

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date 05/07/2021

APPLICATION NO: P/2020 /0844	LOCATION: LAND OFF HIGH STREET JOHNSTOWN WREXHAM LL14 2BA	DATE RECEIVED: 07/12/2020
COMMUNITY: Rhosllanerchrugog	DESCRIPTION: DYMCHWEL YR ADEILADAU PRESENNOL A CHODI 10 ANNEDD / DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 10 DWELLINGS	CASE OFFICER: MP
WARD: Johnstown	APPLICANT(S) NAME: MR MICHAEL FORGRAVE	AGENT NAME: PARRY DAVIES ARCHITECTS LTD MR RICHARD GRATTON

This application was deferred at the 12 April meeting to allow for further consideration to be given to the concerns raised by the Tree Officer

The comments of the Tree Officer received on 8 April 2021 and included in the Addendum Report to the 12 April agenda are included in italics below:

The current proposed layout requires the removal of an ash tree (T1) which is subject to Tree Preservation Order WCBC 108. This a tree of significant amenity value with a TPO fully warranted and justified.

The accompanying tree report indicates the tree to be infected with Hymenoscyphus fraxineus (ash die-back) and recommends its removal understandably upon the grounds of health and safety: presumably based upon the usage and occupancy of the adjacent 'high target area'.

Current management guidelines regarding ash die-back highlight both health and safety implications and biodiversity needs as significant factors with safe retention of the tree(s) favoured where possible.

Replacement planting for the loss of a tree subject to a TPO requires the replacement tree to be planted in a location as close as 'reasonably practicable to the position of the original tree', indicating the importance of protecting the land upon which the original tree was sited.

From the guidance provided on both TPO's and ADB I would consider the most appropriate actions regarding the ash (T1) would be to retain and pollard the tree to a height of approximately 4.0m with a monitoring programme then set in place.

Should any further change in the trees condition justify its removal then a replacement tree of large, maturing stature can be located upon the same area of land thus ensuring continued amenity.

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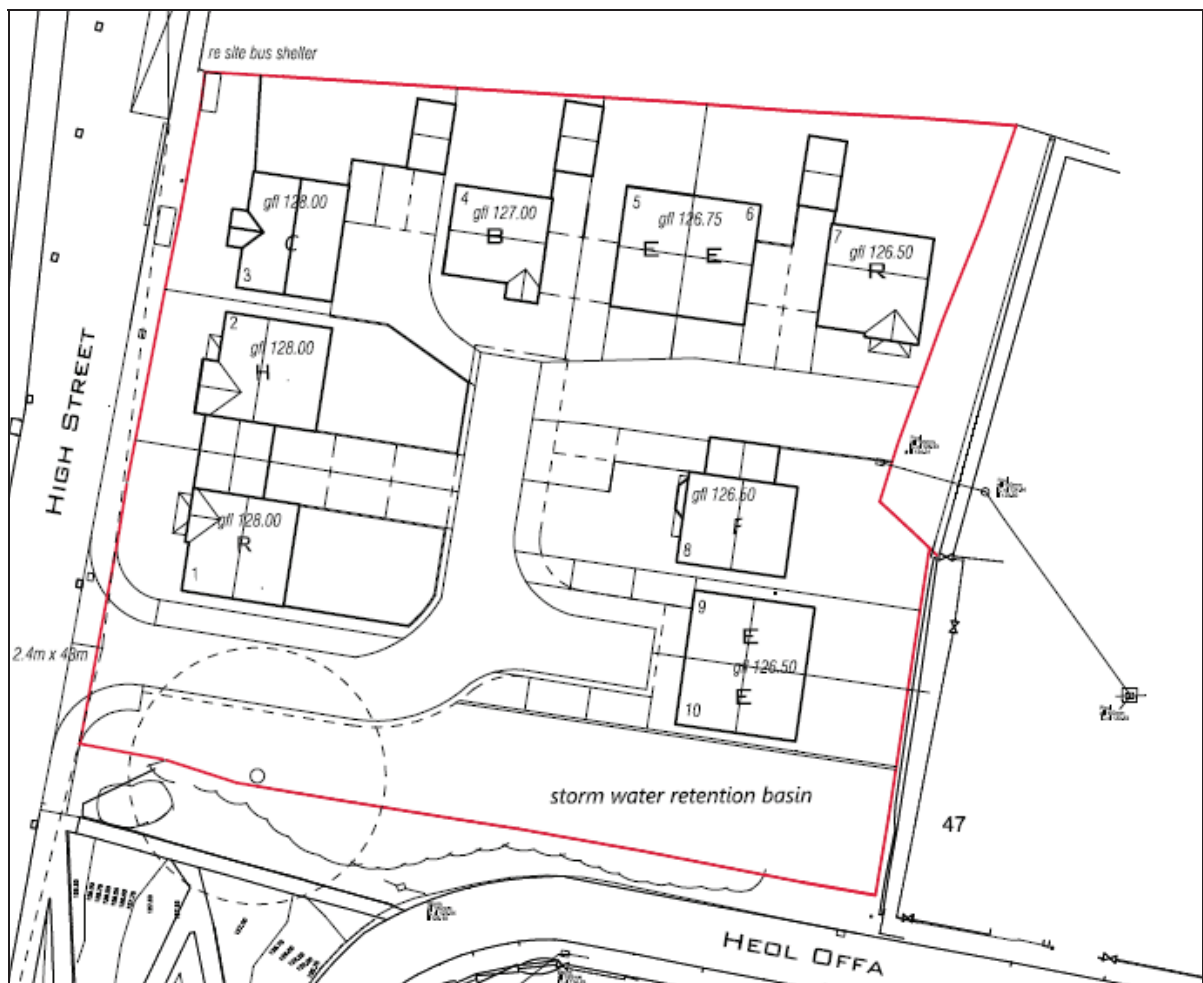
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The current layout should be amended to ensure the ash tree and its estimated root protection area (RPA) is retained and appropriately protected from development and future conflict. An arboricultural method statement would be required subject to condition.

