

WREXHAM COUNTY BOROUGH COUNCIL
PLANNING COMMITTEE MEETING OF 12th APRIL 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>
11-26	RHO	P/2020/0725		√
27-36	WRO	P/2020/0750		√
37-42	WRA	P/2020/0783		√
43-46	WRA	P/2020/0788		√
47-58	GRE	P/2020/0841		√
71-78	ROS	P/2020/0882		√
79-86	WRR	P/2020/0898	√	√

Pages 11-26 RHO 2020 0725
Bonc Wen, Rhos, Wrexham, LL14 2EE
SPEAKER – FOR Jack Appleton (Agent)

Pages 27-36 WRO P 2020 0750
38 Pen y Bryn, Wrexham, LL13 7HY
SPEAKER – FOR Steve Edgeller (Agent)

Pages 37-42 WRA P 2020 0783
Asda Superstore, Holt Road, Bodhyfryd, Wrexham, LL13 8HL
SPEAKER – FOR Alan Jones - Asda

Pages 43-46 WRA P 2020 0788
Asda Superstore, Holt Road, Bodhyfryd, Wrexham, LL13 8HL
SPEAKER – FOR Alan Jones - Asda

Pages 47-58 GRE P 2020 0841
Midlake House, Hillock Lane, Gresford, Wrexham, LL12 8YL
SPEAKER – FOR Paul Ryan (Agent)

Pages 71-78 ROS P 2020 0882
Hem House, Rossett Road, Parkside, Rossett, Wrexham, LL12 0BW
SPEAKER – FOR Pet Twigg (Agent)

Pages 79-86 WRR P 2020 0898
31 Holyrood Crescent, Rhosddu, Wrexham, LL11 2EN
SPEAKER – AGAINST Yana Harden (Neighbour)

SPEAKER – FOR Justin Paul (Agent)

Pages 11 - 26 P/2020/0725

Bonc Wen Rhosllanerchrugog Wrexham LL14 2EE

Consultations

Representations

Applicant's Submission

The agent wishes to point out that all the dwellings will be affordable.

Observations

Recommendation

Unchanged

Pages 27 – 36 P/2020/0750

Consultations

Local Member – Comments received on 19th January 2021.

The first of two new applications - P/2020/0549 - was submitted in September last year, and this was dealt with at Committee on the 7th December. This gave approval to the extension of the hours of opening and deliveries by one hour, starting now at 7 a.m. rather than at 8 a.m. as previously - and ending at 10 p.m. as before.

That approval dealt positively with four of the outstanding matters.

Condition 2 required the completion of specified visibility splays at the vehicular access onto Pen y Bryn - within one month of the decision date.

Condition 3 required completion of the visibility splays onto Tenters Square by the same date.

Condition 4 required that the vehicle parking and turning area fronting the store should be laid out, drained and resurfaced, also within one month of the approval

Condition 5 requires the submission of a revised Service Delivery and Parking Management Plan by the 31st January, 2021.

This current application now deals with all the remaining matters, relating to the use of the space behind the store, to replace the low quality storage units and the outbuilding which has been used for some considerable time as an unauthorised bakery. The proposal is to replace these with a small new building labelled "Plant Area" and a larger building, labelled "BOH", the meaning of which is undefined.

It is not clear therefore whether one or other of these new buildings is intended as a replacement Bakery, but if this is the case, I would be strongly opposed to the proposal, as the bakery has been the cause of much noise, disturbance and misery for surrounding residents, as it has operated through the night, with vehicles coming and going at all hours with deliveries for the bakery, and to take away the finished items - all completely outside the permitted hours of 8 a.m. to 10 p.m.

However, if the intended use is genuinely for electrical plant and services and the like, and the larger building is simply a higher quality storage area for goods before they enter the store, then there can be no objection in principle to this very acceptable improvement.

The amended plans received last week show major changes to the size and location of the two units - around 50% larger for the "BOH" unit, and a doubling of the size of the "plant area"

In the area between the back of the store and the Bellevue Court apartments behind are some significant trees, which form a valuable visual screen which also protects the apartments from noise generated at the store. These are visible above the buildings from the surrounding area, so are an important part of the local street scene. They are already protected by TPOs, both on individual trees and on groups.

In order to create the space for the larger proposed replacement buildings, these trees are now shown as "Trees to be pruned / removed". This would not be acceptable.

Some further points also require consideration:

There is no vehicular access to the rear of the store where these new buildings will be erected - the only access is to this area is via a narrow footpath, around 2ft wide running along the Tenters Square elevation of the store building. Should there be a fire or other emergency in this area, it would be impossible for emergency vehicles to gain access. This could put residents of the nearby apartments at risk.

The location plan clearly shows the red line boundary of the application site. Proposed parking spaces 01 and 02, and two of the cycle spaces are located on land outside the ownership of the applicant. Moving these spaces forward to be wholly within the site ownership would impinge on the area required for the visibility splay required under condition 3 of the earlier approval.

The hours of opening of the site have been established as from 7 a.m. to 10 p.m. These hours must also apply to any new buildings approved under this application.

