

APPLICATION NO:
P/2021 /0263

LOCATION:
TY NOS HOLT ROAD WREXHAM
LL13 8NE

DATE RECEIVED:
12/03/2021

COMMUNITY:
Acton

DESCRIPTION:
DYMCHWEL ADEILADAU
PRESENNOL AC ETHOLIAD 19 RHIF.
TALIADAU GYDA GOFOD SWYDDFA
ANCILLARY
/ DEMOLITION OF EXISTING
BUILDINGS AND ERECTION OF 19
NO. APARTMENTS WITH
ANCILLARY OFFICE SPACE

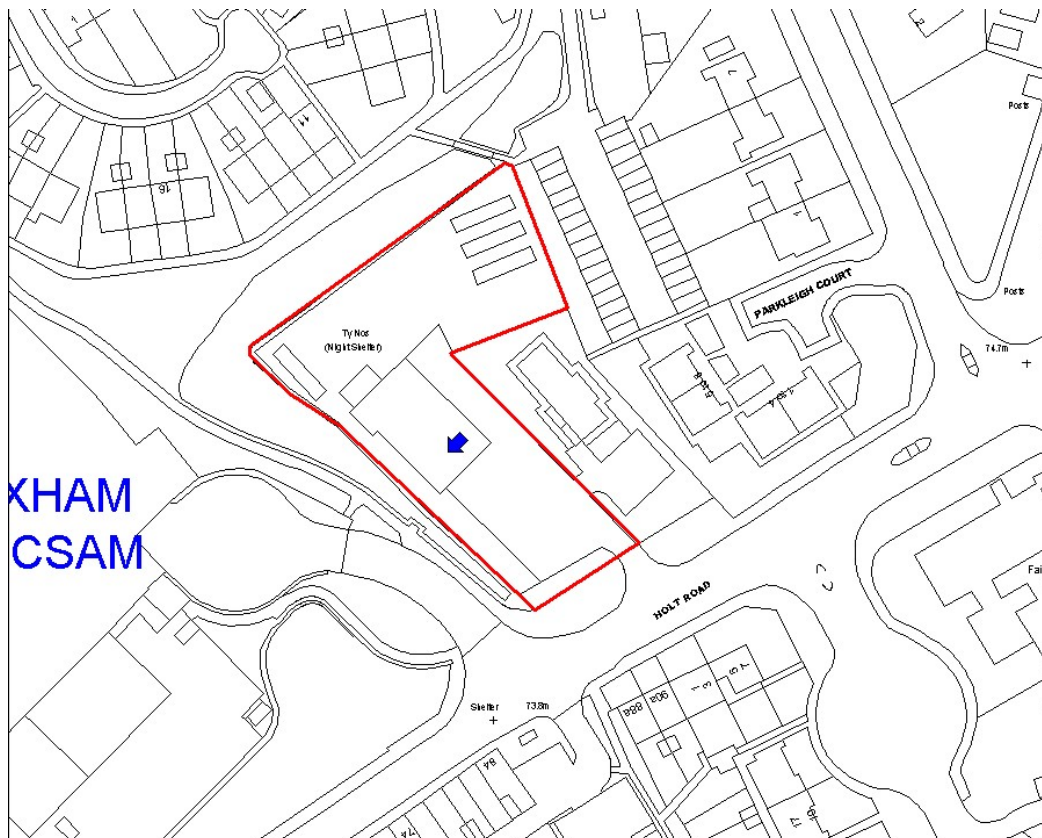
CASE OFFICER:
BB

WARD:
Maesydre

AGENT NAME:
MR P LLOYD

APPLICANT(S) NAME:
CLWYD ALYN HOUSING LTD

THE SITE



PROPOSAL

As above

HISTORY

P/2007/1272	Change of use of community centre to night shelter. Granted 03.12.2007
P/2018/0108	Change of use of land for the purpose of siting up to 4 no. Self-contained structure to provide medium term accommodation for homeless persons and 1 no. Structure for support services allied to the neighbouring Ty Nos homeless shelter, associated boundary treatments and CCTV structures. Granted 13.03.2018

PLANNING POLICY

Within settlement limit. Policies PS1, PS2, PS3, PS4, GDP1, GDP2, H2, EC4, EC6, EC13, CLF5 and T8 apply. Local Planning Guidance Notes (LPGN) Nos. 10 'Public Open Space', 21 'Space around Dwellings', 16 'Parking Standards' and 17 'Trees and Development' are also relevant.

