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Tuesday, 30 April 2019
Annette Sellwood
01978 292242
annette.sellwood@wrexham.gov.uk

Dear Councillor

You are requested to attend a **Meeting** of the **PLANNING COMMITTEE of Wrexham County Borough Council** to be held in **COUNCIL CHAMBER, GUILDHALL** on **TUESDAY, 7 MAY 2019** at **4.00 pm** for the transaction of the business specified below.

Yours faithfully

Sioned Wyn Davies
Prif Swyddog Llywodraethu a Chwsmeriaid
Chief Officer Governance & Customer

A G E N D A

- 1 **Apologies for Absence**
- 2 **Declarations of personal interests, if any**
Members are reminded of their responsibility, under Paragraph 11 of the Members' Code of Conduct, to declare the existence and nature of any personal interest in respect of any of the business to be transacted at this meeting
- 3 **Confirmation of Minutes**
To sign as a correct record the Minutes of the Meeting held on 1 April, 2019.
(Pages 5 - 10)
- 4 **Development Control Applications**
To consider the report of the Chief Officer Planning & Regulatory. (Pages 11 - 12)
- 4a **Application No. P/2016/0611 - Legacy Car Dismantlers and Scrap Yard, Llwyneinion Road, Legacy, Wrexham**

- 4b Application No. P/2018/0608 - Big Green Farm, Ellesmere Lane, Penley, Wrexham
- 4c Application No. P/2018/0888 - Broad Oak Farm, Llyndir Lane, Rossett, Wrexham
- 4d Application No. P/2018/0934 - Horse and Jockey, Chapel Street, Ponciau, Wrexham
- 4e Application No. P/2019/0051 - Romney, Marford Hill, Marford, Wrexham
- 4f Application No. P/2019/0084 - Gegin Farm, Ruthin Road, Minera, Wrexham
- 4g Application No. P/2019/0087 - The Old Post Office, Redbrook View, Redbrook Maelor, Whitchurch
- 4h Application No. P/2019/0089 - Ferndale Garden Centre, Berse Road, Caego, Wrexham
- 4i Application No. P/2019/0094 - 7 Heol Dinas, Wrexham
- 4j Application No. P/2019/0096 - 4 Salem Road, Coedpoeth, Wrexham
- 4k Application No. P/2019/0127 - Black Rock Farm, Sesswick Way, Cross Lanes, Wrexham
- 4l Application No. P/2019/0147 - Land adjacent to 1 Islwyn, Beech Avenue, Rhosllanerchrugog, Wrexham
- 4m Application No. P/2019/0192 - 49 Castle Road, Coedpoeth, Wrexham
- 4n Application No. P/2019/0211 - 5 Ffordd Elwy, Wrexham
- 4o Application No. P/2019/0220 - 1 Bedwell Crescent, Cross Lanes, Wrexham
- 4p Application No. P/2019/0229 - Land at Home Farm, Gresford Road, Llay, Wrexham
- 4q List of Delegated Decisions Issued
- 5 **Tree Preservation Order 289/2018 St Anne's Roman Catholic Primary School, Prince Charles Road, Wrexham**
To consider the report of the Chief Officer Planning & Regulatory (Pages 145 - 152)
- 6 **Tree Preservation Order 286/2018 Land South of Penley Hall Site, Penley, Wrexham**
To consider the report of the Chief Officer Planning & Regulatory (Pages 153 - 158)
- 7 **Any other items which the Chair decides are urgent**

TO: THE CHAIR AND MEMBERS OF THE PLANNING COMMITTEE

Councillor	Bryan Apsley	Councillor	John McCusker
"	I David Bithell, MBE	"	M G Morris (Chair)
"	Michael Dixon	"	Beverley Parry-Jones
"	Frank Hemmings	"	Paul Pemberton
"	Adrienne Jeorrett	"	John Phillips
"	Gwenfair Jones	"	Ronnie Prince
"	Marc Jones (Vice-Chair)	"	John Pritchard
"	Paul Jones	"	Paul Roberts
"	David Maddocks	"	Graham Rogers
"	Tina Mannering	"	Andy Williams

MINUTES OF A MEETING OF THE PLANNING COMMITTEE
HELD IN COUNCIL CHAMBER, GUILDHALL ON
MONDAY, 1 APRIL 2019

MEMBERS

Councillor M G Morris, Chair
Councillor Marc Jones, Vice-Chair

Councillor	Bryan Apsley	Councillor	John McCusker
"	I David Bithell, MBE	"	Beverley Parry-Jones
"	Michael Dixon	"	Paul Pemberton
"	Frank Hemmings	"	John Phillips
"	Adrienne Jeorrett	"	Ronnie Prince
"	Gwenfair Jones	"	John Pritchard
"	Paul Jones	"	Paul Roberts
"	* David Maddocks	"	Graham Rogers
"	Tina Mannering	"	Andy Williams

*Absent

Also Present – Councillors D J Griffiths

64 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor David Maddocks.

65 DECLARATIONS OF PERSONAL INTERESTS, IF ANY

Members were reminded of their responsibility, under Article 11 of the Members' Code of Conduct, to declare any interests in relation to any of the business to be transacted at this meeting. The following declarations were made:

Agenda Item 4 – Development Control Applications

Councillor Tina Mannering – Personal and Prejudicial - Application Code No. P/2018/0997 as Local Member. The Councillor withdrew from the meeting for this item taking no part in the discussion and voting thereon.

66 CONFIRMATION OF MINUTES

RESOLVED – That the Minutes of the Meeting held on 4 March 2019 be signed as a correct record.

67 DEVELOPMENT CONTROL APPLICATIONS

The Chief Officer Planning & Regulatory submitted a report (COPR/02/10) to

determine the listed planning applications. Attention was drawn to his Addendum report where relevant.

Application Code No. P/2018/0684 – conversion of existing first floor and construction of mezzanine floors to create 53 no. apartments (51 no. one bedroom and 2 no. two bedroom), associated works and external alterations - Henblas Square Henblas Street Wrexham LL13 8AE

RESOLVED – That permission be REFUSED

Reason

The development does not make an adequate contribution to the provision of affordable housing and is therefore contrary to Local Planning Guidance Note 28 and to Unitary Development Plan policy H7.

Application Code No. P/2018/0864 – single-storey rear bedroom and shower room extension - 39 Tanydre, Wrexham, LL13 9AY

RESOLVED – That permission be GRANTED in accordance with recommendation of the Chief Officer Planning & Regulatory as set out in report COPR/02/10.

Application Code No. P/2018/0997 - Erection of 23 affordable residential units with associated parking at Woodlands Farm Dodds Lane Gwersyllt Wrexham LL11 4NS

(Member declaration of personal interest in relation to this application is set out in Minute 65 above).

A resident spoke against the application.

The applicant's representative spoke in support of the application.

A number of Members raised concerns in relation to the site being outside the settlement area which they felt was inappropriate for development.

RESOLVED – That permission be REFUSED in accordance with recommendation of the Chief Officer Planning & Regulatory as set out in report COPR/02/10 and the Addendum Report, with an additional reason for refusal:

Additional reason

The site contains Grade 3a agricultural land therefore the proposed development conflicts with policy EC2 of the Wrexham Unitary Development Plan.

Application Code No. P/2018/1014 – change of use from HMO to Wellness Centre including enlargement of existing car parking area and alteration to access 46 & 46a Chester Road, Wrexham

The applicant spoke in favour of the application.

RESOLVED – That permission be GRANTED in accordance with recommendation of the Chief Officer Planning & Regulatory as set out in report COPR/02/10 together with the further information contained within the Addendum Report.

Application Code No. P/2018/1050 – construction of new access / driveway and erection of boundary fence (in retrospect) - 1 The Stables Bowling Bank, Wrexham, LL13 9QF

RESOLVED – That permission be GRANTED in accordance with recommendation of the Chief Officer Planning & Regulatory as set out in report COPR/02/10 together with the amendment to Conditions 3 and 4 as set out in the Addendum Report and the following addition thereto:

Amend Condition 3

The access hereby approved shall permanently retain visibility splays of 2.4 metres x 33 metres in both directions measured to the centreline of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

Amend Condition 4

The vehicular parking and turning areas as shown on approved Plan Ref: 158002 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.

Add Condition10

Within one month of the date of this permission, the site shall be laid out in strict accordance with layout plan ref: 158002.

Reason: In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Application Code No. P/2018/1070 – conversion of barn to a single dwelling - Land off Fennant Road, Ponciau

The applicant's representative spoke in favour of the application.

RESOLVED – That permission be GRANTED in accordance with recommendation of the Chief Officer Planning & Regulatory as set out in report COPR/02/10.

Application Code No. P/2018/1081 – submission of reserved matters pursuant to outline planning permission P/2017/0527 - layout, scale, appearance, landscaping for roadside services incorporating a petrol filling station with ancillary kiosk and associated car parking and works - Land West of Wrexham Golf Club off A534 Roundabout Holt Road, Llanypwll, Wrexham

An objector spoke against the application.

The applicant's representative spoke in favour of the application.

RESOLVED – That the Reserved Matters as set out in report COPR/02/10 be APPROVED.

Application Code No. P/2019/0006 – outline application for 1 no. dwelling on amenity land adjoining 8 Ash Grove, Lodgevale Park, Chirk, Wrexham, LL14 5RF

A resident spoke against the application.

The applicant's representative spoke in favour of the application.

RESOLVED – That permission be GRANTED in accordance with recommendation of the Chief Officer Planning & Regulatory as set out in report COPR/02/10 together with the further information contained within the Addendum Report.

Application Code No. P/2019/ 0023 – Side and rear extensions and erection of garage – The Old Shop, Cadney Lane, Bettisfield, Wrexham, SY13 2LN

RESOLVED – That permission be GRANTED in accordance with recommendation of the Chief Officer Planning & Regulatory as set out in report COPR/02/10.

Application Code No. P/2019/0059 – Side extension to existing bungalow and erection of detached garage – 24 Winchester Way, Gresford, LL12 8HG

RESOLVED – That permission be GRANTED in accordance with recommendation of the Chief Officer Planning & Regulatory as set out in

report COPR/02/10.

Application Code No. P/2019/0097 – Single storey rear extensions, alterations to roof, new porch and roof elements to front elevation – Brancote, 71 Wynnstay Lane, Marford, Wrexham, LL12 8LH

RESOLVED – That permission be GRANTED in accordance with recommendation of the Chief Officer Planning & Regulatory as set out in report COPR/02/10.

Councillor M G Morris
Chair



REPORT TO:	Planning Committee
REPORT NO.	COPR/10/19
DATE:	7 th May 2019
REPORTING OFFICER:	Chief Officer Planning and Regulatory
CONTACT OFFICER:	David Williams (Ext 8775)
SUBJECT:	Development Control Applications
WARD:	N/A

PURPOSE OF THE REPORT

To determine the listed planning applications.

INFORMATION

Detailed reports on each application together with the recommendations are attached.

RECOMMENDATION

See attached reports.

BACKGROUND PAPERS

None.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

Community	Code No	Applicant	Recommendation	Pages
ESC	P/2016 /0611	MR GINO PALETTA	REFUSE	13 - 22
MAE	P/2018 /0608	WAWNE DEVELOPMENTS LTD	APPROVE	23 - 32
ROS	P/2018 /0888	MR SHAUN TROWBRIDGE AND TRUSTEES OF T H ROGERS	GRANT	33 - 48
RHO	P/2018 /0934	MS KARISHMA DAVDRA	GRANT	49 - 56
GRE	P/2019 /0051	MR CHRISTOPHER MACKENZIE - GRIEVE	GRANT	57 - 60
MIN	P/2019 /0084	CARE 4 CHILDREN BETHAN DAVIES	GRANT	61 - 70
BRN	P/2019 /0087	MR & MRS BEESLEY	GRANT	71 - 78
BRO	P/2019 /0089	MR & MRS HUGHES	REFUSE	79 - 84
WRA	P/2019 /0094	MR A HALL	REFUSE	85 - 88
COE	P/2019 /0096	RYAN AND RHIAN POWELL	GRANT	89 - 96
MAR	P/2019 /0127	MR & MRS ELLIOTT	GRANT	97 - 102
RHO	P/2019 /0147	VINCENT, GRAHAM HUGH & ANNE MORRIS	GRANT	103 -112
COE	P/2019 /0192	MRS SUSAN JONES	GRANT	113 - 118
WRA	P/2019 /0211	MR & MRS LUMB	GRANT	119 - 122
SES	P/2019 /0220	MR & MRS JONES	GRANT	123 - 128
LLA	P/2019 /0229	ANNWYL HOMES AND BELLWAY HOMES MRS ALISON PARKER	GRANT	129 - 136

Total Number of Applications Included in Report – 16

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All plans are intended to be illustrative only and should be used only to identify the location of the proposal and the surrounding features. The scale of the plans will vary. Full details may be viewed on the case files.

