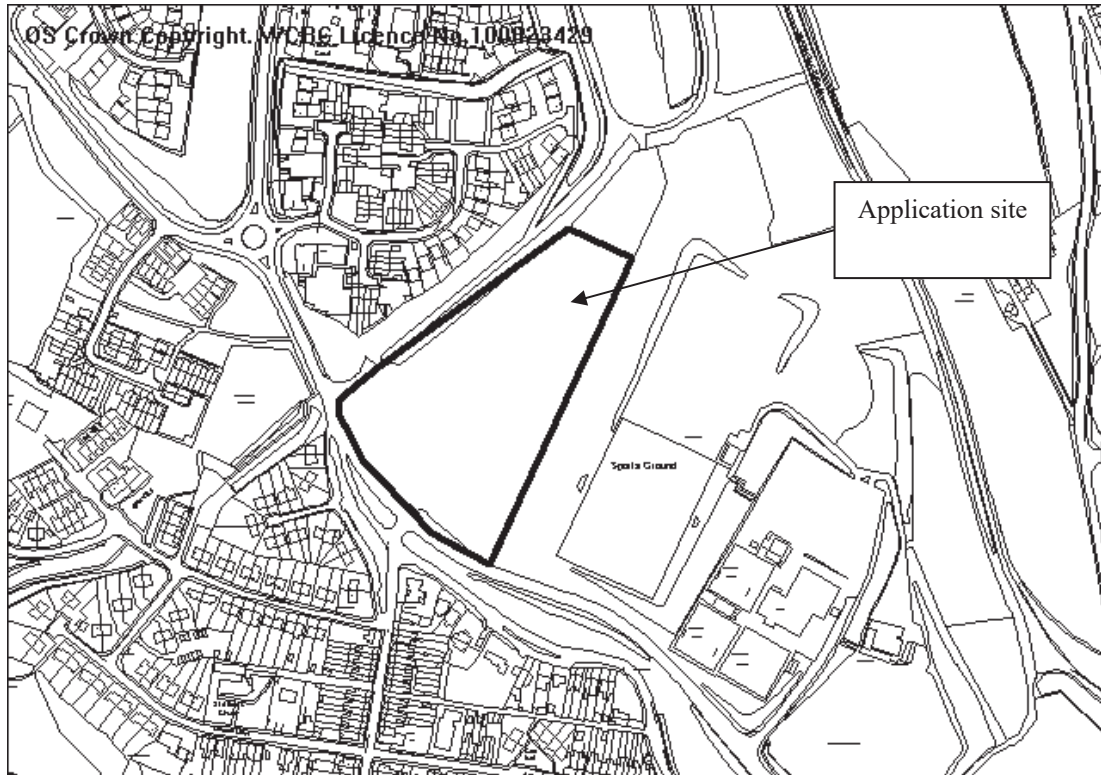


REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY**Date 05/07/2021****APPLICATION NO:**
P/2021 /0255**LOCATION:**
LAST EAST OF HERITAGE WAY
TANYFRON WREXHAM LL11 5SW**DATE RECEIVED:**
12/03/2021**COMMUNITY:**
Brymbo**DESCRIPTION:**
CAIS AR GYFER MATERION
CADARNHAU YN GYNNWYS I
GANIATÂU CYNLLUNIO
AMLINELLOL P/2020/0059
(MYNEDIAD, YMDDANGOSIAD,
TIRLUNIO, LLYTHYR A GRADDFA) -
CODI 70 O DDISGWYR /
APPLICATION FOR RESERVED
MATTERS PURSUANT TO OUTLINE
PLANNING PERMISSION
P/2020/0059 (ACCESS,
APPEARANCE, LANDSCAPING,
LAYOUT AND SCALE) - ERECTION
OF 70 DWELLINGS**CASE OFFICER:**
BB**WARD:**
Brymbo**AGENT NAME:**
MISS JODI STOKES**APPLICANT(S) NAME:**
TAYLOR WIMPEY NORTH WEST

THE SITE

Date 05/07/2021



PROPOSAL

This application seeks approval for the matters reserved for subsequent approval by outline planning permission P/2020/0059 namely access, appearance, landscaping, layout and scale.