Applicant Submissions: The applicant has submitted an amended plan site layout plan in response to the above comments. The principal amendments are:

- Revised access position;
- Plots 1, 2 and 3 repositioned further to the north;
- Removal of the sub-station in the north-west corner of the site – this no longer being required by the utilities undertaker;
- Change to the house types used on plots 4, 7 and 8. The changes the house type mix to 4 x 2 bedroom, 1 x 3 bedroom and 5 x 4 bedroom dwellings.

The amended site plan is included below:



Consultation on amended plans:

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Community Council:	Consulted 24.5.21
Local Member:	Is there any further work or amendments for the water issues which seem to be the main issue? I think this will be raised at planning, although I know its not a material planning consideration. You may wish to amend and point out the SUDS report and process. I also think a mitigation plan will help minimise the impact on residents if this can be added in the report.
Highways:	Confirm that I am happy with the proposal to re-site the bus shelter at the existing location as follows to enhance the visibility splay: To rotate the shelter by 180 degrees & and to locate so that the (rear panel) upright is at "Back of Kerb".
Tree Officer:	The amendments made to the positioning of plot 1 along with the off-setting of the RPA for the ash (T1) addresses previous concerns regarding the close proximity of the dwelling and access road to the tree. The amended AMS now provides more relevant, specific detail and I would agree that further detail regarding any landscaping operations within the RPA may be provided within a landscaping scheme and management plan provided subject to condition.
Neighbours:	The owners/occupiers of 15 nearby properties and the Head Teacher of Johnstown Junior School notified 24.5.21

Design and Amenity: The amendment will enable the Ash tree to be retained. An Arboricultural Method Statement has also been submitted setting out how the tree will be protected during construction.

The amended site layout is acceptable in design terms, retaining a strong built frontage to both High Street and within the development. The revised plot 8 will be approximately 1.2m higher than plot 7 and 0.8 higher plots 5, 6, 9 and 10 owing to the incorporation of a room in the roof space. This room will be served by a north facing window and a west facing dormer. The difference in roof height will not detract from the character of the development given that a mix of house types is provided. The plots to the front (west) of the site will also be built on higher ground, so there will be a relative difference in height across the site in any case.

In respect of the impact upon nearby occupiers, the revised plot 8 will not result in any additional overlooking of existing dwellings. The impact of the other changes will not be materially different to the plans considered by Members in 12 April and therefore will not adversely impact upon existing occupiers by way of loss of light, privacy or by being overbearing.

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The distance from the north elevation of plot 8 to the front elevations of plots 6 and 7 is 12 metres and 14 metres respectively. Whilst this is less than the 22 metres recommended by LPGN21, I do not consider this arrangement will unduly compromise the standard of privacy afforded to the occupiers of the latter 2 plots. Both plots face plot.8 over a shared driveway where a degree of overlooking will occur from passing vehicles and pedestrians irrespective of the proposed side facing window. The relative positions of the plots is such that I am satisfied the standard of amenity afforded to the occupiers of plots 6 and 7 will not be compromised by way of loss of light or by plot 8 being visually overbearing.