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APPLICATION NO:
P/2016 /0611

LOCATION:
LEGACY CAR DISMANTLERS AND
SCRAP YARD LLWYNEINION ROAD
LEGACY WREXHAM
LL14 4ET

DATE RECEIVED:
28/06/2016

COMMUNITY:
Esclusham

CASE OFFICER:
MP

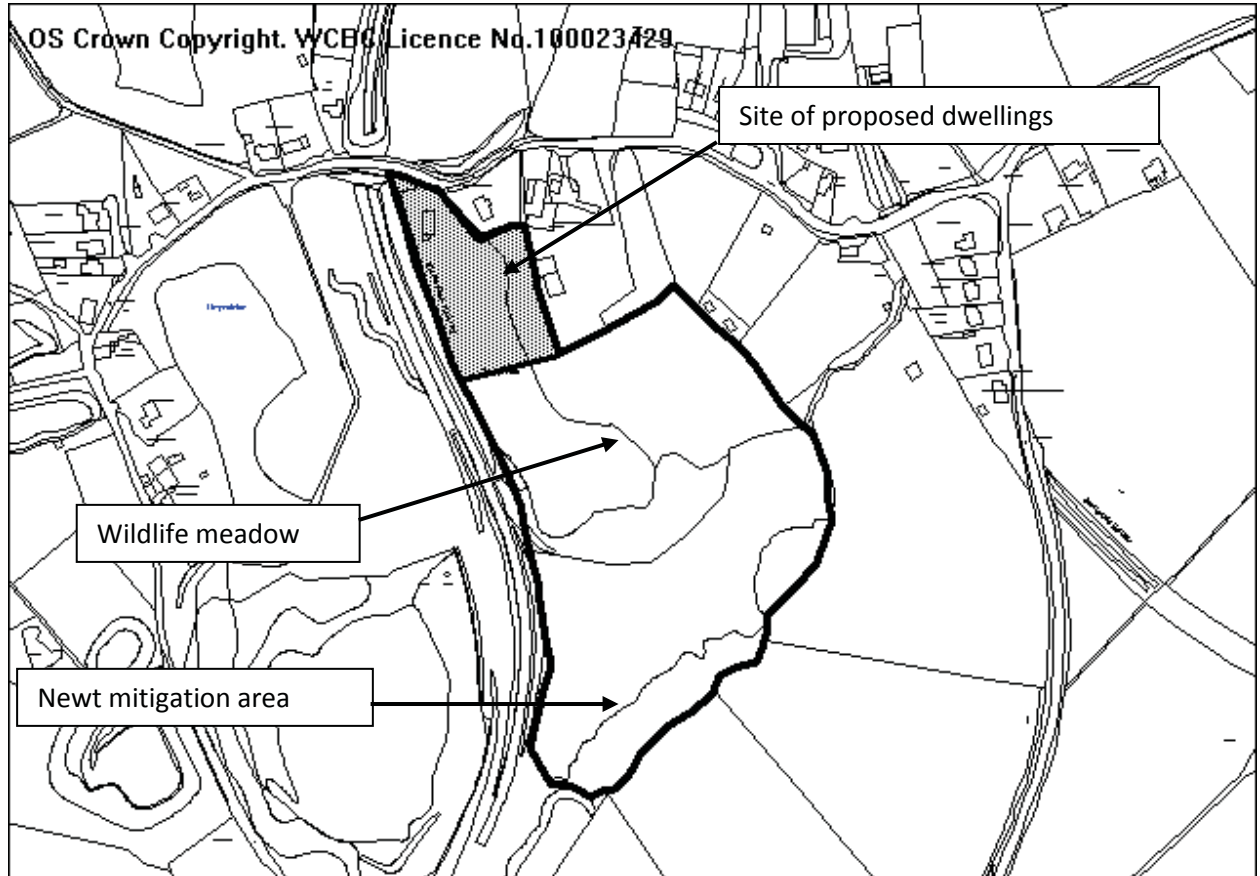
WARD:
Ponciau

DESCRIPTION:
REMOVAL OF SCRAP YARD USE
AND DEMOLITION OF ASSOCIATED
BUILDING ERECTION OF 7 NO
DETACHED DWELLINGS, ACCESS,
GARAGES AND GARDENS,
CREATION OF WILDLIFE MEADOW
AND NEWT MITIGATION HABITAT
AREAS

AGENT NAME:
NIGEL THORNS
PLANNING
CONSULTANCY

APPLICANT(S) NAME:
MR GINO PALETTA

SITE



PROPOSAL

As above.

HISTORY

No recent relevant history.

DEVELOPMENT PLAN

Outside of settlement and within a minerals buffer zone. Policies PS1, PS3, GDP1, EC4, EC6, H5, CLF6 and MW11 apply.

CONSULTATIONS

Community Council:	While the concept of use change from the previous car dismantlers to residential is fully supported there are the following aspects to consider: 1. Land history The previous use as a vehicle dismantler's yard generated a number of environmental concerns in particular relating to poor containment of fluids. Secondly the site is adjacent to a known area of contaminated land. It is also suspected that part of the proposed development site may itself be subject to contamination. 2. Surface water and foul drainage In view of the comments above, the need to properly specify the handling of surface water runoff is a key element. The use of soakaways may be acceptable, however the site's proximity to an area of contaminated land is hopefully given proper consideration. 3. Vehicle access and parking The housing density on the site appears to restrict the vehicular access, especially in respect of suitable turning provision. It is suggested that further consideration be given to vehicular access to improve parking and turning arrangements.
Local Members:	Notified 1.7.2016
Public Protection:	Recommend measures in respect of minimising construction impacts.
Contaminated Land:	Recommend contaminated land conditions in respect of site investigation, remediation and verification.
Highways:	Have the following comments: - The existing access suffers from substandard visibility in a westerly direction;

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- The proposed access significantly improves visibility, providing splays in excess of Welsh Government guidelines;
- Llwyneinion Road is narrow and in some places it is not possible for two vehicles to pass. However the site has an existing use as a scrapyard which generated a significant amount of traffic, much of which was HGVs and car transporters. As the proposed development will reduce the size and frequency of vehicles using Llwyneinion Road it will not be detrimental to highway safety;
- Although parking is in accordance with LPG16 maximum standards, some of the driveways appear cramped and the private drive access allow no scope for visitor parking;
- Conditions recommended.

Welsh Water: As the applicant intends utilising a private treatment works we would advise that the applicant contacts. Natural Resources Wales who may have an input in the regulation of this method of drainage disposal.

Rights of Way: The proposed development affects a section of Esclusham Above footpath 4 and if planning permission is granted, the footpath will require a diversion order. The applicant will need to contact the Rights of Way section to discuss the detail of the diversion should planning permission be granted.

Flood Management: Recommend drainage condition.
NRW: We recommend that you should only grant planning permission if the scheme can meet the following requirement and you attach the conditions listed below. These would address significant concerns that we have identified. Therefore, we would not object provided the requirement is met and you attach the conditions to the planning permission.
Requirement: European Protected Species (EPS): submission of sufficient evidence to demonstrate that the proposed development satisfies derogation provisions under the Habitats Directive and Conservation of Habitats and Species Regulations.
Condition 1: Geoscience: Universal condition for development on land affected by contamination
Condition 2: Geoscience: Verification Report
Condition 3: Geoscience: Long-term monitoring

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	Condition 4: Geoscience: Unsuspected contamination
	Condition 5: The submission and implementation of a Biosecurity Risk Assessment to the satisfaction of the LPA.
	Condition 6: The submission and implementation of an approved ecological compliance audit (ECA) scheme to the satisfaction of the LPA
North Wales Police:	Recommend designing out crime principles applied.
Site Notice:	Expired 1.8.16
Neighbours:	The owners/occupiers of 5 neighbouring properties notified 12.7.2016 1 representation in support but making the following comments: - The public footpath through the site should be kept unobstructed whilst work is carried out.

SPECIAL CONSIDERATIONS

Background: The application was received in June 2016 but a decision has been deferred because the applicant wanted time to submit additional information and revised plans to address concerns that had been raised in respect contamination, ecology and potential impact upon trees.

Policy: The site lies outside of a settlement limit and therefore in an area where local and national planning policies impose strict controls over new residential development. Policy H5 only allows allows small scale housing developments to take place outside of settlement limits through the conversion of suitable buildings, the subdivision of an existing dwelling, up to two dwellings on an infill plot, small scale affordable housing schemes on sites adjacent to a settlement limit and for key rural worker housing. None of these circumstances is applicable in this instance.

Previously development land: The application site is some 4.76 hectares in area, however less than a quarter of it was last used as a scrapyards and therefore classed as previously developed land. The proposed residential development would be located at the northern end of the former scrapyards and therefore would result in the re-use/redevelopment of previously developed land.

Whilst Planning Policy Wales and UDP policy PS3 are supportive of previously developed land being re-used, this does not necessarily mean that proposals to redevelopment previously developed sites will be acceptable. Indeed Planning Policy Wales (paragraph 3.51) recognises that not all previously developed land is suitable for development because of its unsustainable location for example. Furthermore there are no UDP policies that make specific provision for the redevelopment of previously developed

sites located in the countryside for residential use. I will comment on the suitability of the site for residential development in more detail below.

Housing Land Supply: Housing Land Supply: Planning Policy Wales (paragraph 4.2.15) requires that Planning Authorities must ensure that sufficient land is genuinely available or will become available to provide a 5 year supply of land for housing.

Technical Advice Note (TAN) 1: Joint Housing Land Availability Studies advises that where a local planning authority does not have an adopted Local Development Plan or where an adopted UDP is outside of the plan period, they will not be able to produce a JHLAS and therefore will not be able to demonstrate whether they have a 5 year housing land supply or not.

Because the UDP plan period expired in 2011, Wrexham is now unable to demonstrate whether it has a 5 year housing land supply. The housing land supply in Wrexham is therefore judged to be zero.

In July 2018 the Welsh Government temporarily dis-applied paragraph 6.2 of TAN1 which advised that that considerable weight should be attached to the need to increase housing land supply where local planning authorities were unable to demonstrate a 5 year housing land supply. The weight afforded to this matter is therefore to be determined on a case by case basis.

The deposit Local Development Plan (LDP) identifies a need to make provision 8525 new homes over the 2013-2018 period in order to deliver a requirement of 7750 over the plan period. Taking into account completions over the 2013-2017 period, committed housing supply, there is a need for 5521 homes over the remaining plan period. This is to be met by an estimated 2145 dwellings delivered from windfall sites, with the remaining 3376 delivered via 2 key strategic sites and 17 non-strategic sites specifically allocated for housing.

Of the proposed allocated sites, 14 lie outside of existing UDP settlement limits, indeed the majority of the housing supply over the plan period will come from sites located outside of existing settlement limits.

To meet the LDP housing requirement, an average completion rate of 517 is required per annum over the 2013-2028 period. The delivery of new houses over this period has been consistently and significantly below this, averaging 241 a year. Small sites (i.e. developments of less than 10 dwellings) have delivered around a third of the supply contributing on average around a third of the housing supply delivered over the past 5 years.

LDP Background Paper 08: Housing Supply and Delivery demonstrates that a significant increase in the rate of completions will be required to meet the LDP housing requirements over the remaining plan period. This in turn can only be achieved if there is a significant increase in the amount of land coming forward for development.

In light of the points set out above it is my opinion that housing land supply is a material consideration that should continue to be afforded significant weight, subject to assessing proposals in light of relevant UDP and national planning policy.

Weight afforded to policies PS1 and H5: The existing settlement limits reflect the housing requirements identified in the UDP that were informed by migration led projecting, using mitigation trends from 1996. The LDP housing requirements are informed by far more up to date information. It will not be possible to meet the County Borough's future housing requirements without the release of sites located outside of existing settlement limits and in light of this, policy PS1 is now outdated and therefore afforded less weight in the determination of planning applications.

Planning Policy Wales (paragraph 3.56) advises that new building in the open countryside away from existing settlements should be strictly controlled. The limited circumstances set out in policy H5 under which new dwellings in the open countryside may be permitted are in general conformity with paragraph 3.56 of PPW and therefore can be afforded significant weight in this instance.

Sustainability: Planning Policy Wales paragraph 3.35 advises that:

In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole. Development in these areas should embrace the national sustainable placemaking outcomes and, where possible, offer good active travel connections to the centres of settlements to reduce the need to travel by car for local journeys.

PPW paragraph 3.39 advises that when identifying sites planning authorities should consider previously developed land and/or underutilised sites located within existing settlements in the first instance with sites on the edge of settlements considered at the next stage. This advice is also repeated in paragraph 4.2.16 specifically in respect of housing sites.