HISTORY

Relevant history for other parts of the former steelworks site

- | | |
|-------------|--|
| P/2012/0816 | Outline application for erection of supermarket and small retail units and associated car parking. Granted 11.7.2014 |
| P/2019/0546 | Outline planning permission for up to 450 dwellings (Class C3 use), provision of a primary school (2-form entry), small district centre comprising up to 1,395 sq.m of Class A1 retail, up to 372 sq.m of Class A3 restaurant/public house, up to 465 sq.m of Class D1 use, multi-functional green infrastructure, including children's play areas and informal open space, surface water attenuation, vehicle accesses, car parking, engineering works, public footpaths and hard and soft landscaping, underground services, and ancillary and enabling works, with all matters reserved except of vehicular access from Brymbo Road. Appeal pending |

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History specifically relevant to the application site.

P/2005/1486	Outline application for residential development. Refused Appeal dismissed 29.11.11
P/2012/0817	Outline application for residential development. Granted 11.7.2014
P/2016/0626	Variation of conditions imposed under planning permission code no. P/2020/0817: Condition 2 – The period within which to submit plans and particulars of the reserved matters to be extended for a further period of 3 years Condition 03 – The period within which to commence development be extended for a further period of 3 years or before the expiry of 1 year from the date of the approval of the last reserved matters, whichever is the later. Granted 20.3.2017.
P/2020/0059	application for variation of conditions imposed under planning permission code no p/2016/0626 Condition 2 - the period within which to submit plans and particulars of the reserved matters to be extended for a further period of 3 years Condition 3 - the period within which to commence development be extended for a further period of 3 years or before the expiry of 1 year from the date of the approval of the last reserved matter whichever is the later (outline application for residential development). Granted 27.7.2020

DEVELOPMENT PLAN

Outside of settlement and within Green Barrier. Policies PS1, GDP1, GDP2, EC1, EC4, EC6, EC16, H5, H7 and CLF5 apply. These policies are amplified in Local Planning Guidance Notes (LPGN) Nos. 10 'Public Open Space in New Developments', 16 'Parking Standards' and 17 'Trees and Development' and 21 'Space around dwellings'.

CONSULTATIONS

Community Council:	Consulted 26.3.2021
Local Member:	Notified 26.3.2021
Highways:	No objection subject to conditions, amended visibility splays, provision of walkways and dropped crossing points.
Public Protection:	No comments.
Welsh Water:	No objection.
NRW:	No objection subject to inclusion of submitted ecology assessment and reasonable avoidance

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	measures method statement as approved documents.
Rights of Way:	Notified 26.3.2021
Ramblers Association:	Notified 26.3.2021
Wrexham Civic Society:	Notified 26.3.2021
Ecology officer:	No further comments following revised ecological enhancement plan.
Tree officer:	Concerns over lack of space to the front of the site and interior for landscaping. However, it was considered that it might not be feasible at this stage to accommodate more space for landscaping.
Neighbours: 9.4.21	The owners/occupiers of 93 nearby properties notified 12 representations received objecting expressing the following concerns: - Road infrastructure/more traffic; - Road noise; - Highway safety; - School capacity; - Capacity of medical facilities; - Loss of green land; - Lack of shops and amenities; - Drainage issues; - Requirement for a 2m fence along boundary with Brymbo Sports Club

SPECIAL CONSIDERATIONS

Principle of development: The site lies outside of the settlement limit of Brymbo and Tanyfron. The principle of development was first established in 2012 when outline planning permission for the erection of dwellings was granted. Permission had been granted in 2017 and 2020 to extend this outline permission. The outline assessment had been undertaken on the basis that the submitted information sought the most efficient use of the land.

