primary school contribution rate is currently set as £1960 per dwelling, and this should be included in the recommendation.

Recommendation

Amend Recommendation A to read as follows:

That the Council enters in an obligation under Section 106 of the Town and Country Planning Act 1990 requiring:

- The payment of £1960 per dwelling as a developer's contribution to the shortfall in educational facilities.
- The payment of £1000 per dwelling for future maintenance of public open space in the area if the scale of development is 10 dwellings or more.

The final form and content of the agreement shall be determined by the Head of Community Wellbeing and Development.

Correction

Amend Condition 9 to read as follows:-

No part of the development shall commence until samples of all external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

Pages 41 – 46 MIN P/2011/0818

Rock Cottage, Maesyffynnon Road, Minera, Wrexham

AGAINST: Mr J Edwards (Representing Minera Community Council)

FOR: Mr A McCormick (Applicant)

Consultations

Public Protection: No recommendations

CCW: No objections

Representations

One further response received supporting the application for reasons already referred to in the main report.

Recommendation

Remains unchanged

Pages 63 – 69 LLR P/2011/0871

Interpretation Centre, The Slip, Trevor, Wrexham

AGAINST: Mr D Metcalfe (Representing PKC Group)

Consultations

British Waterways: No objection in principle and supports the provision of improved visitor facilities. The following comments are made regarding detail –

Question whether alternative designs considered for the extension and careful consideration required to ensure consistent design of benches and ensure that general clutter of signage avoided.

CCW: No objection,

Representations

Nearby Anglo Welsh business: Not opposing the application but concerns that the physical works will cause disruption and that retail sales would compete with the business conducted by Anglo Welsh.

Applicant's Submission

Assets and Economic Development Department have made the following comments on the proposed use of the buildings:-

"The primary purpose / function of the building is to 'signpost' visitors to other assets / shops / points of information and not to function as a shop. A small number of goods / stock may in future be sold from the centre, however, it is the intention to support local businesses (this includes the local Anglo Welsh business) rather than create a facility which is detrimental to those. If any retail activity is to be generated then this would be done in the future with consultation / communication with existing businesses"

Observations

The works would be undertaken between mid-January and 31 March 2012 and carried out in a manner which would minimise disruption. I would reiterate that the main purpose of the Centre would be to provide information and to benefit local businesses rather than have a detrimental impact. Any retail sales in the future would be carried out in consultation with local businesses. I would reiterate my comments in the main report that the design of the extension is appropriate.

Recommendation

As the main report with additional Notes to Applicant as follows:-

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The applicant / developer is advised to contact British Waterways, Third Party Works Team (01606 723800) in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways "Code of Practice for Works Affecting British Waterways."

Agenda Item No. 5 TPO – WCBC 185 (2011)

Ash Tree on land at Meadow View, Sutton Green, Bowling Bank, Wrexham
AGAINST: Mr R. Taylor (Objector)

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

PAGES 12 – 20 OVE P/2011/0751

Observations

Revised window details have now been received to address conservation concerns.

Recommendation

Amend Condition 2 to refer to drawing 006B not 006A.

Correction

Amend Condition 3 to read as follows:-

No part of the development shall commence until samples of all external facing and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

PAGES 58 – 62 WRA P/2011/0856

Consultations

Acton Community Council: No comments.

Recommendation

Remains unaltered.

PAGES 70 - 77 COE P/2011/0874

Consultations

Highways: Recommend conditions as set out in report.
Public Protection: Recommend conditions as set out in report.

Observations

Highway Safety: Following comments from a neighbour – see main report, their issues were raised with Highways. Although acknowledging that there will be a nominal increase in traffic to the site, it is noted that this access is existing and could be utilised at any time by the existing occupants of No 73 High Street. The traffic department are not aware of any existing issues, and confirm that it is an offence to park within 10m of a junction. If parking problems do exist near the site then it is a matter for the police to monitor and enforce.

It is therefore considered that this proposal will not detrimentally impact on the existing parking situation given proposed on-site parking provision, and the site already has outline planning permission. Highways also consider that they would be unable to justify an objection to the proposal for on-street parking concerns.

Recommendation

Remains unaltered.