PPW does not promote the re-use of sites in the open countryside for housing development. Indeed paragraph 3.56 confirms that development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access, habitat and landscape conservation.

Paragraph 4.1.12 of PPW requires the sustainable transport hierarchy to be applied to reduce the need to travel, prevent car dependant developments in unsustainable locations and to prioritise access and movement by active and sustainable transport. The sustainable transport hierarchy promotes walking and cycling, then public transport ahead of private motor vehicles

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The application site is approximately 1km from the outskirts of Rhos by roads with no dedicated pedestrian footpaths. The site is not accessible by public transport and there are no local needs retail facilities or other essential services close to the site. Future occupiers would be entirely dependent upon private car journeys to travel to/from the site.

Whilst I recognise that there are some benefits associated with the development, notably the removal of an unattractive use from the countryside as well as a significant reduction in traffic, particularly HGVs to/from the site, these do not, in my opinion, outweigh the harm resulting from conflicting with policy or from allowing a residential development to take place in an unsustainable location.

Residential development in this location would be unsustainable and in clear conflict with PPW advice. These considerations significantly outweigh any benefits derived from increasing the housing land supply in this instance, particularly given the comparatively modest contribution the development will make to that supply.

Design: The layout of the development is, by itself, broadly acceptable and the proposed dwellings are of an attractive design. Nevertheless the proposals introduce a very urban form of development, a residential cul-de-sac, into a primarily rural location. As such the development will have a detrimental impact upon the rural character of the locality.

Amenity: The site is bounded by the curtilage of an existing dwelling, Bush House, however there will be sufficient space to the proposed dwellings they will not be harm the standard of amenity afforded to the occupiers of the property by way of loss of light, privacy or by being visually overbearing.

Access and parking: Visibility at the site access is substandard to the west, however the development will result in fewer vehicles, particularly HGVs travelling to/from the site, therefore the development will not prejudice highway safety.

I note comments made by Highways about the parking provision being cramped and lacking in space for visitor parking. Amended plans have been submitted that seek to address those comments. The development comprises 3 x 4 bedroom dwellings and 4 x 4 bedroom dwellings. Three of the plots have 4 dedicated parking spaces, with the remainder having 4. The plans also show dedicated visitor parking spaces although in most cases these sit within the curtilages of individual plots, which means on-site parking exceeds the LPG16 maximum. The layout also means that it may be difficult for vehicles to turn within the within the shared driveways serving some of the plots. However this matter could be addressed via relatively minor amendments and I am therefore satisfied that adequate off-street parking for each dwelling can be provided.

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Contaminated Land: The application site occupies the site of two historic landfill sites and was last used as a car dismantlers and scrap yard. Contaminated Land have confirmed that in their view the site is suitable for residential development subject to a condition being imposed to require a detailed site investigation, gas risk assessment and a scheme of remediation.

Trees and Ecology: The application is accompanied by an Arboricultural Method Statement that demonstrates that the development can take place without harm to trees to the north and south of the proposed dwellings. The implementation of tree protection measures would need to be secured by condition.

The proposed residential development will occupy approximately 14% of the total application site area. The initial plans suggested this would be turned into a wildflower meadow. The provision of a wildflower meadow would be far more in keeping with the rural character of the area than the existing remains of hard standings as well as enhancing the ecological value of the site. Much of the site remainder of the application site has quite a dense coverage of trees. The trees as a group have visual amenity meaning their loss would adversely impact upon the rural landscape. The trees also potentially have ecological value. The plans have therefore been amended and confirm that the woodland area will now be retained.

There is a known presence of Great Crested Newts is this location. The application therefore includes a 0.6ha area of land for new mitigation, within which habitat enhancement works will take place. Fences to exclude GCN from the construction areas will also be required to avoid harm whilst the site is cleared and the houses erected. Finally, arrangements for the long term management of the GCN mitigation area, as well as the wildflower meadow, woodland areas are also required.

The implementation of the proposed ecological mitigation/enhancement could be secured by planning condition, as could the submission of a management plan. To ensure the areas referred to above are retained in perpetuity and maintained, a planning obligation would be required. Subject to these provisions I am satisfied that the proposals present an opportunity for considerable landscape and ecological enhancement generally and would also ensure that the development will not be detrimental to the maintenance of the local populations of GCN.

The existing buildings on the site were accessed for a presence of bats in June 2016. This confirmed a likely absence of roosting bats, however given the time that has elapsed since the survey it can no longer be confidently relied upon and as such I no longer have sufficient evidence to be able to conclude that the development will not adversely impact upon bat species. The demolition works would therefore conflict policy EC6.

Mineral Buffer Zone: The site lies with the mineral buffer zone surrounding Llwyneinion Quarry. Policy MW11 seeks to resist sensitive development within

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the buffer zones around active and inactive mineral sites in order to avoid conflicts arising from existing or future working on such sites.

Whilst the proposed development conflicts with MW11, there are a number of other residential properties close to the site that also lies within the buffer zone. Given that any future mineral working would have to take place with due regard to the amenity of the occupiers of existing properties, I do not consider there to be a significant risk to the amenity of future occupiers of the proposed development. As such the conflict with policy MW11 would not be a sufficient reason for refusal of the application in this instance.

Public rights of Way: The footpath, Esclusham Above No. 4, crosses the site. It would need to be formally diverted to accommodate the residential development; however the submitted plans make provision for this. The remainder of the route would be unaffected by the proposed wildflower meadow.

CONCLUSION

Whilst the proposed landscaping and habitat measures present an opportunity to enhance the rural landscape, owing to its location in open countryside the proposed proposals conflict with UDP policies PS1 and H5, national planning policies in respect of the location of new housing development as well as resulting in a development that harms the rural character of the locality as a result of the proposed layout and design. In addition insufficient information has been submitted to demonstrate the demolition of existing buildings can take place without adverse impact to statutorily protected species. As such the proposals conflict with policies PS1, GDP1, H5 and EC6 of the Wrexham UDP.

RECOMMENDATION: That permission be REFUSED

REASON(S)

1. The site lies outside of a settlement limit and on open countryside. The proposals will result in an unsustainable development not in keeping with the rural character of the locality. As such the proposals do not accord with policies PS1, GDP1 and H5 of the Wrexham Unitary Development Plan.
 2. Insufficient information has been submitted to demonstrate that the demolition of the existing buildings can take place with detriment to statutory protected species (bats) and as such does not accord with policy EC6 of the of the Wrexham Unitary Development Plan.
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REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

APPLICATION NO:
P/2018 /0608

LOCATION:
BIG GREEN FARM ELLESMERE
LANE PENLEY WREXHAM
LL13 0LP

DATE RECEIVED:
23/07/2018

COMMUNITY:
Maelor South

DESCRIPTION:
SUBMISSION OF RESERVED
MATTERS PURSUANT TO OUTLINE
PLANNING PERMISSION (APPEAL)
REF: APP/H6955/A/17/3186707
(APPEARANCE, LANDSCAPING,
LAYOUT, SCALE) FOR RESIDENTIAL
DEVELOPMENT COMPRISING 13
HOUSES

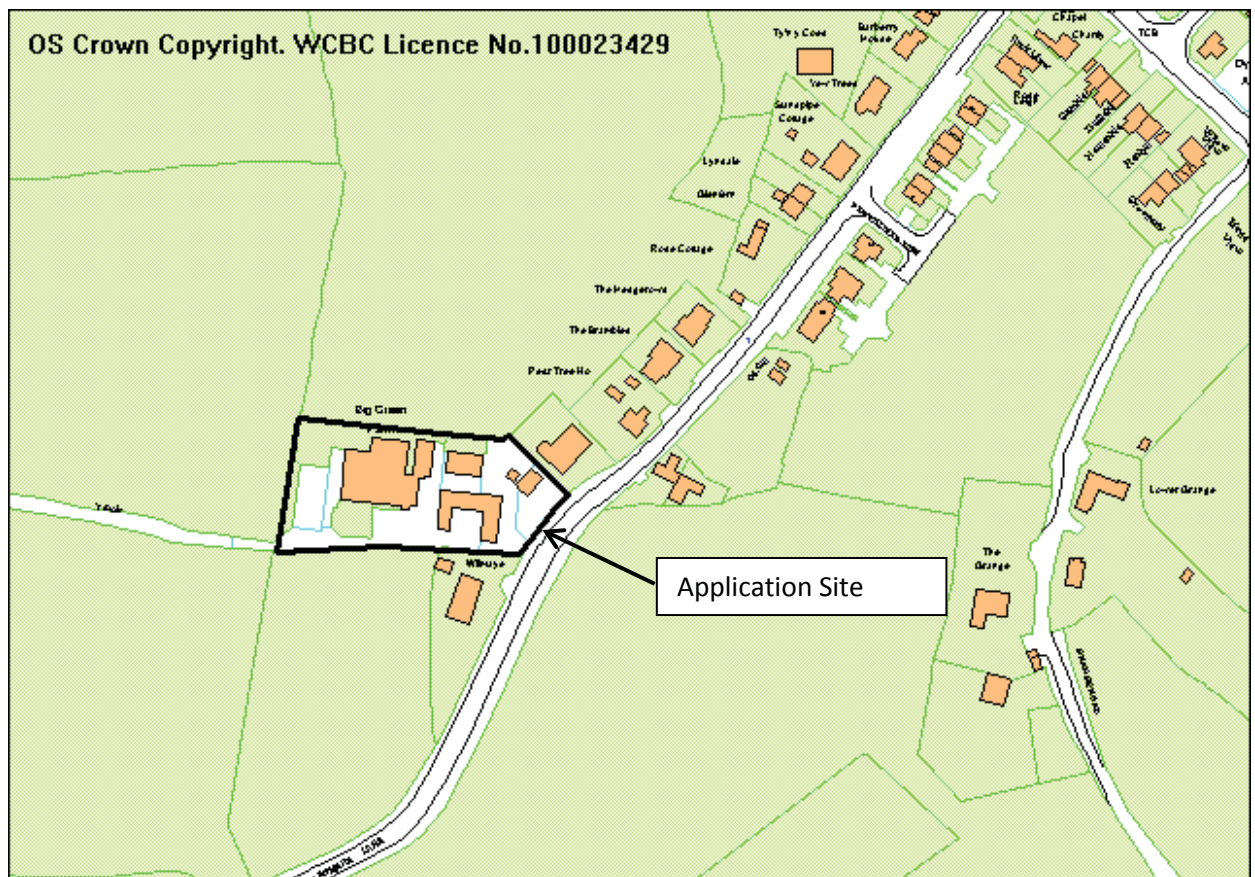
CASE OFFICER:
SEH

WARD:
Overton

AGENT NAME:
BERRYS
MR STUART THOMAS

APPLICANT(S) NAME:
WAWNE DEVELOPMENTS LTD

THE SITE



REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
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PROPOSAL

As above

RELEVANT PLANNING HISTORY

P/2016/1118	Outline Permission for up to 13 Dwellings - Refused on 12/05/2018.
H6955/A/17/3186707	Appeal Allowed.

DEVELOPMENT PLAN

Brownfield land, outside of settlement limit. UDP Policies PS2, GDP1 and T8 are applicable. Local Planning Guidance Notes (LPGN) No. 16 'Parking Standards' is also relevant.

CONSULTATIONS

Community Council:	Objects in the strongest terms on the following grounds: 1. There is no need for access through the development to the field. It seems this is being engineered to allow for further development at a later date; 2. The style of houses and their layout is very urban considering the development juts into farmland in a special landscape area visible from 2 footpaths including the long distance Maelor Way. The architect could be much more imaginative with regard to a variety of house styles and much better landscaping in order to compliment rather than detract from the rural village environment; 3. There will be further disruption along Ellesmere Lane and increased traffic on a road where speeding is already a problem. WCBC has failed to replace a missing 30mph sign, despite many requests from MSCC, so police will not monitor. Our own speed device has recorded speeds as high as 80mph; 4. The proposed builders' compound is not part of the site, but situated outside it, close to a bungalow. This will be seriously detrimental to the resident of this property in terms of noise, dust and loss of outlook over a long period of time.
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REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY

7th MAY 2019

	Re-consulted	16.04.2019
Local Member:	Re-notified	16.04.2019
Highways:	There are no objections to the proposed scale, appearance, layout and landscaping of the site, subject to conditions.	
PP:	No comments.	
WW:	No concerns. The drainage conditions attached to the outline planning permission should be complied with.	
NRW:	No comments. The mitigation conditions attached to the outline planning permission should be complied with.	
Site Notice:	Expired	27.08.2019
Neighbours:	6 responses received sharing the following concerns:	
	• This is no longer a working farm and there is no justification for a field access through the site; • The land has 2 other access points and having access through the site only promotes further development; • The builders' compound adjacent to the site is unacceptable as it is directly being the properties on Ellesmere Lane; • The layout and design is inappropriate in this sensitive edge of village farmyard location. Its hard boundaries would project brutally into this area. Regimented rows of closely spaces dwellings, with virtually no variation in massing would have an excessively harsh urban feel; • The new layout is an improvement in that a hedge would help disguise the suburban look of the development from the footpaths nearby; • Penley does not have the capacity for further houses. Drains overflow and the broadband is slow; • The schools are full and the public transport is poor; • Access for emergency vehicles and bin lorries is tight within the site.	
	Re-notified	16.04.2019

SPECIAL CONSIDERATIONS

Background: Some concerns have been expressed by local residents which go back to the principle of development (traffic generation and impact upon the capacity of the local schools). The principle of development has already been established at the Outline planning stage and I do not therefore intend to return to these matters in this report.