Highways: The submitted plans demonstrate that the required visibility splays can be provided, subject to the re-positioning of the existing bus stop to the back of the footway. A plan has also been submitted that demonstrates the revised layout can accommodate a refuse wagon.

The parking provision for each dwelling is now as set out below:

Plot	No of Bedrooms	Parking Spaces	LPGN16 Maximum
1	4	3	3
2	4	3	3
3	4	3	3
4	3	3	3
5	2	2	2
6	2	2	2
7	4	3	3
8	4	3	3
9	2	2	2
10	2	2	2

Parking provision for all plots accords with the LPG16 maximum.

Drainage: In response to comments made by some Members at the 12 April meeting and the local member in respect of drainage, the applicants have submitted the following correspondence:

- Welsh Water approval of the connection into the existing foul sewer system (email dated 9th Dec 2020)
- Welsh Water approval of a surface water connection into the dedicated surface water sewer in Heol Maelor (email dated 6 Aug 2020)
- Welsh Water approval of a connection into the combined sewer, which is proposed to utilise for 3 plots only (email dated 28 May 20)
- Wrexham County Borough Council's SAB officer's agreement in principle to the outline surface water drainage scheme that significantly reduces the flow of surface water into the sewer in the rear gardens of Heo Offa. (email dated 7 June 2020).

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As set out in my report of 12 April 2021, in respect of connection to the foul sewer network this will be subject to a separate agreement between Welsh Water and the applicants. In respect of surface water, this will be the subject to a separate approval by the Council as SuDs Approval Body (SAB) before construction begins.

The applicant does not need to have obtained agreement from Welsh Water or approval from the SAB authority for the foul and surface water drainage arrangements for the site before planning permission is sought or indeed granted.

Nevertheless it is clear from the above correspondence that the applicant's proposals for the drainage of the site are at an advanced stage and that there would appear to be no impediment to the provision of adequate foul and surface water drainage systems.

The village is served by the Five Fords Waste Water Treatment Works (WwTW) which has a phosphate consent and capacity to cater for the amount of development projected to take place within the settlements it serves in the period up to 2028. As such, the development will not, either alone or in combination with other developments, contribute towards an increase in the phosphate levels in the River Dee and Bala Lake Special Area of Conservation.

Other Matters: The applicants have submitted a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 that secures:

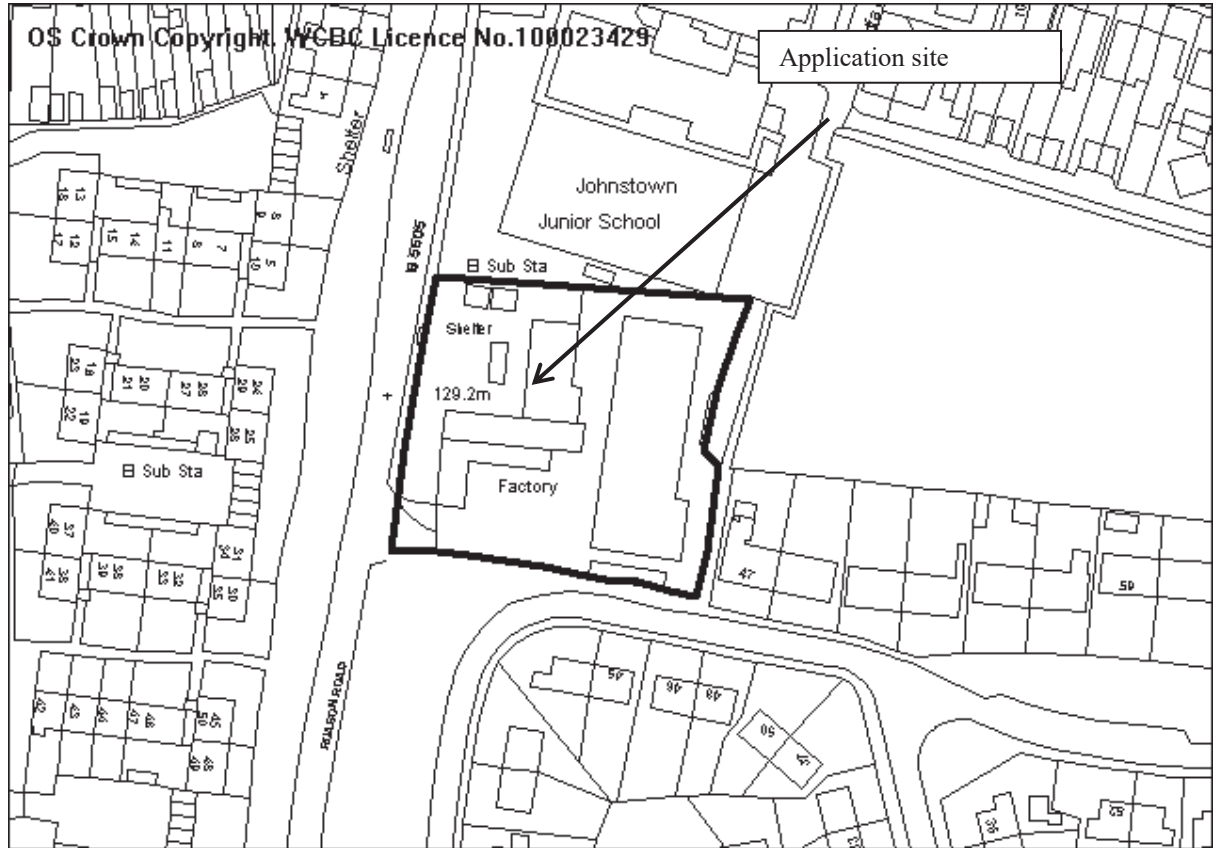
- a) Financial contributions towards primary school provision in accordance with the formula in LPGN27
- b) Contributions of £10,000 towards the improvement of off-site public open space