Matters relating to traffic congestion, the capacity of local infrastructure, ground stability, ecology and drainage were considered at outline planning permission stage. In considering this application, the Council cannot revisit whether the site should be developed, whether it is suitable for development or whether local infrastructure can accommodate the development.

Members are reminded that the outline planning permission had been subject to a planning obligation that provides for the cost of the construction of the spine road. Other contributions towards education, public open space and affordable housing provision had not been sought at outline stage, as this would have impinged on the viability of the site.

In addition, the outline planning permission is subject to conditions that cover matters such as the provision sustainable drainage, contamination, trees and ecology.

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In dealing with this reserved matters application, the Council is limited to considering the merits of the development in respect of access, appearance, landscaping, layout and scale. Additionally, condition 8 of the outline permission specified the submission of details of landscaping, open space and details on its management.

Layout and design: The most visible element of this proposal would be the frontage onto Heritage Way. The proposal address the main street frontage by orientating the main elevations of dwellings to front this road. This area to the front of site is characterised by an open outward facing street frontage with a landscaped area which acts as a landscaped visual buffer from the highway. The combination of an open space and setback from the street and the open outward facing layout is considered to provide an enhanced frontage onto the Heritage Way.

Boundary treatment along heritage way would be low fencing (0.45m) which would provide a clear definitive boundary and on the south western side of the development. A 1.2m post and rail fence would enclose the south eastern corner of the site. These boundary treatments would maintain an open character to the front of the development when viewed from Heritage Way and would enable views over the sustainable dry drainage attenuation basin. The majority of the remaining boundary treatment would be 2.1m close boarded fencing which would be set away from the main frontage and is a common form of enclosure within the locality.

The proposal has been designed with the sustainable drainage attenuation basin located within the southern corner of the site. This feature would provide a point of interest and open visual buffer between the built development and the road frontage. The associated pump house has been positioned so that it would be viewed against a backdrop of built development, tree planting would aid in obscuring views of it. As such, it is not considered to represent a dominating feature within the site.

Dwellings would be a mixture of detached and semi-detached properties and would accommodate three and four bedrooms. Through the use of differing house types, materials, a mixture of frontage, side and parking courtyards and a variation in setbacks from the highway it is considered to deliver varied and attractive form of development. The use of landscape buffers will also assist in ensuring softening the impact of development around the external boundaries of the site, in particular the frontage onto Heritage way. The proposed bricks, rendering and tiles are considered to be of an acceptable quality and would complement similar materials incorporated into historic and contemporary housing developments in the locality.

The dwellings will be 2 storey, however there will be houses with living accommodation within roof spaces with projecting dormers and higher ridge lines. Whilst these will be taller than the other buildings on the site this form of development would be consistent with the design of properties within the wider former steelworks site. Their position and distribution within the site

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means they will not be overly dominant nor will they be unduly prominent in the wider locality. They also serve to add variation to the form of development and reinforce focal points within the site.

It is noted that concerns have been raised over a requirement for a 2m high fence along the entire boundary with the sports club to the south east. However, as noted above, Officers consider a 1.2m high fence more appropriate for this section of the proposal site. A hedgerow would also be planted behind this fence.



Figure 1 Street scene when viewed from Heritage Way



Figure 2 Site layout

Landscaping and public open space provision: As noted above, the submitted plans make provision for a landscaped buffer along the frontage long Heritage Way. Similarly, designed frontages are present within the village and similar boundary treatments have been used in the housing development directly to the north. Tree planting will take place within the buffer, internally within the site and within the curtilages of the proposed dwellings. Hedgerows and areas of wildflower meadows would also be incorporated into the site. The southern corner of the site would accommodate the sustainable drainage basin which in itself would provide a large open landscaped feature. Brick walls with part timber fencing are to be used to enclose the corners boundaries of corner plots which are considered to provide a high quality finish to prominent plots within the site.