The proposal is for approval of the reserved matters following the granting of Outline planning permission for up to 13 no. dwellings (P/2016/1118). Access was approved as part of the outline permission, and the remaining matters reserved for further approval were Scale, Appearance, Layout and Landscaping for the site.

Scale, Appearance and Site Layout: Proposed are 13 no. 2, 3 and 4 bedroom two storey dwellings. These are a mixture of detached, semi-detached and terrace style properties, typical of those located within the existing adjacent Village. (See elevations at figures 1, 2 and 3 below).



Figure 1. Proposed Detached Elevation



REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
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Figure 2. Proposed Semi-detached Elevation



Figure 3. Proposed Terrace Elevation

The proposed site layout demonstrates a functional development that sits comfortably within its landscape setting and makes a positive contribution to the character and appearance of the area. The layout has been changed since the original submission to reduce the uniformity of the layout, increasing the space between units, pulling the properties in off the site boundaries and setting the houses around a courtyard arrangement to better reflect the edge of settlement, semi-rural location.

The properties are located a sufficient distance from the existing dwellings and the layout has been designed to secure both adequate privacy and daylight in the interests of the amenities of the future occupiers of the development (see figure 4 below for site layout). As such the proposal accords with UDP Policies GDP1 and PS2.



Figure 4. Proposed Site Layout

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Highways: Visibility from the access onto Ellesmere lane accords with national guidelines and splays of 2.4 x 43 metres have been secured by condition in both directions as part of the Outline planning approval. The proposed internal access way ramp and turning head for a refuse wagon are considered to be acceptable provided that these areas are surfaced in accordance with adoptable standards and kept free of any planting. This will be provided for in the landscaping scheme to be submitted for further approval.

The layout of the internal private drive is acceptable in terms of manoeuvrability and parking provision accords with Local Planning Guidance Note.16. Submission of a construction traffic management plan (CTMP) has been secured by condition on the Outline planning permission.

Other Matters: Concerns have been expressed in regards the proposed field access through the development site. This access was approved as part of the Outline planning permission and is not a consideration relevant to this reserved matters application.

The original plans showed a builder's compound adjacent to the site which did not form part of this application. For the avoidance of doubt, this has now been deleted from the scheme. It is my understanding that any such compound will be located in accordance with the relevant permitted developments rights. So as not to be misleading, the compound could well be placed in the adjacent field and the Council would have no control over this.

Matters relating to drainage and dust management are to be dealt with separately under a discharge of conditions (attached to the outline planning permission) application.

CONCLUSION

The amended scheme is now acceptable in terms of layout, scale and design, and with the removal of the dilapidated farm buildings in mind, the development would make a positive contribution to the character and appearance of the area. The development is in accordance with the Council's adopted policies and guidance and I recommend accordingly.

RECOMMENDATION: That the Reserved Matters be APPROVED

CONDITION(S)

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 6670-14 Rev A and 6670-15, and as contained within the application documentation.
2. With the exception of those shown on the approved plan and notwithstanding the provisions of the Town and Country Planning (General

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification) no windows or other openings shall be inserted in any elevation of the buildings.

3. 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), no extensions or additions to the dwellings or within their residential curtilages hereby approved shall be erected under Classes A, B, C, D or E of Schedule 2 Part 1.

4. 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), no gate, fence, wall or other means of enclosure shall be erected, constructed or placed in front of the forward most part of the dwelling fronting onto the highway under Class A, of Schedule 2 Part 2, except as otherwise approved in writing by the Local Planning Authority.

5. The vehicular parking and turning areas as shown on approved drawing no. 6670-14 Rev A 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.

6. Within one month of commencement of development, full details of a hard and soft landscaping scheme to include details of all tree and hedgerow planting and boundary treatments, and finished floor levels, together with a five year Maintenance Plan and timescales for implementation of works and planting shall be submitted to and approved in writing by the Local Planning Authority.

7. The landscaping and boundary treatment scheme submitted and approved in connection with condition no.06 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

8. The landscaping, boundary treatments and planting as carried out in connection with conditions nos. 6 and 7 shall be permanently retained. Any landscaping (hard or soft), boundary treatments or planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/ or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

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, lighting, drainage and construction of the proposed new access and footways;
- 2) Detailed layout, design, drainage and construction of a 2 metres wide footway fronting the development site along Ellesmere Lane;
- 3) Turning Head;
- 4) scheme of lighting on Ellesmere Lane

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

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10. 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.

REASON(S)

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

2. To protect the amenities of the occupiers of nearby properties.

3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

To protect the amenities of the occupiers of nearby properties.

4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

To protect the amenities of the occupiers of nearby properties.

5. 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.

6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area, and to protect the amenities of the occupiers of nearby properties.

7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area, and to protect the amenities of the occupiers of nearby properties.

8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

9. In the interests of highway safety.

10. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

NOTE(S) TO APPLICANT

The Applicant is advised that the development to which these reserved matters are pursuant shall commence by 01/04/2021

The planning conditions as attached to the outline permission remain valid until they have been formally discharged.

You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control Section on 01978 292050.

The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.

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The scheme of landscaping referred to in the above conditions shall include any changes to ground levels (shown by existing and proposed contours/levels) and any existing vegetation (showing that to be retained) and proposed planting. In addition, any of the following which apply to the particular site must be included:-

means of enclosure, car parking layout, access and circulation areas, materials for hard surfaced areas, any minor structures (e.g. refuse stores, lamp columns, play equipment) location of services, and any historic landscape features to be retained/improved.

This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as ""conditions precedent"". You should be aware that it is important that you comply with any ""conditions precedent"". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

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APPLICATION NO:

P/2018 /0888

LOCATION:

BROAD OAK FARM LLYNDIR LANE
ROSSETT WREXHAM
LL12 0AU

DATE RECEIVED:

19/10/2018

COMMUNITY:

Rossett

DESCRIPTION:

CHANGE OF USE AND
CONVERSION OF BARNs TO 10 NO.
RESIDENTIAL UNITS INCLUDING
DEMOLITION, NEW BUILD PARKING
BARNs, ACCESS AND PARKING
ARRANGEMENTS

CASE OFFICER:

MR

WARD:

Rossett

AGENT NAME:

CASSIDY AND ASHTON
MR GUY EVANS

APPLICANT(S) NAME:

MR SHAUN TROWBRIDGE AND
TRUSTEES OF T H ROGERS
(DECEASED)

SITE



REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
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PROPOSAL

The application seeks full planning permission for the conversion of agricultural buildings to 10 no. residential units including demolition, access and parking arrangements, as well as the construction of 3 no. parking barns.

HISTORY

P/2018/0223	Conversion of barns (including part demolition) to form 5 no. dwellings, access arrangements and associated works. Refused 30/07/2018. Appeal dismissed 02/04/2019.
P/2017/0623	Change of use and conversion of barns to 13 no. residential units including part demolition, access and parking arrangements. Refused 30/07/2018. Appeal dismissed 02/04/2019.

DEVELOPMENT PLAN

Within Green Barrier and Special Landscape Area. UDP policies EC1, EC5, EC12, GDP1, H3, H5 and T8 apply.

LPG 03 – Converting Rural Buildings, LPG 13 – Housing in the Countryside, LPG 16 – Parking Standards, LPG 21 – Space Around Dwellings.

CONSULTATIONS

Community Council:	No objection.
Local Member:	Notified 23.10.2018. Supports the proposal.
Welsh Water:	The applicant intends on using a septic tank facility. NRW should be consulted on the application. Should circumstances change, Welsh Water request that they are re-consulted on the application.
Highway Authority:	The existing most northerly access point would be permanently closed up. The central access would be modified to the standards required and visibility splays of 2.4 x 49m in both directions would be achievable. The southern access is indicated on the plan as not being used for a vehicular access. It is recommended that the proposed footway along the site frontage is extended into both

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
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access points and also provides a link to the existing footway beyond the southerly access.

Re-alignment of the existing carriageway would appear acceptable.

Lavister Lane would benefit from an additional passing place located on the unclassified road between the junction with Llyndir Lane and Rossett Business Village.

If the proposal was to be supported without adequate footway improvements but limited to existing traffic generation levels experienced by the farm, then this would equate to 10 – 11 dwellings.

It may not be considered justified to request provision of a footway link between the application site and Rossett Business Village given proposed traffic generation would equate to traffic generation experienced by the previous use of the farm.

Parking provision and turning/manoeuvring within the site is considered to be acceptable.

Public Protection:

No objection subject to conditions to secure submission of a Noise Survey given the sites proximity to the A483 and dust management scheme.

Ecology:

Bat mitigation required, which should be provided in an existing building given there is a higher chance that bats would utilise an existing building as opposed to mitigation provided in a parking barn which is a new building. Mitigation proposed for bats appears to be acceptable subject to conditions.

Scheme of reasonable avoidance measures for Great Crested Newts would also be required by condition.

Conservation:

Further clarification sought on the existing and proposed openings for units 1 – 8 and the proposed openings need to reflect the original. Number of rooflights proposed is excessive and should be reduced.

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A proposed large shallow pitched gable elevation is proposed to units 9 – 10 which needs amending given this could not accommodate a slate roof.

Revised plans have been received largely reflecting the Conservation Officers comments in regards to the detail of the barns.

Vast areas of hardstanding are proposed, which would not be acceptable in this rural location. Boundary treatments are considered to be poor. Details of the bin stores are required up front. Parking barns should have a painted finish as opposed to stained. These elements of the scheme need addressing up front as they are fundamental to the success of the scheme.

Trees: More emphasis and detail should be made in regards to hedgerow and tree planting particularly to the north and north east boundaries.

Tree Officer raises no concerns in regards to the impact of the proposal on existing trees and concurs with the findings and recommendations outlined in the Arboricultural Report.

Flood: No objection subject to a condition to secure foul, surface water and land drainage scheme prior to commencement of development.

NRW: No objection subject to conditions.

Network Rail: No objection in principle. Comments relate to safe operation of railway and train line.

Ramblers Association: Proposal must not divert or block footpaths Burton 1 and Burton 3.

CPAT: Level 1 Photographic Survey recommended should be carried out.

Education: Contribution required for secondary school provision.

Press Notice: Expired 22.12.2019.

Neighbours: 2 no. representations received, from the same property.

Concerns raised include the development would result in potential for increased flooding to neighbouring properties, the proposal is not sustainable, external lighting, provision for wildlife and increased vehicle movements should be addressed, the design and layout of Barn M is not in keeping with the surrounding area, the scale of development is large in relation to the site location.

SPECIAL CONSIDERATIONS

Principle of development:

Planning History

This application was the subject of two separate planning applications in 2017 and 2018, under P/2017/0623 and P/2018/0223.

Both applications were refused at Planning Committee on 30/07/2018, with the key reasons for refusal being that some of the buildings proposed for conversion were considered unsuitable in principle and the resultant design and layout of the buildings would adversely impact on the character and appearance of this open countryside location.

An additional reason for refusal was added to P/2018/0223 on the basis that insufficient information had been submitted to assess the impact of the proposal on bats.

The applicant appealed against both refusals and the appeals have been subsequently dismissed by the Planning Inspectorate (appeal decisions issued 02/04/2019).

Pre-application discussions have been undertaken with the agent since the above planning application refusals were issued and the agent was advised of the amount of development that would be considered acceptable in principle by the Local Planning Authority.

This current application has combined both previous sites into one and seeks to address the previous reasons for refusal.

Green Barrier

The site is located within designated green barrier to which Policy EC1 of the UDP applies.

As part of the scheme the proposal would involve demolishing a number of buildings, which would reduce the overall massing and built form on the site. The application site is considered to be contained within the existing footprint

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
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and would not extend or encroach any further into green barrier/open countryside, beyond the existing.