Conclusion: The amended plans address the reasons for the application being deferred. This is an appropriate re-use of a previously developed site. The scheme as amended is acceptable in respect of layout, design, site access and parking provision and will not adversely impact upon the standard of amenity afforded to nearby occupiers or upon protected species or the nearby SAC. It also allows for the retention of an Ash tree subject to a Tree Preservation Order. As such I am satisfied the proposals accord with the relevant UDP policies

My original report is included below together with a revised recommendation and schedule of conditions that take account of the matters discussed above. Conditions 09 and 13 take account of the advice from the Tree Officer.

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THE SITE



PROPOSAL

Full planning permission is sought for the demolition of the existing buildings and the erection of 4 x 2 bedroom, 2 x 3 bedroom and 4 x 4 bedroom dwellings.

HISTORY

P/2005/1144 Outline application for demolition of existing buildings and proposed erection of 16 no. dwellings. Granted 6.3.2006

DEVELOPMENT PLAN

Within settlement. Policies PS3, GDP1, GDP2, EC4, EC6, EC11, H2, CLF5 and T8 apply.

CONSULTATIONS

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Community Council:

I have been requested, on behalf of Rhos Community Council, to advise you that objections were raised as follows:

- The applications intend to connect the foul sewer into the rear of the above properties. Welsh Water has the right to repair and maintain the existing line **not replace**. This line is 4 inches and in reasonable condition in 47,49,51 then goes into 6 inches in 53, 55,57 when the existing land was occupied there were issues with foul sewer backing up into the properties.
- Welsh Water have suggested taking the foul sewer into the High street and that would be acceptable.
- The application is intending to connect the fresh water to the front of the properties in Heol Offa, there is a problem with water discharging on to the road and running down Heol Maelor, previously the rear gardens have flooded on Heol Maelor.
- The residents in the above are not prepared to allow excavation in the above rear properties to get to 53, has the school been contacted on this matter?
- Access and egress, the current access is unsuitable for traffic, needs opening up to allow full view.
- The old building had bats, requires an ecology investigation relating to the bats before any demolition takes place.
- I would be pleased that the above objections be given full consideration when discussing this application.

Local Member:

Comments/observations:

- Tree next to site needs to be examined and or felled- possible Ash Die Back.
- Bus Stop along high street needs to be moved to a more suitable location as there is a possible visibility issue, better to be located next to path top of Heol Offa in recess.
- Fence surrounding the boundary is of poor quality and needs to be removed/replaced, this surrounds the site and next to the school at Ysgol Yr Hafod and Heol Offa.
- Boundary Wall next to site along pathway to school (off Heol Offa) this is in poor condition/leaning. (HRA land);

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- Highways:
- Water discharge - concern from local residents on what arrangements are in place for sewer upgrades, needs a plan to mitigate all risks to owner occupiers/tenants to minimise impact. Not seen any plans and or a construction plan.
- Have made the following comments:

Site layout

- The revised site plan shows that the parking provision for all plots is now clearly within the maximum permitted by WCBC parking standards.