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Whilst it is noted that Council's Arboricultural Officer had concerns regarding the depth of the landscaped area along Heritage Way and the lack of open space within the site. The site is constrained as to number of trees that can be accommodated due to the need to provide open visibility splays from the main access. Additionally, there is the need for the sustainable drainage attenuation basin. Nevertheless, amendments sought have increased the number of trees provided on site.

The approach taken to landscaping is considered to enhance street scene onto Heritage Way and ensures that open spaces contribute significantly to the visual amenity of the development and wider views in and out of the site and whilst providing for appropriate enclosure of the external boundaries of the site.

Consideration for existing trees had been dealt with at outline stage and a condition had been imposed to this affect.

Policy CLF5 requires 0.56ha of public open space (POS) to be provided for 70 dwellings, this can be provided by informal open space. Approximately 0.34ha (including the attenuation basin) would be provided. This represents a shortfall in POS of approximately 0.22ha. It is considered in this particular case that this shortfall would be acceptable given the constraints of the site and the wider context of the former steelworks site where areas of sufficient open space have been incorporated into adjacent development sites. It is also noted that a large area of trees outside of the site boundary are present and provide a buffer between the proposed development and housing to the north. The site is located in an area where there are links to informal open space. The ambition is that pedestrian access would be made possible from the eastern side of the site where it would provide links out to areas of existing open space outside of the application red line area. Additionally, it is also of note that the indicative layout plan provided at outline stage had been presented with limited POS provided within the site. As proposed, the areas outlined within this application would provide a betterment on that presented at outline stage.

The submitted landscape management plan provides details of the management and maintenance of the open space and planting. The applicant has confirmed that the area of landscaping to the front would be completed prior to the occupation of the dwellings on the main frontage onto Heritage Way.

Amenity: The separation distances to the nearest existing dwellings to the north (Ingot Close and Bloom Avenue) range from window to window distances of 40-50m and rear boundary to rear boundary distances of 25-20m, this would exceed the minimum distances as required by LPG21 advice. Additionally, these properties to the north are located at higher levels than the development site and a buffer of existing trees are present between both developments. Similarly, nearest window to window distances from houses

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fronting Heritage Way to the west and south west (Bryn Gwenfro, College Heights and College Court) of the development would range from 40-55m which would clearly exceed LPG21 advice.

I am therefore satisfied that the relationship between the proposed dwellings and existing dwellings will not harm the standard of amenity afforded to the occupiers of the latter by way of loss of light, privacy or by being visually overbearing.

The internal layout of the site is generally consistent with LPG21 in respect of rear to rear and side to rear separation distances. There are dwellings within the site where the front to front separation distance is less than the 22 metres recommended in LPG21. A more pragmatic approach is appropriate where dwellings face each other over a highway. Rooms in front elevations in such cases will be overlooked by passing vehicles and/or pedestrians so are afforded less privacy than rooms facing out onto a private garden. The fact a dwelling is also situated opposite will therefore not severely reduce the privacy afforded to occupiers. This arrangement is therefore considered to represent a typical cross street relationship. Separation distances are also consistent with the wider residential development within the area and within the former steelworks site.

Access and parking: The site will have one main vehicular accesses onto Heritage Way.

The highway authority have been consulted who are not objecting to the proposals, however they have requested that further information is submitted in relation to the main access visibility splays. These splays had originally fallen significantly short of minimum distances required. This information has now been received, however, if further highways comments are forthcoming these be reported in the committee report addendum.

Highways have not expressed concerns about the layout and design of the junctions within the interior of the site.

Concerns had been received regarding the main access junction. Footways would be required to be shown along the whole site frontage with pedestrian crossings. Vehicular visibility splays should be increased to 120m x 2.4m. Both the footway and crossing have now been shown on plan.