The impact on the green barrier is considered to be appropriate and would not result in harm to existing levels of openness.

Barn Conversions

Wrexham Local Planning Guidance 03 advises that there are some buildings not suitable for conversion, including those which are structurally unsound, unsuitable in terms of size and form of construction and at risk of flooding.

The application seeks to convert 3 no. buildings, construct 3 no. buildings and demolish 9 no. buildings and 3 no. structures. The existing site layout with the barns annotated is shown below. Barns A, B and M are proposed for retention whilst all other buildings and structures are proposed for demolition. A section of Barn D, which comprises one of the demolished buildings, would be retained for bat mitigation.



Barns A, B and M

The barns proposed for conversion are considered to be traditional in appearance and construction with original features worthy of retention, particularly when viewed in context with the other barns on site proposed for demolition.

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There are already existing openings serving the buildings with some of the walls having traditional exterior patterns.

The submitted Structural Survey states that the entire roof of Barn A would need replacing, as do the roof trusses of Barn B.

Some demolition of Barns A, B and M would also be required to facilitate the conversion works, however this is not considered to be so significant, as to alter the original character and appearance of the barns, particularly given the vast majority of demolition would be open ended outbuildings and structures attached to the barns. If anything, the removal of Structure C, Barn C and part of Barn M are considered would be an improvement to the overall design and layout of the scheme.

The Survey concludes that Barns A, B and M are generally structurally sound and capable of conversion and remedial works, without affecting the integrity of the buildings.

The extent of work and alterations required to Barns A, B and M would be much less than the cumulative amount of work required under the previous applications, to achieve the conversion works required. Furthermore, these buildings have a much more traditional appearance and are typically far more rural looking in character than the remainder of the buildings on the site which are utilitarian and modern in appearance.

Having regard to the above, the principle of conversion of Barns A, B and M is considered to be acceptable.

A section of Barn D (the north eastern corner) measuring 10m x 10m would be retained as part of the proposal, in order to provide the required bat mitigation, explained further in the Ecology section of the report.

Barn D possesses no features worthy of retention and is considered to be of little design merit. However the section proposed for retention is considered to be limited in scale, particularly in relation to its current size and form and its siting to the rear north east corner of the site would mean it would be screened from the adjacent highway and street scene.

This section of building would not be converted, remaining in its current form to provide accommodation for bats, which is considered that on the basis of the above and having regard to the protected status of bats, would be acceptable.

Parking Barns

Three parking barns are proposed as part of the application, involving the construction of three new buildings. No existing buildings would be utilised to facilitate provision of these.

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However, the overall scale, form and design of the parking barns are considered to be subordinate and relatively complimentary to the barn conversions, with all three parking barns being sited to the rear of the barns and therefore being relatively well concealed from the adjacent highway.

The design of the parking barns are considered would be more akin to the traditional appearance of the barn conversions, as opposed to if the modern buildings on the site were utilised for this purpose. Provided a condition is secured to ensure submission of material samples and finish, this element of the scheme is considered to be acceptable.

The proposed Site Layout Plan is shown below.



Appeal Decisions

It should be noted that the Inspector, in his decision, stated he had no reason to disagree with the LPA's opinion that the conversion of Barns A and B on Site 1 was considered acceptable. He also stated that the LPA accepted in principle, the part demolition and conversion of Barn M on Site 2.

Design and Layout: The submitted Site Layout Plan shows the private amenity space serving units 4 – 6 would be along the frontage of these properties, adjacent to the access road leading into the site and visible from the adjacent highway.

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Detailed consideration would need to be given to boundary treatments to ensure these do not compromise the traditional character and appearance of this part of the conversion complex, particularly given its highly prominent appearance from the street scene.

A landscaping plan has been submitted, demonstrating the location and typical boundary treatments proposed, as well as areas of hard and soft landscaping and planting details within the complex.

The planting details are vague and a condition to secure detailed boundary treatments, as well as samples of hard surfacing and specific planting plans would be attached to any grant of planning permission to ensure landscaping within the site is appropriate.

In terms of the proposed elevation treatments and overall design of Barns A, B and M, the Conservation Officer originally raised concerns in regards to the cumulative number of openings proposed and the inconsistency in terms of finish and design.

Revised plans submitted by the agent have addressed the concerns raised, and the number of openings proposed are now considered to be more uniform by virtue of design and appearance.

Conditions would be attached to secure samples of any new materials proposed as well as detailed design and furniture of openings.

Residential Amenity: Any overlooking between the ground floor habitable rooms in the north elevation of Barn A and south elevation of Barn M are considered could be mitigated against by appropriate boundary treatments and screening.

The first floor habitable window serving Bedroom 2 in unit 6 (Barn A) would be located approximately 18m away from the ground floor bedroom window serving unit 9 (Barn M). However, the first floor window is considered to be limited in width, naturally reducing the amount of overlooking that would occur.

Furthermore, given the orientation of both properties, the windows would not directly face one another, therefore resulting in oblique views between both windows, further reducing the overall overlooking impacts.

Having regard to the above, the amount of overlooking is limited and would not be so significant as to warrant refusal of the scheme on this basis.

The rear (E2) elevation of Barn A and rear (E7) elevation of Barn B would measure approximately 22m away from one another, meeting the spacing standards guidelines as set out within LPG 21.

There would be some overlooking into the amenity areas serving units 4 – 6 given their location alongside the access road into the site, however provided

high quality boundary treatments are achieved, it is considered that this could be mitigated.

The existing southern-most access point is shown would be inaccessible by vehicles as part of the proposal, which would differ from what was proposed under P/2017/0623, which indicated this access would be two way.

The closing up of this access is considered would help to reduce any vehicular noise and disturbance to the outdoor amenity areas for the occupants of units 7 and 8.

The amenity areas serving units 7 and 8 would also result in some overlooking given their siting within the central confines of Barns A and B. However this is not overly uncommon in barn conversion schemes given the relationship between barns are usually closely linked.

Similarly to units 4 – 6, provided appropriate boundary treatments are secured to achieve some privacy as well as to delineate defensible boundaries, this element of the scheme would be considered acceptable.

The site lies in close proximity to the A483. Public Protection raises no objection subject to a condition to secure a Noise Survey and any associated mitigation measures, prior to commencement of development.

The recommended condition to secure the dust management scheme is covered by separate legislation.

In the interest of ensuring no further agricultural use of the site, a condition would be attached to require that all barns proposed for demolition are undertaken prior to commencement of development.

Highway Safety: The required visibility splays from the proposed central access would be achievable.

The southern-most access would be closed off for vehicles, which is considered to be acceptable.

Re-alignment of the existing carriageway would appear acceptable, as would the extension of the footway across the site frontage.

Highway Authority advises that Lavister Lane would benefit from an additional passing place and that a footway link between the application site and Rossett Business Village would be a significant improvement.

Based on the submitted TRICS data and the existing traffic generation levels experienced by the farm, this would equate to 10 – 11 dwellings. On this basis, given the proposal would result in 10 no. residential units, it is not considered reasonable to request the improvements suggested by the Highway Authority.

Parking provision is acceptable, as is turning and manoeuvring for a refuse vehicle.

Conditions would be attached to any grant of decision notice to secure visibility splays, submission of Construction Traffic Management Plan and a scheme for the construction of the footpath across the site frontage and carriageway widening.

Ecology: NRW raise no objection subject to conditions to secure ecological mitigation for Great Crested Newts and bats, the finished floor levels are set at 300mm above ground level, mitigation for potential contamination risks and submission of a drainage scheme.

Ecology Officer raises no objection, on the basis of the retention of a section of Barn D to accommodate bats present on site. The retention of an existing building results in a far greater chance that any existing bats present on site would utilise an existing building for habitat and accommodation purposes, as opposed to utilising a new build.

Long term maintenance and monitoring would be secured by condition.

Trees: Tree Officer raises no objection in regards to the impact of the proposal on existing trees and concurs with the findings and recommendations stated within the accompanying Arboricultural Report.

More emphasis should be placed on hedgerow and tree planting, particularly to the north and north-east of the site, with the proposed hard standing areas being reduced in size to accommodate wide formal grassed areas. This would form part of any agreed landscaping scheme.

Contaminated Land: NRW advise that based on the submitted Preliminary Risk Assessment, conditions would be required in relation to contaminated land.

Education: The scheme triggers an education contribution towards Darland Secondary School. Should the application be granted approval, a S.106 Agreement would be required to secure the contribution.

Drainage: Wrexham's Flood Officer raises no objection, advising that sufficient information has been submitted to indicate a means of surface water management would be achievable on the site.

Additional details of a scheme demonstrating compliance with the Statutory SuDS Standards for Wales would be secured by condition.

Conclusion: The principle of development is considered to be acceptable, and subject to the completion of a S.106 Agreement as well as compliance with the relevant conditions outlined below, the scheme is recommended approval accordingly.

RECOMMENDATION A

That the Head of Environment and Planning be given delegated authority to determine the application in accordance with the recommendations below.

RECOMMENDATION B

That the Council enters into an Obligation under Section 106 of the Town and Country Planning Act 1990 to secure:

- i. A financial contribution of £28,627 towards education contribution for Darland Secondary School;

That the Head of Environment and Planning be given delegated authority to determine the final form and content of the Obligation.

RECOMMENDATION C

Upon completion of the Planning Obligation that permission be **GRANTED** subject to the following conditions:

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) referenced:-
 - 1:250 Proposed Access Arrangement/Improvements (Dwg No. VN70889-SK03 Rev A),
 - 1:500 Passing Place and Footway Link Proposals Rev B (Dwg. No VN70889-SK04 Rev B),
 - 1:500 Swept Path Analysis (Dwg No. VN70889-TR100 Rev A) (dated 04/02/2019)
 - 1:200 Proposed Site Layout (Dwg No. L04 P6)
 - 1:100 Proposed Floor Plans & Elevations Units 9 & 10 (Dwg No. L08.06 P2),
 - 1:100 Proposed Elevations Sheet 1 Units 1 - 8 (Dwg No. L08.04 P2),
 - 1:100 Proposed Elevations Sheet 2 Units 1 - 8 (Dwg No. L08.05 P2),
 - 1:100 Proposed Ground Floor Units 1 - 8 (Dwg No. L08.01 P2),
 - 1:100 Proposed First Floor Units 1 - 8 (Dwg No. L08.02 P1),
 - 1:100 Proposed Second Floor Units 1 - 8 (Dwg No. L08.03 P2),
 - 1:100 Typical Parking Barn - 4 Space (Dwg No. L09.01 P1),
 - 1:200 Landscaping Framework (Dwg No. L10 P2)
 - 1:100 Proposed Bat Mitigation (Dwg No. L11 P2)

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
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3. Prior to their use on the development, samples of all external facing and roofing materials for use on the existing barns and proposed parking barns, 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.
4. Prior to their installation on each dwelling, drawings to a scale of 1:5 and 1:20 fully detailing all new or replacement windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The details shall fully describe the proposed materials, decorative/protective finishes, method of opening and glazing type and include cross sections for glazing bars, sills and heads etc. The works shall only be carried out in strict accordance with such details as are approved.
5. The first floor windows serving the en-suites in Units 5 and 6 as shown on approved plan Dwg No. L08.02 P1, shall be obscurely glazed and thereafter retained for the lifetime of the development.
6. All new and any replacement rainwater goods shall be cast iron and finished in black.
7. Notwithstanding the approved Landscaping Framework (Dwg No. L10 P2), prior to commencement of development, full details of a hard and soft landscaping scheme, to include bin storage, native planting as well as type, positions, materials and design of all boundary treatments, together with a timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.
8. The landscaping scheme submitted and approved in connection with condition no. 7 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
9. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and demonstrating compliance with the Statutory SuDS Standards for Wales. The results of the assessment shall be submitted in writing to the Local Planning Authority. The submitted details shall:
 - i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
 - ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
 - iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
10. No part of the development shall commence until a noise survey in order to determine noise levels for both day and night has been carried out,

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

and a detailed report of the survey findings together with a detailed scheme of noise attenuation and or noise insulation measures has been submitted to and approved in writing by the Local Planning Authority. The measures as are approved shall be fully implemented prior to the first occupation / use of the development.

11. No part of the development shall commence until a Construction Traffic 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.

12. The existing northern most vehicular access as shown and labelled on approved plan no. L04 P6 shall be permanently closed up prior to first use of the new vehicular accesses hereby approved.

13. Prior to first use of the development hereby approved, the central vehicular access shall provide visibility splays of 2.4m x 49m in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1m 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.

14. The access, highway improvements, carriageway widening and passing places as shown on the approved 1:250 Proposed Access Arrangement/Improvements Rev A and 1:500 Passing Place Proposals Rev B (excluding the footway link), shall be carried out and fully implemented prior to first occupation of the development hereby approved.

