

WREXHAM COUNTY BOROUGH COUNCIL
PLANNING COMMITTEE MEETING OF 10th MAY 2021

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
ADDENDUM REPORT

This report summarises information received since the Agenda was compiled including, as appropriate, suggested amendments to recommendations in the light of that information. It also lists those people wishing to address the Committee.

Where the Council has received a request to address the Committee, the applications concerned will be considered first in the order indicated in the table below. The remaining applications will then be considered in the order shown on the original agenda unless indicated by the Chair.

ITEM 4 – DEVELOPMENT CONTROL APPLICATIONS

<i>Page Nos</i>	<i>Community</i>	<i>Planning Ref</i>	<i>Speaker Against</i>	<i>Speaker For</i>
25-35	GRE	P/2020/0724		√

Pages 25-35 GRE P/2020/0724

Marford Gate, Chester Road, Gresford, Wrexham, LL12 8SF
SPEAKER – FOR JONATHAN DAVIES (APPLICANT)

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P/2021/0109

LAND ADJACENT TO 4 STATION ROAD RHOSTYLLEN WREXHAM LL14 4BB
ERECTION OF DETACHED DWELLING

Consultations

Highways: No objections subject to conditions.

Representations

1 additional objection received raising points referred to in the report

Applicant's Submission

Concerns have been raised by the Local Member with regards to the application site boundary and whether there has been encroachment onto adjoining Council owned land, which is protected by Fields in Trust Deed of Dedication (Owain Glyndwr) status.

Land Registry details of ownership however clearly show that the land is in the ownership of the applicant, but that there are restrictive covenants, which relate to the site.

It is important to note that the restrictive covenants are not considered in applications for planning permission. Equally, planning permission does not quash any restrictions on title. Landowners must obtain both planning permission and comply with restrictive covenants in order for development to be carried out.

Legal matters including restrictive covenants are not material planning considerations and should not be considered as part of your consideration of the planning merits of this proposal. If the Committee resolve to grant planning permission the applicants will need to address any covenant separately in order to implement the permission.

Given the uncertainty regarding the extent of any legal restriction, which may impact upon the site I propose to include a further 'Note to Applicant' highlighting the situation to the applicants.

Recommendation

Amend condition 2 to refer to the following drawings:

Location Plan LP1A

Site Plan PL4A

Delete drawing CO+G/1 and Refer to hipped roof design, not gabled

Add Informative – The applicant is advised that any restrictive covenants which relate to the application site will need to be varied and / or removed before any development can commence.

Pages

37-45

Code Number

P/2020/0899

Consultations

Rhosddu Community Council

No objections to the proposed conversion to residential flats provided that the flats are to a good habitable standard, and that parking is available for residents. The façade of the building should be appropriate for a Conservation Area and consistent with adjacent properties.

Observations

These above matters are addressed in my main report.

Recommendation

Unchanged