The main access has been amended to show visibility splays to the north of 120m and 115m to the south. The maximum speed limit along Heritage Way is 40mph, in accordance with TAN 18, visibility splays of 120m should be achieved in both directions. This is achieved to the north where vehicles would be travelling down the hill. As such, the splay to the north is considered to provide safe access to and from the site.

Whilst a splay of 115m to the south would represent a minor shortfall in the minimum distance required, due to the constraints of the site, this minor

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shortfall is considered to be acceptable in this particular case. A shortfall of 5m from a desired distance of 120m is not considered to unduly compromise safety to the extent that it would warrant the refusal of this scheme and the ultimately the delivery of housing on this site.

Highways have suggested that the applicant liaises with the Councils Street Lighting section and the applicant would be required to enter into agreement in relation to the adoption of the internal roads and footways. These details will however need to be submitted directly to Highways for approval via a section 38/278 (Highways Act 1980) agreement. The plans submitted provide sufficient detail to show the layout of the roads and footways from a planning perspective.

The development includes the provision of pedestrian footpaths through the site and along the site frontages and therefore adequately provides for pedestrian access to Heritage Way and in turn beyond.

The applicant has submitted a Construction Management Plan which will be imposed as an approved document.

Each dwelling will be provided with 2 parking spaces. The parking provision is below the LPG16 maximum in respect of 3 and 4 bedrooms.

The site would be served by public transport and is in a broadly sustainable location. The village continues to be served by regular bus services to Wrexham. I therefore do not consider that provision of parking below the LPG16 maximum to be a valid reason for refusal. In cases, several properties have space within their curtilages for driveways to be widened or extended in future to accommodate an additional vehicle should occupiers consider it necessary. Highways had not raised any objection to the number of car parking spaces being made available. Additionally, census data (see table below) for the Brymbo Ward demonstrates that the vast majority of households in the ward have access to a vehicle. The owners/occupiers of larger houses are more likely to have access to more than one vehicle, however only a minority of households have access to 3 or more vehicles.

Houses	Total: Car or van availability	No cars or vans in household	1 car or van in household	2 cars or vans in household	3 or more cars or vans in household
Total: Number of rooms	100%	17%	40%	34%	9%
1 - 3 rooms	100%	35%	52%	11%	2%
4 rooms	100%	29%	46%	23%	2%
5 rooms	100%	18%	46%	31%	5%
6 rooms	100%	14%	41%	34%	11%
7 rooms	100%	5%	26%	51%	18%
8 or more rooms	100%	3%	24%	49%	24%

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There would be space within the curtilage of each property for waste and recycling to be stored on site. Vehicle tracking demonstrates that waste lorries can enter and turn within the site. It is noted that some occupants living within private driveways would be required to carry waste to curb sides on collection days, whilst this would present a minor inconvenience to the occupants of these properties, it is not considered to be contrary to local plan policy.

Drainage: Concerns have been raised over drainage. Drainage had been resolved at outline stage. Planning condition 4 the outline planning permission required the submission of a scheme of surface water drainage and foul water drainage and Sustainable Urban Drainage Approving Body (SABs) consent respectively. The conditions require the submission of these details prior to the commencement of development rather than as part of the reserved matters. These details therefore do not need to be finalised prior to the determination of the reserved matters application. The plans submitted do however show a sustainable dry attenuation drainage basin. The water held within this would be adequately controlled in accordance with the requisite SABs consent if forthcoming.

Security: The layout of the site ensures a high level of natural surveillance, with all areas of open space, main internal estate roads as well as private driveways being directly overlooked by the proposed dwellings. Some dwellings are served by private parking courtyards which benefit from natural surveillance from adjacent dwellings. The entrances to the parking courtyards also benefit from being directly overlooked. I am therefore satisfied that the development takes account of secure by design principles and consider it unlikely that it poses a significant risk to the security of its future occupiers or the occupiers of neighbouring properties.