15. The southern-most access point as shown and labelled on approved plan no. L04 P6 shall not be used by vehicles at any time.

16. Notwithstanding the approved bat mitigation building as shown on Dwg No. L11 P2, further details in regards to design, appearance and proposed mitigation shall be submitted to and approved in writing by the Local Planning Authority after the required audit/s in connection with condition no. 11 has/have been undertaken.

17. A compliance audit shall be carried out by a qualified ecologist, independently of the appointed principal ecologist, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. A copy of the completed audit reports should be submitted to and approved in writing by the Local Planning Authority after each phase of development.

18. Prior to commencement of development, details of a post construction bat monitoring scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and timescales.

19. No part of the development shall commence until details of the proposed Reasonable Avoidance Measures (RAMs) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

a) Details of a tool box talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project;

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- b) Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);
 - c) Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;
 - d) Details of storage of material on pallets off the ground and bulk materials which are to be delivered on site and used within the day of delivery.
 - e) Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked each morning for amphibians. Any amphibians located are to be moved to the artificial hibernacula.
- The development shall be carried out in strict accordance with the RAMs as are approved.
20. The finished floor levels of the development hereby approved shall be set no lower than 300mm above adjacent ground levels.
21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2013 and 1995 (or any order revoking or re-enacting that Order with or without modification), no further development shall take place under Classes A - E of Schedule 2 Part 1 or Class A of Schedule 2, Part 2 other than the development hereby granted permission.
22. The demolition of the buildings labelled on the approved Site Layout Plan Dwg No. L04 P6 and the demolition of the structures shown on Dwg No. L02 P1, shall be undertaken prior to commencement of the development hereby approved.

REASON(S)

- 1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- 2. To define the scope of the planning permission.
- 3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 5. In the interest of safeguarding residential amenities of neighbouring occupiers.
- 6. To ensure the works reflect the character and appearance of the buildings.
- 7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
- 9. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

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10. To protect the amenities of the occupiers of the proposed dwellings.
11. : In the interests of highway safety.
12. In the interests of highway safety.
13. To ensure that adequate visibility is provided at the proposed point of access to the highway.
14. In the interests of highway safety.
15. To ensure the footway across the site frontage is achieved and to reduce potential noise and nuisance impacts to the outdoor amenity areas serving Units 7 and 8.
16. In order to protect wildlife interests, which are afforded special protection.
17. In order to protect wildlife interests, which are afforded special protection.
18. In the interest of safeguarding protected species.
19. To protect great crested newts which may otherwise be adversely impacts upon by the development hereby approved.
20. To reduce the risk of flooding to the proposed development and future occupants.
21. Due to the restricted application site and the character and appearance of the development surrounding area, it is considered important to ensure that no additional development as described in the condition is carried out without the permission of the Local Planning Authority.
22. In the interest of achieving a satisfactory appearance and to safeguard against any potential future use of these buildings for agricultural purposes.

NOTE(S) TO APPLICANT

Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

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APPLICATION NO:

P/2018 /0934

LOCATION:

HORSE AND JOCKEY CHAPEL
STREET PONCIAU WREXHAM
LL14 1SD

DATE RECEIVED:

05/11/2018

COMMUNITY:

Rhos

DESCRIPTION:

CONVERSION OF FORMER PUBLIC
HOUSE INTO 6 NO. APARTMENTS (3
NO. TWO BED AND 1 NO. ONE BED
APARTMENTS AND 2 NO. STUDIO
APARTMENTS)

CASE OFFICER:

MP

WARD:

Ponciau

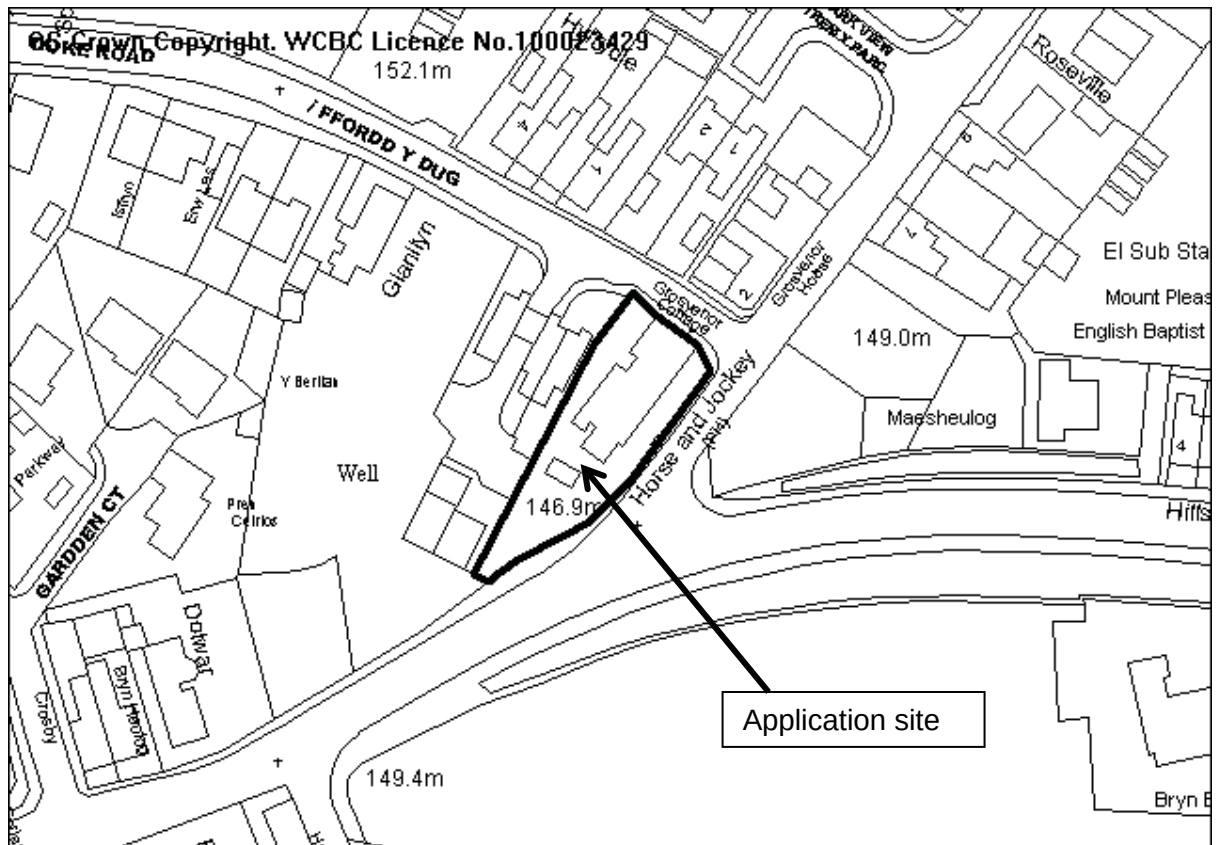
AGENT NAME:

HDS ARCHITECTURAL
SERVICES
MR CARL HUGHES

APPLICANT(S) NAME:

MS KARISHMA DAVDRA

THE SITE



PROPOSAL

As above.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
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HISTORY

No recent history.

DEVELOPMENT PLAN

Within settlement limit. Policies GDP1, EC6, H2, S9 and T9 apply.

CONSULTATIONS

Community Council:	Consulted 7.11.2018. Consulted about amended plans 6.02.2019
Cllr Pemberton:	No comments at this stage.
Cllr K Hughes:	No objection in principle but request that adequate parking provision is made.
Highways:	Have made the following comments: - There are only 2 parking spaces at the existing site; - The proposals demonstrate the provision of 4 parking spaces; - A short section of boundary wall to the north of the site will need removing and the footway width increased to allow adequate visibility to be achieved from the rear access onto Duke Street; - It is acknowledged that there are already parking issues in the vicinity and that the parking proposed is below recommended standards. However the site currently has an A3 class use and it could re-open without the need for planning permission which could potentially create worse traffic issues on the roads around the site; - Conditions recommended.
Public Protection:	Advisory notes in respect of construction impacts.
Welsh Water:	Recommend drainage condition.
NRW:	No objections.
Site Notice:	Expired 30.11.2018
Neighbours:	The owners/occupiers of 4 nearby properties notified initially on 12.11.2018 and regarding amended plans on 6.2.2019 and 11.4.2019 2 objections received expressing the following concerns: - lack of parking; - chances of the building reopening as a pub are slim; - when the pub was open there was access across the road to park;

- if there isn't enough parking spaces there should be less apartments;
- the cottage at the site will lose any right to park outside the house as the parking at the back of the Horse and Jockey will need access.

SPECIAL CONSIDERATIONS

Policy: Policy S9 seeks to protect local facilities such as public houses and states that developments that entail their loss will only be permitted where:

a) the use is no longer viable and all reasonable attempts to sell or let the business over a 12 month period have proved unsuccessful or;

b) the building is in a derelict or unsightly condition and the proposal would bring about substantial environmental improvements; and

c) the loss of the facility would not prove detrimental to the social and economic fabric of its locality.

Where policy S9 is satisfied, then the residential conversion of the building would accord with policy H2 subject to policy GDP1 also being met.

Loss of the public house: The application is accompanied by a supporting statement that provides the following information regarding the operational history of the site:

The Horse & Jockey was privately owned until 1996 when acquired from the then freeholder by Messrs Enterprise Inns (Ei Group PLC). A traditional village tavern with majoritarily wet sales, the more modern and recent history of the pub charts one of a list of struggling or failing tenants since the early millennium. The property was sold to Messrs Admiral Taverns in 2003 as part of a bulk acquisition sale where no due diligence was carried out on any individual property within that package purchase. Continuing with a list of private tenancies of a failed and unprofitable nature, the only operator who came close to viability was a small local pub and restaurant manager, being more of a food led operator, and a LTD company that had lease terms on The Horse & Jockey, The Grapes In Johnstown, and The Swan Rhostyllen. This operator ceased trading and dissolved in September 2012. Repeated failed tenancies and short/part closure and none trading then ensued, along with regular rent arrears through lack of sustainable operator income, forcing Admiral Taverns to rationalise their Freehold asset in August 2017

The property was marketed from August 2017 with the sale of the property being completed in September 2018. Based on the information submitted, the property was clearly marketed as a public house with agents that specialise in the sale of this type of premises.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

Whilst the offer that led to the sale was accepted in May 2018, the property was on the market for a period in excess of 12 months. Between August 2017 and May 2018 there were 6 viewings and 4 offers. However there was no interest from any party with a view to continued commercial use.

In light of the above I am minded to conclude that the public house use of the site is unlikely to be viable and that all reasonable attempts to sell the business as a going concern have been made. Accordingly there is no conflict with policy S9 in this instance.

Design: The development will result in minimal changes to the appearance of the building, consisting of a new door opening in the front elevation in place of an existing window, the blocking up of a door in the north-east elevation and the re-use of a number of previously blocked up openings in the rear elevation to provide some additional ground floor windows.

The submitted plans also confirm that the existing access onto Duke Road will be widened, the steps onto Chapel Street will be blocked up and the retaining wall along the southern boundary will be raised to facilitate the provision of a more usable a communal outdoor space and improvements to the existing parking/turning area. The submitted plans have not provided elevation details of the resulting boundary enclosures, however I am satisfied that the changes will be modest. Full details can be secured by condition.

Overall the alterations to the building and its curtilage will preserve its existing character and will not have a significant or detrimental impact upon the wider locality.

Amenity: Existing boundary treatment as well as the fact that the dwelling to the rear of the site, Swn Y Gwynt, is built on higher ground will ensure that the occupiers of that property do not experience a loss of privacy as a result of the ground floor flats.

There are four existing first floor windows in the rear of the building. Two currently serve and will continue to serve non-habitable rooms (a landing and bathroom) whilst the other two currently serve a bathroom but are proposed to serve a bedroom. The position of the two bedroom windows is such that they overlook the front garden of Swn Y Gwynt. This is not a private space being overlooked from the adjoining highway as well as dwellings on the opposite side of Duke Street. I am therefore satisfied that the alterations will not have an unacceptable impact upon the standard of privacy afforded to the adjacent occupiers.

The submitted plans confirm that there will be a shared amenity area to the rear of the building as well as a shared space to the south of it. I am satisfied that taken together these areas adequately provide for the future amenity of the occupiers of the proposed flats. There will also be adequate space for bin storage.

Highways: The site benefits from two existing vehicular accesses onto Duke Street located immediately to the front and rear of the build. Both suffer from substandard visibility. The northern access will be widened to improve visibility. The proposed use of the site is also likely to generate less traffic and the previous use, as such I do not consider there to be a significant risk to highway safety as a result of continued use to the two accesses to serve the proposed apartments.

