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**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 78 APPEAL AT Land
Adjacent to 68 High Street, Coedpoeth, Wrexham LL11 3SD**

COUNCIL'S STATEMENT OF CASE

PLANNING REF: P/2020/0638

PINS REF: APP/H6955/A/21/3273443

1.0 THE SITE

The site consists of a plot of land occupied by a garage, between a dwelling and the Police Station. It is on the north-east side of the A525 High Street and is within a 30mph speed limit.

2.0 PROPOSAL

The proposal is for a detached 4 bedroom dwelling.

3.0 LOCAL PLANNING POLICY

3.1 The site is within settlement limits as contained in the Wrexham Unitary Development Plan, adopted 2005. Policies GDP1, PS1, PS2, H2 EC13 and T8 are applicable.

3.2 The following supplementary planning guidance is also applicable:

16 Parking standards

21 Space around dwellings

30 Residential design

3.3 The Planning Inspectorate has requested further information on foul drainage with regard to the River Dee Special Area of Conservation. In this regard the property is to be connected to the main foul sewer and no objections were received from Welsh Water or Natural Resources Wales, copies of which have been supplied. Consultees have been notified of the appeal and will supply additional comments if appropriate.

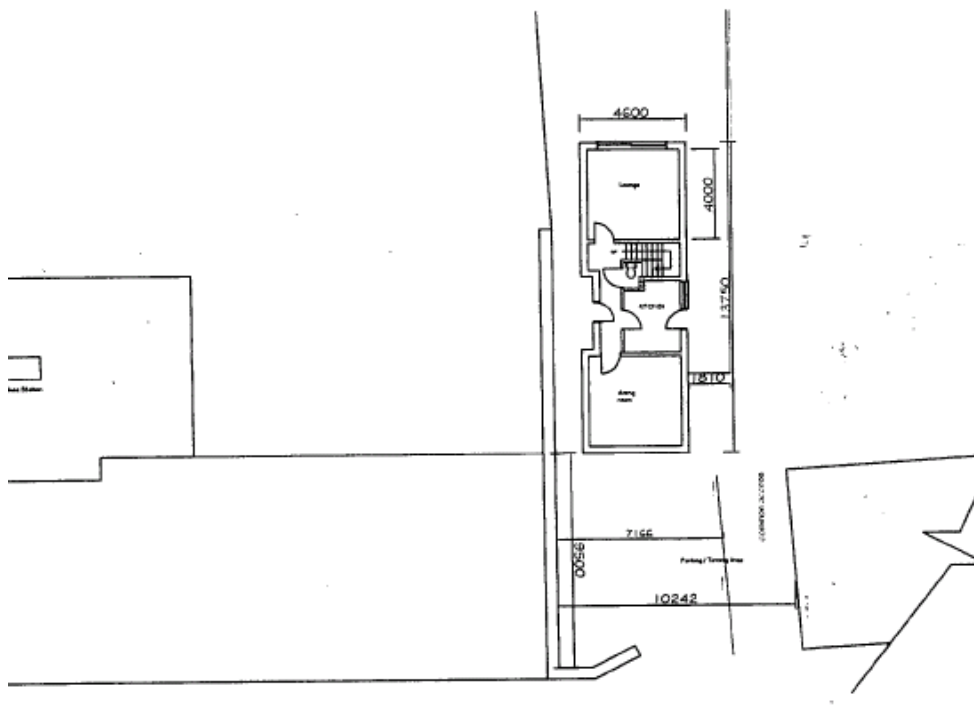
3.4 Under the terms of NRW guidance it is considered that the proposed development would not have an adverse impact on the SAC and therefore an appropriate assessment was not required.

4.0 PLANNING HISTORY

P/2006/0060 Outline for a dwelling Refused 17/3/2006

5.0 THE COUNCIL'S CASE

5.1 The starting point for consideration of the application was the 2006 application, as there has been no material change in Wrexham Council planning policies since that date.



Plan for 2006 application

5.2 The 2006 application was refused for two reasons:

Reason(s)

1. The Council does not consider the site can be developed in such a way that the amenity of adjacent occupiers can be protected, future occupiers afforded an adequate standard of amenity, satisfactory off-street parking and turning facilities provide and in a way that is sympathetic to the visual amenity and character of the surrounding area. The proposal therefore conflicts with the objectives of Unitary Development Plan policy GDP1 (a), (d) and (f).
2. The proposed development would overload the public sewerage system. This would cause unacceptable harm to the safety and amenity of existing residents and would have a detrimental affect on the local environment. This is contrary to the objectives of policy GDP1 (f).

5.3 The revised design and footprint were considered to afford an improved level of amenity for the existing and proposed properties in comparison with the 2006 scheme. However there remains an overbearing impact with regard to the outlook from 68 and minimum separation distances with regard to the dwellings to the rear (2 Salem Road) and front (68 High Street) set out in Local Planning Guidance Note 21 are not achieved.



Copy of site plan with dimensions.

5.4 The design is appropriate for the area.

5.6 Highways concerns were expressed with regard to access visibility and provision of parking and turning space, and refusal was recommended, with the following caveat:

However, if the proposed site is in daily use as suggested by the submitted Highways Assessment then it may be viewed that the access will not generate any significant increase in vehicle movements compared with existing.

5.7 This caveat was not considered to be sufficient to overcome the objection of the highway authority as set out in their consultation response, as a lock-up garage would not generate the same level of traffic as a four bedroom dwelling, leading to increased use of a substandard access.

5.8 In conclusion it was considered that the revised scheme did not overcome the reason 1 quoted in the 2006 application. Therefore the application was refused for three reasons on highway and amenity grounds, as set out in the decision notice.

6.0 CONCLUSION

6. The Council therefore respectfully requests that the appeal be dismissed.

APPENDICES

- A.** Schedule of conditions in the event of the appeal being allowed
- B.** Consultation response from Highway Authority
- C.** Officer's delegated report
- D.** Local Planning Guidance Note 16
- E.** Local Planning Guidance Note 21
- F.** Photos of site