Site access junction

- Visibility splays for the access junction have now been provided and confirm a visibility splay of 2.4 x 43m, which is in line with the Manual for Streets standard for a 30mph road. Achieving this visibility is dependent on the relocation of the southbound bus stop for which a satisfactory new location has been proposed to the south of the site.

Swept path analysis

- Swept path analysis has been provided for an 11.22m lorry, confirming that a vehicle of this size can turn safely within the development and turn around to exit in forward gears.

Conclusion

- I am now satisfied that large vehicles can turn within the site and that there is adequate visibility at the access junction provided the bus stop is relocated to the proposed location. There is no highways reason to prevent planning permission being granted if you are mindful to do so.

Public Protection:
Contaminated Land:
Education:
PCRW:

Condition and advisory notes recommended.
Conditions recommended.
Contributions to schools required
Contributions sought to upgrade play equipment in Heol Kenyon.

Welsh Water:

Have made the following comments:

- As of 7th January 2019, this proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore may require approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating

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and maintaining surface water drainage systems'.

- We note the applicant is proposing to discharge surface water flows to the public sewerage system, on the basis that this site has been previously developed we would advise of completion of connectivity survey is existing development has not been demolished. We would advise that even if the existing development is discharging surface water directly or indirectly upon demolition its right to discharge is lost. Upon being provided with evidence that a range of sustainable drainage systems (SuDS) have been fully exhausted we will review surface water sewer discharge.
- No concerns in relation to foul capacity. The additional flows from 10 dwellings will not cause any issues to existing sewer network.
- Drainage condition recommended.

NRW:

We have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you attach the following conditions to the permission. Otherwise, we would object to this planning application.

- Condition 1: European Protected Species (Great Crested Newt): No development shall take place until a Reasonable Avoidance Measures scheme for Great Crested Newt is submitted to and approved to the satisfaction of the LPA and implemented as agreed.
- Condition 2: Biosecurity: No phase of development, including site clearance, with the potential to impact on invasive species, shall commence until a site wide Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority.

CPAT:

Condition requires to secure photographic survey. Expired 5.2.2021

Press Notice:

Neighbours:

The owners/occupiers of 15 nearby properties and the Head Teacher of Johnstown Junior School notified 14.1.2021 and the owner/occupier of 1 nearby property notified in respect of amended plans 1.3.2021

8 representations received expressing the following concerns:

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- Not prepared to allow the development to work within rear garden;
- Sewer capacity/connection;
- Surface water
- Bats in the stone buildings;

1 representation commenting that the proposals would be a positive thing and would improve the view.

SPECIAL CONSIDERATIONS

Policy: The site lies within the settlement limit where, in accordance with policy H2, residential development is acceptable subject to compliance with policy GDP1.

The site is occupied by buildings last used for storage with associated offices and therefore constitutes previously developed land. Policy PS3 of the UDP supports the re-use of previously developed land.

I will consider the proposals in light of other relevant UDP policies below.

Design: The development will result in the demolition of all existing buildings, which include a stone built range of former farm buildings towards the front of the site. Whilst these buildings are a prominent feature of the site and do have architectural merit, they are not listed nor is the site within a Conservation Area and as such they are not afforded any statutory protection nor is there a UDP policy that specifically seeks to prevent redevelopment of sites such as this. The Clwyd Powys Archaeological Trust have advised that a photographic record of the building be prepared before they are lost. This is a matter that can be addressed by condition.

The layout of the site is acceptable, providing mix of house types that offers strong built frontage to High Street and within the site.

The development will result in the loss of 5 trees within the site. Of these, 4 are identified as Category C/low quality and given their size and position within the site, their loss will not adversely impact upon the visual amenity of the area. The most significant tree to be removed is an Ash tree located in the south-west corner of the site. The tree is prominently located within the existing street scene however it is identified as Category U owing to its poor physiological condition. In this instance, the tree is identified as suffering from advance decline and as being in the final stages of Ash dieback and as such its removal will be required in near future on safety grounds, irrespective of whether the development proceeds. Having regard for all of these factors I do not consider the loss of trees conflicts with policy EC4 in this particular case.