The site currently has room for 2 off-street parking spaces to the south of the building. The yard to the rear of the site is also large enough to provide parking for a similar number of vehicles although I am unaware of the space being laid out as such. Other than this limited provision the premises does not benefit from any other formal off-street parking provision. I understand that land on the opposite side of Chapel Street may have historically been used by visitors to the site but was not in the same ownership as the public house and not in the ownership of the applicants.

The public house had a public floor space of 90 sq.m as well as living accommodation on the first floor – the extant plans suggest 5 bedrooms, although no living room/dining space is shown. Even making an allowance for this, the first floor is large enough to provide 3-4 bedrooms. The LPG16 maximum parking provision for the public house use would therefore be 23 spaces, with further 3-4 spaces for the living accommodation equating to a total of 26-27 spaces. In contrast the proposed development comprises of 3 x 2 bedroom apartments and 3 x 1 bedroom apartments. The LPG16 maximum parking provision for the development is therefore 11.

The potential demand for off-street parking compared is considerably reduced by the current proposals compared to the previous use of the premises. The development is therefore far less likely to give rise to on-street parking problems in the locality and any associated disruption to the amenity of nearby occupiers. Whilst noting comments made about the possible displacement of parking on the opposite side of Duke Street as a result of the intended use of the access to the rear of the application site, this is an existing access. I am not persuaded that the proposals make matters materially worse than were the accesses used to serve the extant use or any other alternate use for the site, including a lesser number of flats.

The site is located within walking distance of the centre of Rhos and close to reasonably frequent public transport. The site therefore is well located for occupiers who are not dependant upon private cars for most/all journeys. Accordingly it is not inappropriate for a pragmatic application of LPG16 in this instance.

CONCLUSION

The applicants have demonstrated compliance with policy S9 in respect of the loss of a public house. I am also satisfied that the development can take place without harm to the character of the area, the amenity of nearby

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

occupiers, highway safety and, that taking into account the history of the site and its sustainable location, the proposals make adequate provision for off-street parking. The proposals therefore accord with the other 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 only be carried out in strict accordance with the details shown on the approved drawing(s) numbered HJ/PD/01a, HJ/PD/02a, HJ/PD/03b and HJ/PD/04b and as contained within the application documentation.
3. No part of the development shall be occupied until a scheme of boundary treatment has been implemented in strict accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority.
4. The vehicular parking and turning areas as shown on approved drawing(s) No(s). HJ/PD/04b Proposed Site Layout 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.

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. 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

NOTE(S) TO APPLICANT

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

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APPLICATION NO:
P/2019 /0051

LOCATION:
ROMNEY MARFORD HILL
MARFORD WREXHAM
LL12 8TA

DATE RECEIVED:
22/01/2019

COMMUNITY:
Gresford

DESCRIPTION:
LISTED BUILDING CONSENT FOR
DEMOLITION OF OUTBUILDING AND
ERECTION OF GARAGE

CASE OFFICER:
LP1

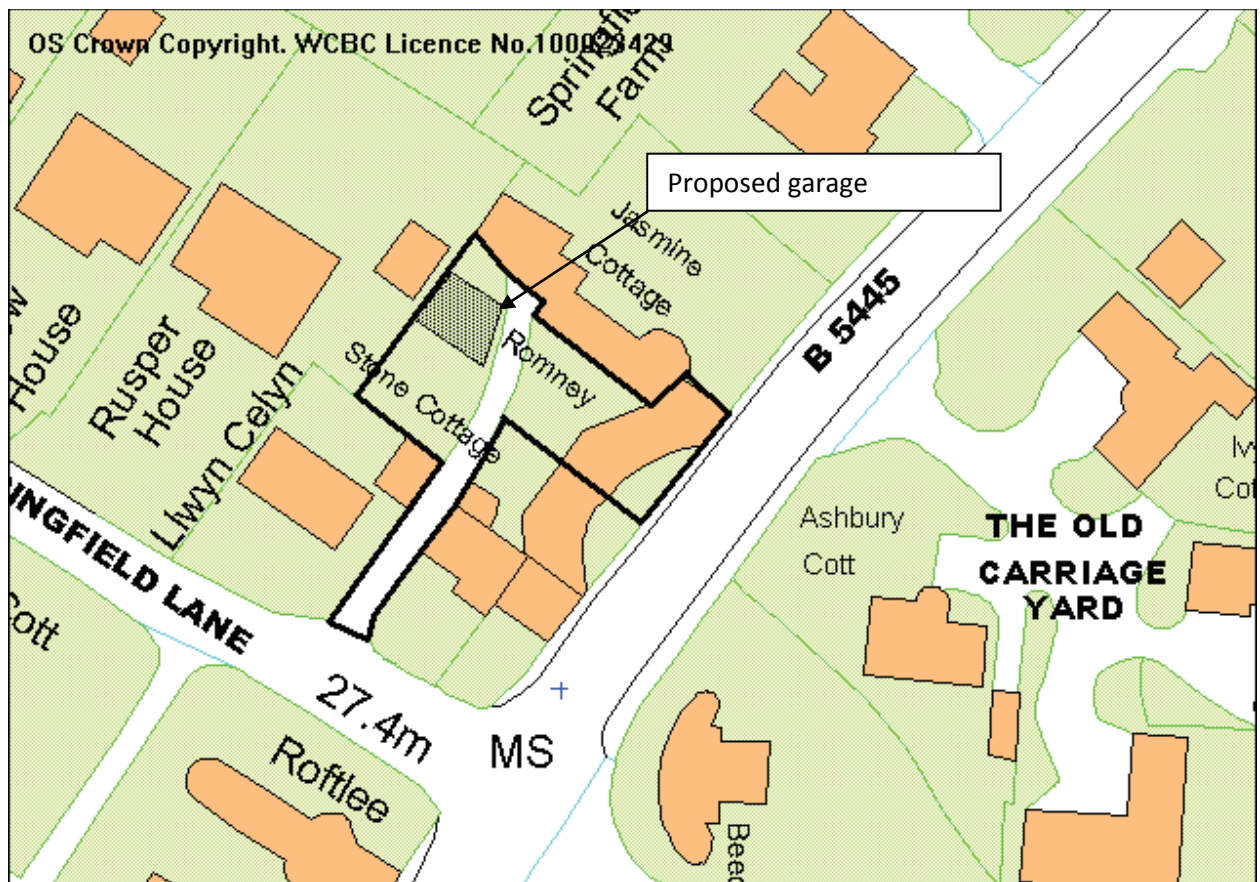
WARD:
Marford & Hoseley

APPLICANT(S) NAME:
MR CHRISTOPHER MACKENZIE -
GRIEVE

AGENT NAME:
D2 ARCHITECTS
MR LUKE JONES

SITE

Romney is a Grade II listed building at the bottom of Marford Hill with an access off Springfield Lane.



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PROPOSAL

Listed Building Consent for demolition of outbuildings and erection of replacement garage.

HISTORY

P/2014/0365 Listed building consent for internal alterations and general repairs and improvements. Granted 7/10/2014
P/2018/1068 Erection of garage. Granted 04/02/2019

DEVELOPMENT PLAN

Lies within the settlement limit and within Marford Conservation Area. Policies GDP1, PS, EC7, EC8 and EC9 apply.

CONSULTATIONS

Community Council:	Object on the following grounds – The building and in particular the roof is totally out of keeping with the surrounding area which forms part of the Marford Conservation Area. Felt that the proposal is contrary to the design and planning guidance set out by WCBC in particular the Mafor Conservation Area Assessment which states 'Planning applications for alterations and new development may be refused if they fail to preserve or enhance the special character of the Conservation Area. Councillors feel that the proximity to the Conservation Area should be particularly accounted for in consideration of this proposal.
Local Member:	Notified 21/12/2018
Press Notice:	Expired 02/3/2019
Site Notice:	Expired 22/02/2019
SPAB:	Welcome contemporary approach to the design of the new garage to clearly define the old and new development.
Other Representations:	Three letters of objection received raising the following points: • No reference to how existing rights of way will be maintained to neighbouring properties during and after the construction process. • Concerns that the proposal will significantly change the flow and volume

of water on the existing drainage system.

- The outbuildings are part of the history of these Marford Cottages and now form part of the historical interest of these cottages.
- The demolition will result in a part of the history and character of the area being lost forever.
- There is currently a struggle to park cars in the courtyard, this will be exacerbated by the construction of the garage.
- Concerned that there is insufficient room to access the site during the construction process.
- Concerns that internal lighting for the garage will impact on neighbouring properties.

SPECIAL CONSIDERATIONS

Proposal: The previous application, P/2018/1068 for the erection of a modern garage with sedum roof was approved at the committee meeting in February.

This application is for the demolition of the small brick outbuildings in the courtyard to facilitate this development.

Listed Building: It is not possible to determine whether these buildings were constructed at the same time as the properties; however they were in situ at the time of listing.

The Heritage Impact Assessment estimates their age to be mid 20th century due to the construction techniques used, however this cannot be verified.

The outbuildings are small brick structures, one with a concrete roof that form part of the overall character of the site and are part of several which are in the courtyard. Those proposed to be demolished have been used as outside WCs and as a coal shed. They are currently unused.

They add little to the character of the property as they are unlikely to be of original construction and their loss will not adversely affect the setting of the listed buildings.

The replacement garage has previously been considered and approved and the design is considered contemporary and acceptable in that it will not

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detract from the setting of the buildings and allows a visual representation of the different stages of development within the area.

CONCLUSION

As this application is for demolition of a listed building the application has to be sent to Cadw for consideration.

The design of the new building is acceptable and the demolition of the small outbuildings will not detract from the character of the area or the setting of the building and I therefore recommend accordingly.

RECOMMENDATION A

That the application be sent to Cadw for determination

RECOMMENDATION B

Upon receipt of confirmation from Cadw that there are no objections to the proposal, consent be granted subject to the following conditions.

CONDITION(S)

1. The works hereby granted consent shall be commenced before the expiry of five years from the date of this consent.
2. The works granted consent shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered PL01 Rev A and as contained within the application documentation.

REASON(S)

1. To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.
 2. To comply with section 71ZA(2) of the Town and Country Planning Act 1990.
-

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APPLICATION NO:

P/2019 /0084

LOCATION:

EGIN FARM RUTHIN ROAD
MINERA WREXHAM
LL11 3UT

DATE RECEIVED:

03/02/2019

COMMUNITY:

Minera

DESCRIPTION:

CHANGE OF USE FROM DWELLING
TO CARE HOME (USE CLASS C2)

CASE OFFICER:

PF

WARD:

Minera

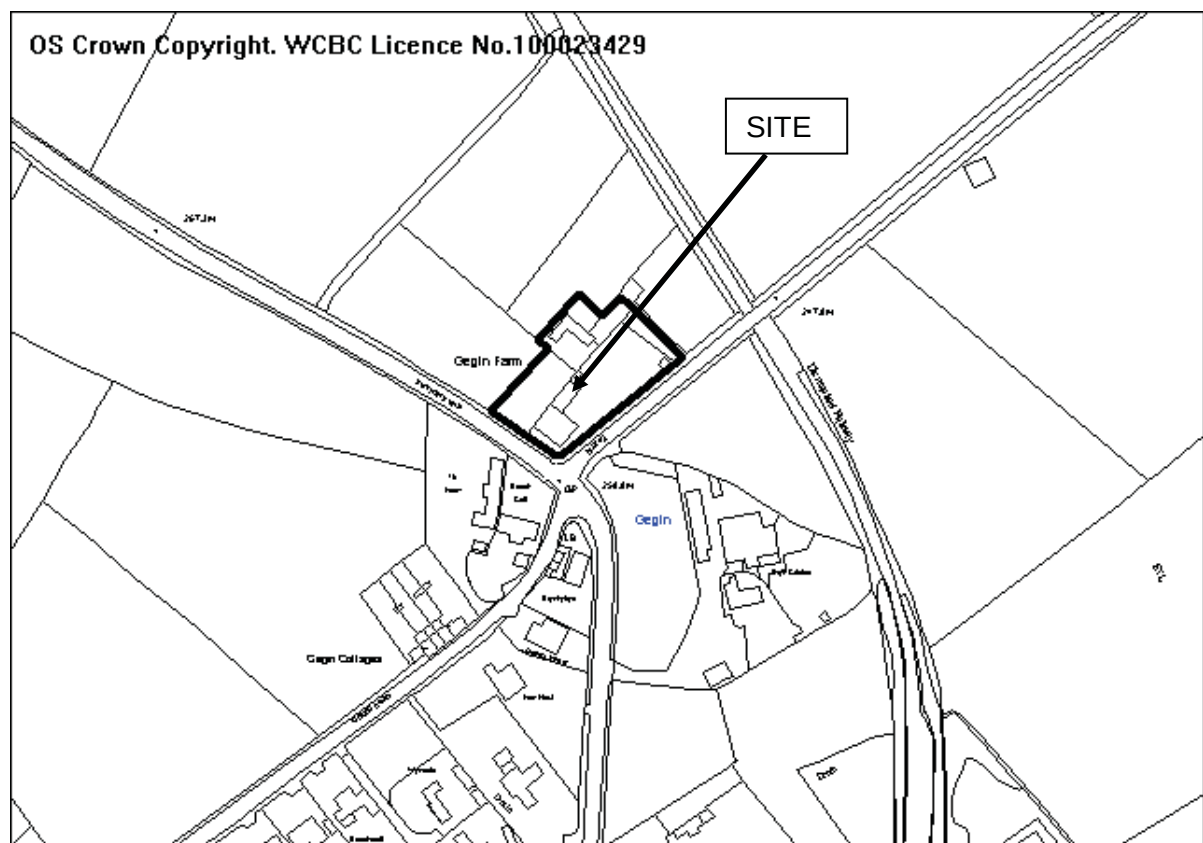
APPLICANT(S) NAME:

BETHAN DAVIES
CARE 4 CHILDREN

AGENT NAME:

ROSE CONSULTING
ADRIAN ROSE

THE SITE



PROPOSAL

Planning permission is sought for the change of use of the dwelling known as Gegin Farm from a C3 (residential) use to C2 (residential institution) use.