Ecology: The applicant has provided a plan of ecological enhancements including bird boxes, bat boxes and a beehive these are considered to be acceptable. The council's Ecology Officer had no further comments following an amendment to increase the enhancements proposed. NRW have no objection provided that the submitted ecology reports and avoidance measures are included as an approved document. Whilst hedges would not be planted along the entire perimeter of the site, hedges have been incorporated throughout the site. The site would be connected to the mains sewer, which is served by Five Fords, this WwTW has capacity and consent for additional volumes of phosphates.

CONCLUSION

The reserved matters detail will ensure an appropriate form of development is undertaken on site in terms of layout, form, open space provision and landscaping. The open space and landscaping will provide areas for informal recreation whilst also enhancing the biodiversity value of the site. Appropriate provision is also made for tree and hedgerow planting, whilst ensuring the highest quality existing trees are retained.

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The proposed site layout also provides a sufficient degree of separation to existing properties to ensure it does not unacceptable impact upon the standard of amenity afforded to their occupiers. The proposed internal estate roads are acceptable in terms of layout and design and adequate on-site parking is provided. As such I am satisfied the development will not prejudice highway safety. The reserved matters submissions therefore accord with relevant UDP policies.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:

BRYMBO LOC 01
BRYMBO BTP 01 Rev D
BRYMBO MAT 01 Rev C
BRYMBO LDP 01 Rev C
BRYMBO HSP 01 Rev C
BRYMBO EEP 01 Rev B
BRYMBO SS 01 Rev A
BRYMBO COM 01
GAR 13-01 Rev E
20297 TMP 02 Rev C
20297 BRP 01 Rev A
Taylor Wimpey Construction Environmental Management Plan (dated 21.01.2021)
3258-F01 Rev D
20069 01 Rev H
20069 01 Rev H Colour
6508.01 Rev F
6508.02 Rev F
JW/6508/REV A/LMP/JUN'21 Landscape Management Plan Rev A
HOUSE TYPE PLANNING DRAWINGS ref: HTYPE/01/A
SW 04
SF 04
SF 33
SF 01 Rev A
SF29
SDM4001/005 Rev A
Jenkins, L. (2021). Heritage Way. Brymbo: Ecological Assessment. TEP. Unpublished.
Woolston, R. (2021). Heritage Way. Brymbo: Ecology Reasonable Avoidance Measures Method Statement (RAMMS). TEP. Unpublished.
NIG/DN20047 Invasive Weed Management Plan
TAYLOR WIMPEY NW Transport Statement February 2021

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and contained within the application documentation.

2. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation (BRYMBO MAT 01 Rev C).

3. The landscaping scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing nos. 6508.01 Rev F and 6508.02 Rev F. Prior to first occupation the development, the landscaping/open space to the front of the development along Heritage Way and the attenuation basin shall be completed. All other landscaping shall be completed within three months of the first use of the development with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use.

4. The approved landscaping scheme shall be maintained and implemented in strict accordance with the approved Landscape Management Plan (JW/6508/REV A/LMP/JUN'21 Landscape Management Plan Rev A) unless otherwise agreed in writing by the Local Planning Authority.

5. Prior to first occupation, the vehicular access shall be laid out in strict accordance with approved plan no. 3258-F01 Rev D. The visibility splays shall thereafter be permanently retained free of all obstruction in excess of 1 metre in height.

6. Prior to first occupation the vehicular access (drawing no 3258-F01 Rev D) hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.

7. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.

8. The vehicular access hereby approved (drawing no 3258-F01 Rev D) shall take the form of a dropped vehicular crossing. Further details to be issued in the form of a plan for the reinstatement of the centralized access and kerbing. This would be subject to a S38/S278 agreement.

9. 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.

10. Prior to first occupation of the development hereby approved the vehicular access shall provide visibility splays of 120 metres x 2.4 metres to the north and 115m x 2.4m to the south measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

REASON(S)

1. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.

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2. 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.
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. 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.
5. To ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 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 ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

Any proposed passing places 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.38 / 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.