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The site does not provide any on-site open space, CLF5 recognises that in the case of small urban infill plots such as this, financial contributions towards off-site provision can be made. LPGN10 also confirms that in the case of developments less than 20 dwellings commuted sums may be made to off-site provision. I have consulted with Parks, Countryside and Rights of Way in respect of areas of open space in the locality that could benefit from contributions for improvements. They have confirmed that some existing 30 year old play equipment in the open space area on Heol Kenyon would benefit from replacement. Contributions can be sought via a planning obligation.

Amenity: The site is elevated relative to the dwellings in Heol Offa to the south and east, however despite this the development accords with LPGN21 separation distances. The proposed dwellings are actually further from nos. 44-48 Heol Offa so will offer a less dominating/oppressive outlook, particularly from the rear garden of no. 47. The development also offers some benefits to the amenity of nearby occupiers by way of reduced risk of noise and disturbance by way of a cessation of commercial activities on the site.

The development will result in 3 plots with rear elevations facing towards the side boundary of no.47, albeit the ground floor of those plots will be elevated by 2.5 -3 metres relative to the ground level of on.47. I do not consider this relationship will give rise to significant loss of privacy. Boundary treatment will provide a degree of screening and views into the rear garden of no.47. The rear garden of no.47 is also already overlooked to some extent from the pathway running between it and the site.

The site layout also broadly accords with LPGN21 in respect of the relationship between the proposed dwellings. Plot 7 faces the side elevation of Plot 8 at a distance of only 11 metres rather than the 13 metres recommended in LPGN21 however I am satisfied that the relative position of the two plots is such that this will not unduly compromise the standard of amenity afforded to the occupiers of plot 8.

The proposed dwellings will be provided with adequate private garden space.

Highways: The application proposals the closure of the existing site access onto High Street situated in the south-western corner of the site and the formation on a new vehicular access in a more centrally located position. Subject to the relocation of an existing bus stop situated immediately to the north, the proposed access will provide adequate visibility in both directions. The internal estate road is 4.8 metres wide and therefore of an appropriate width to serve a development of this site. Plans have also been submitted that demonstrate the proposed turning are can accommodate a refuse wagon.

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A breakdown of the parking provision for the site is set out below:

Plot	No of Bedrooms	Parking Spaces	LPGN16 Maximum
1	4	3	3
2	4	3	3
3	4	2	3
4	4	2	3
5	2	2	2
6	2	2	2
7	3	2	3
8	3	2	3
9	2	2	2
10	2	2	2

As can be seen 4 plots have parking below the LPGN16 maximum, however the site is in a sustainable location being located a short walking distance from Ysgol Yr Hafod on Bangor Road, lies within 250 metres of the Cooperative convenience shop on Ruabon Road and is just over 600 metres from the entrance to Vauxhall Industrial Estate. Johnstown is also reasonably well served by public transport. In addition the 2011 census confirms that in the Johnstown ward only 18% of households living in properties with 8 or more rooms (which will broadly corresponds to typical 3 and 4 bedroom dwellings) have 3 or more vehicles. Taking all of these factors into account, I do not consider the fact that the 4 plots do not provide the LPGN16 maximum is likely to give rise to significant parking issues off-site or within the development itself.

Drainage: Welsh Water have confirmed that they do not have any concerns about the capacity of the local sewer network to accommodate the development. The application is accompanied by a drainage plan which indicates the development will connect to a foul sewer located to the east of the site, however this be subject to a separate agreement between Welsh Water and the applicants.

In respect of surface water, the submitted plans show the provision of an area set aside for the provision of a retention basin. This will need to be the subject to a separate the Council as SuDs Approval Body (SAB) before construction begins. In light of that, I do not consider it necessary to impose a drainage condition because this would unnecessarily duplicate controls imposed by other legislation.

Ecology: The application is accompanied by an ecology report. This identified that no bats are present within the buildings to be demolished.

NRW have requested that the application Reasonable Avoidance Measures are implemented in respect of Great Crested Newts (GCN). This is something that can be required by condition and subject to their implementation, the

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proposal is not likely to be detrimental to the maintenance of the population of GCN at a favourable conservation status in its natural range.

Given the proximity of the site to the Stryt Las Site of Special Scientific Interest (SSSI) NRW have recommended that a Biosecurity Risk Assessment is also undertaken in the interests of managing the spread of invasive non-native species. This is a matter that can also be addressed by condition.