CONSULTATIONS

Community Council:	Supports the proposal.
Local Member:	Notified 07.04.21
Highways:	No objection subject to minor amendments to layout and access (see special considerations below).
Public Protection:	Recommend a condition requiring a noise survey and informatives in relation to noise and dust etc. during the construction phase.
NRW:	No objections.
WW:	Recommended condition and advisory notes. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water.
Land contamination:	No comment.
Arboricultural officer:	No objection subject to conditions.
Ecology officer:	No objection subject to conditions.
Parks and Countryside Manager:	Play areas nearby to the site (Aran Road) have been identified as in need of modernisation. Off-site contributions would improve play facilities on this site, particularly for inclusive play items.
Waste strategy:	Satisfied that highways have not objected to bin wagon turning circles within the site. Waste strategy have set out minimum requirements for bin stores. Waste would be required to be collected from the curb side.
Press Notice:	Expired 14.05.21

- Neighbours:
- 40 neighbours notified. Two representations received:
- A single comment supports the proposal however there are concerns regarding access to the Quakers Meeting House which would share the main access running through the site. Potential disturbances during the construction phase;
 - A single objection had been received in relation to potential noise disturbances to future occupants from the adjacent ASDA servicing yard.

SPECIAL CONSIDERATIONS

Background and principle of development: This proposal seeks permission for the demolition of the existing homeless shelter (including temporary modular units) and the construction of 19 no. one bedroom apartments (including office and staff accommodation). The proposed buildings would be constructed to two storeys in height and would be laid out in five blocks. The site would be accessed from the existing entrance onto Holt Road. Vehicular access would run through the site and 20 parking spaces would be made available. A Quakers meeting house is located immediately adjacent to the site to the east and the ASDA servicing yard to the west.

The proposed flats would be occupied by people designated as homeless and the site would be run by Clwyd Alyn Housing Association who has entered into a legal agreement with the Council to manage the site in this way. This application has been submitted on the basis that there is an acute and identifiable need for high quality residential units to house people living within Wrexham and the wider area.

The application site lies within the settlement limit where residential development is acceptable in principle under policy H2, subject to compliance with UDP policy GDP1. The main issues to consider relate to the impact of the development upon the character and appearance of the area, residential amenity, the quality of accommodation, trees, drainage, ecology and upon highway safety.

Design: The proposal is for the removal of the existing single storey shelter and temporary associated buildings. In accordance with policies GDP1(a), PS2 and PS3 the regeneration of the site is considered to visually enhance the general appearance of the area. The shape of the buildings (incorporating gables and pitched roofs) and layout of the site has been strongly influenced by contemporary architecture and the surrounding streetscape. This form of development is considered to be acceptable within the urban context of the site.

The site is located relatively close to Wrexham Town Centre where contemporary materials such as metal cladding as proposed are commonplace. The proposed materials are considered to result in a clean and crisp finish to the development. Additionally, the layout of the buildings, setbacks from the street frontage and the massing of the buildings themselves are considered to be commensurate with the pattern of development in the locality where higher density two storey apartment blocks are present.



Figure 1 Existing view into the site



Figure 2. Proposed elevations



Figure 3. CGI view from Holt road

Residential Amenity: LPGN 21 recommends onsite outdoor space. This outdoor space would be met by private and communal amenity areas surrounding the buildings. Additionally, there is public outdoor space immediately adjacent to the site. Each of the apartments has a kitchen/lounge, bathroom and a bedroom. The units would measure a minimum internal floor space of approximately 50m/sq. This internal floor space is considered to meet the requirements of modern living standards. All habitable rooms would receive satisfactory levels of daylight/sunlight and outlook.

LPGN 21 recommends a separation distance of 22 metres between habitable room windows, to prevent overlooking. LPGN 21 also recommends a separation distance of 13 metres between habitable room windows and blank elevations, in order to safeguard against loss of daylight and restriction of outlook. The positioning of the apartments within the site would ensure that these separation distances are exceeded in relation to all neighbouring residential units surrounding the site. Acceptable window to window separation distances within the site itself is also achieved.