This is the best opportunity we have had to overcome the difficulties and problems of the last few years, so I am very keen that we should support the principle of more acceptable extension buildings. However, there needs to be discussion with the applicant to review the size and location of these amended plans, so that the extensions can be safely located within the limited space available at the rear of the store, without the need to fell or reduce the size of the protected trees. We need confirmation that there is not an intention to create a new Bakery within the proposed extensions - otherwise there will be a need for an additional change of use application.

I realise the pressures created by the Covid pandemic, but I would appreciate the opportunity to discuss with you how we can best progress this application, and approve acceptable plans - hopefully without the need to take the application to Committee.

Ecology Officer – Comments received on 05th April 2021. There are no photographs of the buildings proposed for demolition. It must be ensured that any building proposed for demolition is unsuitable for bats. There is also an absence of information on the adjacent tree proposed for removal/pruning.

Tree Officer – No comments received at the time of writing.

Representations

The agent has queried the calculations referred to in the Committee Report, in reference to the existing floor area of the outbuildings proposed for demolition and the proposed floor area of the extension.

Observations

Since the original submission of the application, some of the existing outbuildings appear to have already been removed from the site. Therefore, amended plans showing this change will need to be submitted as part of the application to take this into account.

The existing floor area of the outbuildings proposed for removal, as well as the proposed floor area of the extension, also requires further clarification in this respect and in reference to the agents query.

Further information is also required to confirm that the outbuildings proposed for demolition are unsuitable for bats.

Recommendation

The application is deferred, until such time as the relevant information has been submitted.

Pages 27 – 36 P/2020/0750

38 Pen y Bryn, Wrexham, LL13 7HY

Consultations

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Recommendation

The application is deferred, until such time as the relevant information has been submitted.

Pages 47 – 57 **P/2020/0841**

Midlake House, Hillock Lane, Gresford, Wrexham, LL12 8YL

Representations

1 objector has raised the following matters:

- Overlooking.
- Noise and environmental impact.
- Impact upon adjacent septic tank.
- Loss of fruit trees.
- The objection states the proposal would not be located constantly 2.4m off the northern boundary as outlined on page 52 of the Committee Report. The objector considers figure 5 (section drawing) on the main report to be misleading.
- The objector has clarified that the boundary fence consists of 5 foot high panels.

The objector had submitted three photographs to accompany their objection these are included below.



Photograph 1 view from bedroom



Photograph 2 view from bedroom



Photograph 3 view from bedroom

Observations

In relation to loss of privacy, noise, adjacent septic tank and environmental impact these matters have been addressed within the main report.

Officers acknowledge that the separation distance would not be constantly 2.4m along the northern boundary, and at its closest point it would measure approximately 1.5m. However, the majority of the development would retain a setback of 2.4m. The taper along this boundary is shown on figure 3 on the main committee report and drawings under consideration are publicly available on the Council's website. Officers maintain their stance, as outlined within the main report, that the development would remain within acceptable parameters in terms of neighbour amenity.

Officers acknowledge that fruit trees are located within the application site. These trees could be removed without prior consent from the Local Planning Authority. The trees are considered to be of a size that should not inhibit the development of this site.

Recommendation

Remains unchanged.

Pages **59-70** **P/2020/0844**

Land off High Street, Johnstown, Wrexham, LL14 2BA

Consultation Response

Tree Officer

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.

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's Submission

The applicant has submitted a Unilateral Undertaking that will secure the matters listed in Recommendation A of my main report.

Observations

In light of the comments made by the Tree Officer (received 8 April 2021) further consideration needs to be given to whether there is justification to remove the Ash tree and if not, to secure amendments to enable its retention.

Recommendation

The application is deferred.

Pages 71 – 78 P/2020/0882

Hem House Cottage, Rossett Road, Parkside, Rossett, Wrexham, LL12 0BW

Consultations

Public Protection – No objection.

Welsh Water – No objection.

Recommendation

Remains unchanged.

Pages 95-106 P/2021/0056

Magellan Aerospace, Rackery Lane, Llay, Wrexham, LL12 0NT

Applicant's Submission

Revised timescale for implementation of ecology mitigation.

Observations

Condition 03 should be amended as set out below:

Recommendation

Amend condition 03:

Ecological mitigation and enhancement shall be carried out in accordance with section 5: Mitigation and Enhancement Scheme of the Atmos Consulting Ecological Mitigation and Management Plan, Magellan Aerospace Ltd reference 5600/R2/Rev1 dated November 2020 and drawing MA-TACP-PS-XX-DR-A-704 and shall be implemented

in accordance with the timescales set out in the letter dated 01/04/2021 from Atmos Consulting.

Pages 107-116 P/2021/0119

Former Air Products Site, Llangollen Road, Acrefair, Wrexham, LL14 3HW

Consultations

Public Protection:	No comments
Contaminated Land:	No comments
NRW:	No objection
Welsh Water:	No objection

Representations

1 representation expressing the following concerns:

- Increase in traffic
- Problems with existing on-street parking;
- Speeding traffic;
- Parking needs for existing residents need to be considered

Observations

There have been no material changes in circumstances since permission was granted in 2018.

The provision of on-site parking for the proposed dwellings will be a matter considered at reserved matters stage and will ensure that the development will not exacerbate any issues with on-street parking in the vicinity. It would be unreasonable to impose any requirements by way of planning conditions or obligations requirement measures to address existing issues that are not caused by the development.

Recommendation

Unchanged