The site lies approximately 85 metres from the Johnstown Newt Sites Special Area of Conservation (SAC). The development does have the potential to increase recreational pressures upon the SAC. Given the comparatively modest size of the development and therefore the modest increase in population living within close proximity to the SAC, this impact of the development upon the SAC, by itself, is likely to be comparatively small. Nevertheless, the cumulative impact of existing recreational use of the SAC in addition to any additional demand arising from the development must also be taken into account.

As noted above I have consulted Parks, Countryside and Rights of Way to advise on areas of open space within close proximity of the site that could benefit from enhancement. Improvement of existing open space provision close to the site and outside of the SAC will provide recreational opportunities for occupiers of the site. This should assist in ensuring that the proposals by itself or in combination with existing residential properties will not increase recreational pressures upon the SAC that lead to habitat loss and the associated disturbance to GCN within SAC.

Contributions to Schools: Education have requested contributions towards primary school provision. Whilst the development is likely to generate only 2 pupils, the nearest primary school is at capacity. This will be secured by way of a Planning Obligation.

Other Matters: I note the comments made by the Local Member in respect of the retaining wall to the rear of the site. The developer will need take account of the stability of the wall when working on site and should any damage occur they would be responsible for works to repair it. Ensuring damage does not occur is however outside of the scope of planning control.

Whilst noting the comments made by the Community Council in respect issues water discharging from the water main in Heol Offa, this is outside of the scope of the application. Dealing with existing leaks is a matter for Hafryn Dyfrdwy. Making a connection to the existing water main will be a matter for the developer to agree separately with Hafryn Dyfrdwy.

CONCLUSION

This is an appropriate re-use of a previously developed site. The scheme is acceptable in respect of layout, design, site access and parking provision and will not adversely impact upon the standard of amenity afforded to nearby

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occupiers nor will it result in unacceptable impacts upon protected species or the nearby SAC. As such I am satisfied the proposals accord with the relevant UDP policies.

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 be carried out in accordance with the following plans:
 - i. 19/5991/1 Revision D Site Layout Plan C
 - ii. 19.5991/2 Harlech
 - iii. 19.5991/3 Ruddlan
 - iv. 19.5991/4 Beaumaris
 - v. 19.5991/5 Revision A Ewloe
 - vi. 19/5991/6 Revision A Garage Details
 - vii. 19/5991/7 Revision A Conwy
 - viii. 19.5991/10 Revision A Ewloe Plots 9 & 10
 - ix. 19.5991/11 Flint
3. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.
4. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 03 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.
5. No works shall commence until an appropriate photographic survey of the existing buildings on the site has been carried out. Copies of the survey shall be submitted to and approved in writing by the Local Planning Authority, and the resulting photographs should be deposited with the County Sites and Monuments Record, operated by The Clwyd-Powys Archaeological Trust (7a Church Street, Welshpool, Powys, SY21 7DL).

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6. No development shall take place until a scheme that includes the following has been submitted to and approved in writing by the Local Planning Authority:

i. A scheme of Reasonable Avoidance Measures in respect of Great Crested Newts.

ii. A Biosecurity Risk Assessment

Development shall thereafter take place in strict accordance with the scheme as approved.

7. No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.

8. Prior to their use on the development samples of all external facing and roofing materials shall be 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.

9. Within three months of commencement of development, a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

i) Details of all hard and soft landscaping;

ii) Details of all boundary treatment;

iii) A time scale for the implementation of the scheme;

iv) A landscape management plan

Landscaping shall thereafter be implemented and managed in strict accordance with the scheme as approved.

10. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 43 metres in both directions 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.

11. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 19/5991/1 Revision D shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.

12. No dwelling shall be occupied until the existing bus stop located to the north of the proposed site access has been repositioned in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority

13. The development shall be carried out in strict accordance with the Tree Solutions Arboricultural Impact Assessment & Method Statement reference 21/AIA/WXM/262 (Rev A) dated May 2021.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

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2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To secure a full photographic record of the original building(s) prior to alteration, conversion or demolition in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
7. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. 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.
9. 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.
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.
11. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
12. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
13. To protect trees which are of significant amenity value to the area in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

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

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

Date 05/07/2021

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.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If however there are urgent or unavoidable circumstances requiring works outside of the specified times, permission to proceed may be sought by contacting Environmental Health and Housing Standards at: heathandhousng@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

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