A separation distance of 13m would be maintained from the single storey Quakers building, due to the non-residential use of the building any overlooking from the proposed flats towards this building is considered to be acceptable. Additionally, any views from the Quakers Meeting house would be partially obscured by boundary treatments and would form a typical cross street relationship with the proposed ground floor flats.

The proposal site would be located adjacent to the service yard of the neighbouring ASDA supermarket. Noise from this yard could potentially impact on the living environment of the proposed flats. As such Public Protection has recommended that a condition is imposed requiring the submission of a noise survey. The results of this survey would determine the mitigation measures (if any) that would be required to sufficiently insulate the apartments from noise. These measures could include wall insulation, double glazing or mechanical ventilation whereby windows could remain closed.

Further, the development is sufficient distance away from the nearby private gardens to avoid any over dominance, and the scheme as proposed complies with policy GDP1 and the supporting guidance on 'Space around Dwellings'. It is also of note that to the north east of the site two rows of garages would provide a buffer between the development and the private rear gardens of Aston Grove.

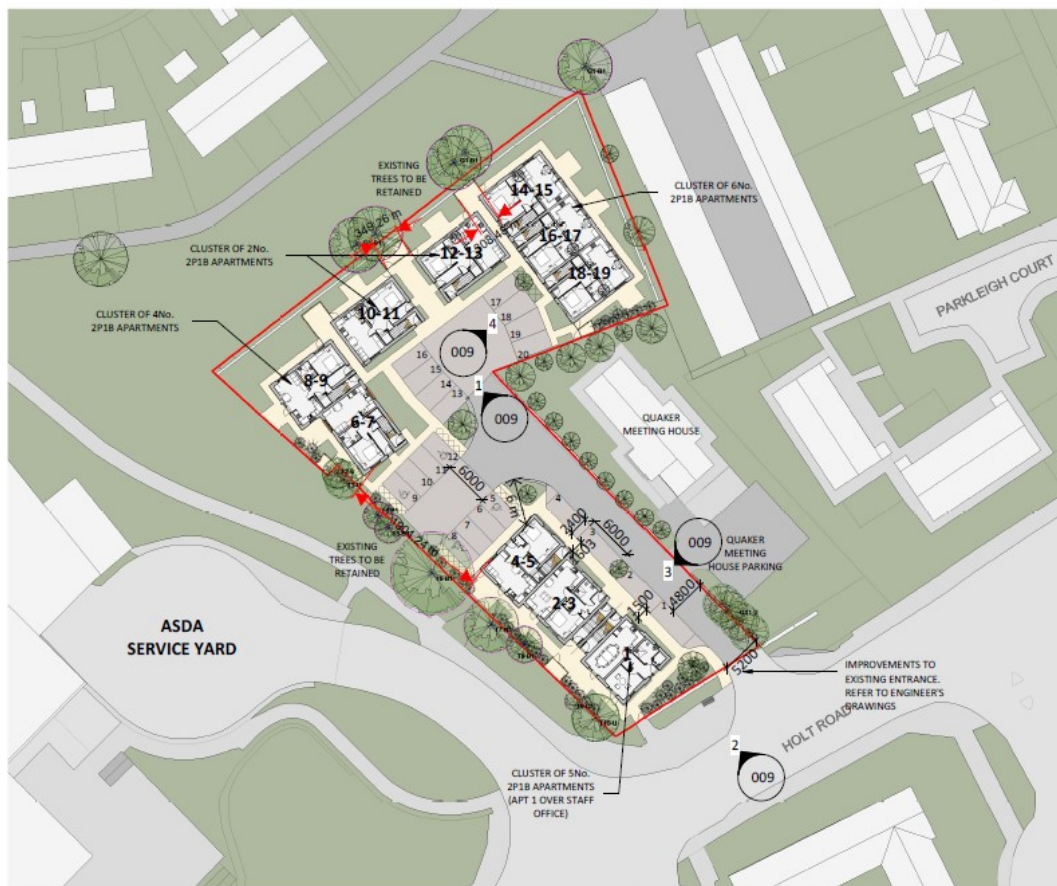


Figure 4. Proposed Site Layout

Trees: The Council's Arboricultural officer has not objected to the proposal, however to prevent or mitigate against the potential loss of trees on or adjacent to the boundaries, conditions are proposed. Additionally, prior consent will be required from adjacent land owners for the removal of trees.

Whilst individually there appears to be no trees of significant ecological or amenity value, the removal of such a high percentage of trees to facilitate the development will result in an immediate net loss of biodiversity. Any landscaping scheme will need to consider this and provide suitable on-site mitigation/compensation. Consequently, a condition requiring an arboriculture method statement to be submitted and approved will be imposed along with the submission of a landscape scheme with ecological enhancements.

Public Open Space: It has been identified that there are areas of open space in the locality which would benefit from off-site contributions. However, in this particular case, owing to the unique nature of the proposals to provide accommodation to reduce levels of homelessness within the Borough, these contributions would not be justifiable. The proposal would likely result in a transient residential use of the site and the one bedroom unit mix would unlikely result in an increased demand for the use of children's play areas in the locality. Consequently, it is not considered to result in a demand in open space (specifically play areas) which would justify contributions. Additionally, this project is publically funded and additional pressures on funding would ultimately impinge on the viability of the scheme, which in itself, is considered to provide much needed social housing.

Highways: The highway authority has been consulted. Whilst the authority does not object to the proposals, further information was requested in relation to the main entrance and road layout. This information has now been received and any further highway authority comments will be reported in the committee report addendum.

As proposed, visibility splays of 24m x 43m in both directions are required from the main site entrance. Visibility splays are in excess of this requirement. In accordance with highways recommendations the applicant has widened the access to a minimum of 4.8m and the site entrance has been widened to 5.2m. These widths are considered to be acceptable in providing safe and convenient access into the site.

The applicant will be required to enter into a section 278 agreement in relation to the improvements to the entrance which forms part of the adopted highway. A note to the applicant to this effect will be attached to any forthcoming planning permission.

No private surface water shall be permitted to flow onto the adjoining highway. An Aco drain or similar will be required across the proposed access to intercept private surface water run-off where the access gradient falls towards the adopted highway. These further details will be imposed by condition.

The proposed 19 apartments would normally require a maximum of 29 spaces in accordance with LPGN 16. The layout plan provides for 20 spaces this is considered adequate given the sustainable location of this site which is in close proximity to bus routes and within walking distance of the town centre.

Due to the scale of the works and it's the location of the site, a Construction Traffic Management Plan will need to be submitted and approved prior to the commencement of the works. Concerns have been raised over access to the Quakers Meeting place and construction noise and disturbance. The applicant has indicated that this management plan would take account of the requirements of the adjacent Quakers meeting place.

Concerns have been raised over access to the Quakes meeting house. Due to the 4.8m width of the vehicular access through the site, it is considered that vehicles would be able to enter the Quakers car park. Additionally, emergency vehicles could park adjacent to this site. As the access would be located within private land, should difficulties arise over the access to the Quakers meeting house this would be a civil matter to be resolved between both landowners/occupiers of these sites.

With regard to waste, Clwyd Alyn have confirmed they will add the site to its list of contracted collections. Nevertheless, should the site in future be served by the council the site appears to have capacity within the proposed bin stores to store waste. Additionally, there is space for bins to be presented outside each block on collection day. It is also noted that there is room within the built envelope of the site to provide additional hardstanding or bin capacity if required in future. Highways are confident that waste vehicles could safely enter and leave the site.

Ecology: Welsh Government Planning Policy Wales and subsequent letter to LPAs requires development to provide a net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped. As such it is recommended that conditions are imposed to demonstrate a net biodiversity benefit on site. A treatment plan and method statement for dealing with Japanese Knotweed on the site will also be imposed by condition.

Drainage: The site would be connected to the mains sewer which is served by Five Fords Waste Water Treatment Works. This works has capacity and consent to process additional volumes of phosphates. Welsh Water has recommended that a condition requiring a drainage scheme to be submitted and approved by the LPA. It is considered reasonable and necessary to impose this condition in the interest of protecting the local environment.

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed will require approval from the SuDS Approving Body (SAB) prior to commencement of construction works. A note to this effect will be attached to any forthcoming decision notice.

CONCLUSION

The current proposal offers the opportunity to regenerate and visually enhance the area in accordance with planning policies GDP1, PS2 and PS3 which seek to ensure that development does not harm the appearance of the townscape and that it makes a positive contribution to the appearance of the nearby locality.

A safe and satisfactory means of access to the site has been proposed, and there would be no detrimental impact upon local residential amenity. Subject to conditions, it is considered that the development complies with all of the relevant local planning policies, and I recommend approval accordingly.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:

003 Rev H

009 Rev B

100 Rev C

101 Rev C

102

103

400

401

402

403

404

410

411

412

414

20269/401 Rev B

20269/402 Rev A

20269/403 Rev A

20269/501 Rev A

20269/502 Rev A

20269/503 Rev A

20269/510 Rev A

Arboricultural Implications Assessment - Roval Environmental 21/1/21, and as contained within the application documentation.

3. No part of the development shall commence until samples of all external facing 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.
4. No part of the development shall commence until a Construction Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.
5. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. 003 H.

6. to the first occupation of the residential development hereby approved, the amenity and bin storage areas shall be laid out in strict accordance with the approved drawing no. 100 Rev C and shall thereafter be retained for those uses.

7. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water shall be allowed to connect directly or indirectly with the public sewerage system.

8. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

9. No part of the development shall commence until a scheme detailing the construction of the following has been submitted to and approved in writing by the Local Planning Authority:

1) Detailed layout, design, drainage, surfacing and construction of the proposed new access including tactile crossing points

The scheme as is approved shall be fully implemented prior to first use of the development.

10. The development site is in close proximity to Asda and the developer is therefore required to carry out a noise survey in order to determine noise levels for both day (07:00 - 23:00 hours) and night (23:00 - 07:00 hours) having regard to Planning Guidance (Wales), Technical Advice Note (TAN) 11 - Noise. The report of the noise survey findings shall include:

a) Noise levels arising from day/night time activities in the vicinity of the proposed development site and the impact upon the proposed accommodation, and

b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the future occupants of the proposed accommodation hereby approved.

11. No part of the development shall commence until a boundary treatment scheme within and around the site has been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification) and with the exception of those shown on the approved plans, no gate, fence, wall or other means of enclosure shall be erected on the site. The boundary treatment as may be approved shall be completed in all respects prior to first use / occupation of the development and shall thereafter be permanently retained.

12. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:

a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;

- b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
 - c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
 - d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
 - e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
 - f) Method for protecting retained trees during demolition works;
 - g) Details of all proposed tree works, including felling and pruning.
13. No part of the development shall commence until full details of both hard and soft landscape works, to include some native planting has been submitted to and approved in writing by the Local Planning Authority. The plan shall include a timescale for the implementation of works, and shall provide for ecological improvement / habitat creation and enhancement in the soft landscape areas for the benefit of biodiversity conservation specifically tailored to the landscape features.
14. The landscaping scheme submitted and approved in connection with condition no. 13 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
15. Prior to commencement a plan to provide net biodiversity benefit on site should be submitted and approved.
16. Prior to commencement the applicant should supply a treatment plan and method statement for dealing with the Japanese knotweed on site.

REASON(S)

- 1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- 2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
- 3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
- 4. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
- 5. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
- 6. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
- 7. Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
- 8. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

9. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. To protect the amenities of the occupiers of the approved development in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
12. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
13. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1, EC4 and EC6 of the Wrexham Unitary Development Plan.
14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
15. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
16. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the retention of this invasive species on the site in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

The proposed access should be constructed to a standard suitable for adoption by the Council for future maintenance at the public expense and the developer will need to enter into an agreement with the Council under s. 278 of the Highways Act 1980. You are advised that the Highway Authority will require such works to be completed to their satisfaction before they will formally adopt the relevant Highway works for public use and to be maintained at public expense. This will include the provision of a bond to cover the estimated value of such works. The appropriate fees will become due to the Council when the Highways Authority approve the proposed works to be carried out

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage:
https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk

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 Planning & Regulatory Department on 01978 292040 for further advice and information. 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 Planning & Regulatory Department on 01978 292040 for further advice and information.

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.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority Welsh Water: The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104

Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication 'Sewers for Adoption' 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