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The applicant wishes to utilise the property to house up to four children/young people with up to two members of staff operating on a rota basis and sleeping on the premises to provide 24 hour care.

HISTORY

P/2018/0791 - Application for a lawful development certificate for the proposed use of premises as a home for up to 4 no. children or young people with up to 2 no. full-time resident carers sleeping overnight and living together as a single household. Refused 22.01.2019.

PLANNING POLICY

The site is located outside any defined settlement limit. Policies PS2, GDP1, H11 and T8 are relevant. Guidance is also contained in Local Planning Guidance Note 16 – Parking Standards.

CONSULTATIONS

Community Council:	Consulted 08.02.2019
Local Member:	Notified 08.02.2019
Site notice:	Expired 06.03.2019
Public Protection:	No comments.
Highways:	Consulted 08.02.2019
Chief Officer Social Care:	Consulted 18.04.2019
Neighbouring occupiers:	4 neighbouring occupiers notified.

1 letter of support received.

63 responses received raising the following objections:

- The property is located on a very busy road on a bad bend;
- Traffic has increased and it is a main route between Wrexham and Corwen;
- Over the past 28 years a neighbour has witnessed over 30 accidents on this bend;
- Traffic to and from the property will be a major issue;
- There will be a greater impact upon the police;
- There are no facilities for young people in the area;
- The existing building is not suitable for the proposed use due to double flight of steps at the rear;

- This will be the second such facility in the area with its inevitable social impact upon a small community;
- There will be a big impact upon local emergency services;
- The rural location is not suitable – if a child absconds from the care home it would require a lot of man power to find them. There are dangerous quarries nearby;
- It would be better located in Wrexham where there are more amenities;
- There are already LA budget restrictions and Care4Children could seek additional funding from the council;
- The location of the building next to the dangerous highway would lead the occupants to a level of risk and harm as they are expected to integrate into the community;
- There are no local facilities nearby and this would be contrary to policy H11;
- Proposed policy DM1 in the deposit LDP seeks that development proposals take account of personal and community safety, and be accessible – this proposal does not accord;
- There is no path past the proposed children's home;
- The proposed ratio of 2 children to 1 carer does not seem enough to prevent children leaving the site given their background;
- A higher value property such as Gegin Farm should be retained as a dwelling promoting inward investment to the village;
- The site notice was posted in an unsafe position and only 3 neighbouring properties notified in writing;
- Are the children local, or are them from far away?
- Why did the company decline to meet local residents?;
- What about the additional traffic that this use will generate? There will be more than two cars on the site and possibly up to 8 given specialists that need to visit the site;
- The company's own 'good neighbour' document implies that problems will be dealt with – this implies that there will be problems;

- There are no safe crossings on the road network, limited footways and there is no street lighting;
- There should be a duty of care to residents and neighbours that the area should not be saturated with children's care homes where there have already been reports of antisocial behaviour from these establishments;
- The nearest police station in Coedpoeth will be put under undue pressure and the police should be consulted on the planning application;
- Crime statistic website indicates that there are increased instances of anti-social behaviour, vandalism and arson in the area of existing children's care establishments in the area;
- A more rural setting will be appropriate for this type of development;
- The applicant has not made the case for the development need in this location;
- The service that Care4Children offer is not typical of a normal residential household;
- There would be a loss of privacy for neighbouring occupiers as windows overlook from the building in question;
- There would be a great level of anxiety and distress from the proposed use of the building upon the community;
- The local health authority cannot cope with the needs of the children proposed to be housed – there is a 24 month delay currently. WCBC social services are already turning local children away;
- It is unclear if there may be any proposals to increase the number of children residing at the property;
- There is no safe crossing point on the A525;
- The planning application must be based on facts – this submission downplays the impacts of the development in terms of traffic generation;
- This will potentially adversely impact on the local community of placing children from far afield who have little affinity with the local community, Welsh culture and have a detrimental impact within the village;
- Traffic calming measure should be introduced along Minera Road if planning permission is granted;

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

- I would not be happy sending my children to school in an area where there are troubled children;
- Concerns raised regarding the proximity of the site to Minera School and the safety of our children and community with the type of children that will be placed here;
- There is a high risk that the children who will be placed in the dwelling may be targeted by their abusers;
- The crime rates in Minera would be put in jeopardy with this institution in place;
- Such an institution will instil fear in the community and put children at risk of being dragged in to crime or radicalisation;
- Introducing young offenders to the area will potentially spoil the area – reoffending levels are high and this could lead to copycat crimes;
- Given the nature of the applicant's business, it should be located in a more rural location;
- Residents would feel unsafe walking alone at night;
- Will residents be able to contact their gang members and let them know where they are?

SPECIAL CONSIDERATIONS

Policy: The application proposes the change of use of the property from a single dwelling (Class C3 use), to a care home (Class C2 use).

The supporting information submitted with the application states that applicant, Care 4 Children (C4C), deal with children and young people who have had a challenging and difficult early life. They consider that existing properties within their control are not large care homes, but small family sized dwellings where two carers live with up to four young people providing 24 hour care and parental guidance. The purpose of this is to house the children in a structured manner as close as possible to a normal family home environment. Children would have a structured life depending upon their specific needs. The supporting information concludes that the application entails a change of use to a small residential care home which will have no greater impact than the existing lawful planning use.

Whilst the children in the care of C4C may have come from a specific background whereby guidance and care is required due to breakdown in their family life, they are not under the jurisdiction of the criminal justice system or a local authority where secure or custodial accommodation is required. I am

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

satisfied that the proposed use falls within the envelope of a C2 residential institution where care is required – that being the parental care of minors.

Policy H11 deals specifically with residential care homes and states that proposals for elderly persons residential care homes, nursing homes and development for specialist health care will normally be allowed where:

- a) the development accords with Policy GDP1; and
- b) adequate garden area for the amenity of residents can be provided; and
- c) in the case of change of use, the existing building is of an adequate size for the use proposed without substantial extension; and
- d) the facility is accessible to community facilities (e.g. shops, post office, doctor's surgery, etc.).

Whilst the policy does not specifically refer to care homes for children, I consider it to be broadly applicable to the development proposed. I will comment on compliance with GDP1 separately below. Dealing with the other requirements of the policy in turn:

Garden/amenity space

The property has a substantial curtilage including a sizeable private garden area with stable/storage building to the rear. No indication is given within the submitted plans as to the purpose of this detached outbuilding – however it could be used for ancillary purposes associated with any permitted use of the property i.e. storage or annexe accommodation. There are no plans to alter the existing parking provision. The overall amenity space would equate to around 0.1ha which would be more than sufficient for the proposed use.

The existing building is of adequate size

The existing building is a 5 bedroom dwelling with multiple living spaces, dining room, kitchen and utility. I am satisfied that it has sufficient space to provide accommodation for up to 4 children plus the carers. There are no proposals to extend the building but internal alterations are proposed to increase the number of bedrooms to 6 which would be to accommodate rota based staff. It is conceivable that the number of children housed at the property could increase without further planning control but this increase would be relative to existing scale of the property and assessment by the Care Standards Wales. A C2 use would not benefit from permitted development rights to extend without further planning control.

Accessibility of community facilities

The site is located outside any defined settlement limit between Bwlchgwyn and Minera/Coedpoeth.

The site is already in use as a dwelling. Whilst the nature of the proposed use is different in so far the occupation of the building will not be by a single family/household, the needs of the occupants in terms of accessibility to general/essential facilities will not be significantly different. Occupants of the property would need to travel by car to access shops, take children to school etc. under the existing and proposed uses.

Whilst there are no local facilities directly adjacent to the site or within the nearest settlement, provision of many services is available with Coedpoeth within reasonable walking distance. I acknowledge that children alone would not be expected to walk to such services, but it must be borne in mind that the proposed residents would be cared for in the same way with the same parental responsibilities as if it were retained as a C3 family home. Therefore it would not be unreasonable to assume that the services in Coedpoeth are easily accessible.

Amenity: The supporting information submitted with the application states that activity levels arising from the proposed use will be very low key and will involve a maximum of four residents. During the day, depending upon their specific needs, children would either attend education as well as other structured activities. Therefore, daytime activities will be limited and there is unlikely to be marked difference from the current lawful use of the building as a single dwelling.

The behaviour of the children under the care of the operator is an unknown and variable factor, however it is known that it is not secure accommodation. The behaviour of individual prospective children falls outside the scope of the planning process. The effective management of the site is the responsibility of the operator and is governed and monitored through other legislation within the remit of the Care Inspectorate Wales. Profiling and risk management of individual children will likely govern whether the proposed home is a suitable home for a particular individual. Ultimately, these individuals are minors and C4C assume parental responsibility.

Matters of crime prevention are indeed a material consideration in terms of land use planning. Gegin Farm is a typical family dwelling and there are no characteristics of the building or the land which lead me to believe that its use would be a victim of crime or disorder. In respect of perceived fears of increased crime in the locality from the use of the site, it is not the role of the local planning authority to profile end users. There are no specific circumstances within the locality that make it different to any other area in the borough whereby a C2 use would be deemed unacceptable. There is no specific evidence to suggest that the proposed use will result in higher levels of crime or disorder or any other perceived risk to the public.

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Highway safety: Gated access to the site is taken from Gegin Lane. There are no proposals to change this or the layout of the existing parking area. The parking area is relatively large and could accommodate approximately 6 vehicles with sufficient remaining space for turning. This is well in excess of the maximum standards laid out in adopted LPG16 which would require a maximum of 3 spaces (1 per two bed spaces). That said, I understand that concerns have been raised in representations regarding the likely traffic generation from additional traffic movements such as managers, social workers, deliveries and maintenance staff. I am satisfied that the site can adequately cater for such vehicle movements. The access is well laid out and affords good levels of visibility. The driveway and parking area is adequate to allow for turning on site. The concerns raised are also based on a worst case scenario that all secondary visitors would turn up at the same time. This is highly unlikely to occur. I am satisfied that traffic generation at the site may increase slightly but not so much that it would be considered unsafe. On balance, I would not wish to resist the application on this basis.

Much concern has been raised regarding whether it is appropriate to use the site as a care home given its position adjacent to the A525. It is acknowledged that the A525 is a busy key route between Wrexham and Ruthin. In respect of the behaviour of the children and risk of absconding, as alluded to earlier in the report, responsibility for the safety and security of the children remains with the operator which will include risk assessments of the children and matching their behaviour characteristics to the accommodation setting. Gegin Farm is typical of many other family dwellings in the locality where there is close proximity to the A525 carriageway. I have no reason to believe this should pose a significant risk to highway users or the general public.

Other matters: I had not initially sought the advice of the council's Social Services team as they are not a statutory consultee. The circumstances, current home of the children and the placement strategy of a local authority is not a matter for the planning process. This is simply a land use issue and C4C or any other subsequent care provider does not need to demonstrate a need for the proposal.

However, in the interests of transparency and given the nature of concerns raised by the local community I have consulted with the Chief Officer Social Care. Any comments received will be reported in the addendum.

Conclusion: I am satisfied that this development accords with the council's development plan policies. There are no other material planning considerations which convince me to deviate from said policies and therefore I recommend 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 19-02-20-002 Rev P1, 19-02-20-001 Rev P1 and 19-02-20-010 Rev P1 and as contained within the application documentation.
3. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any statutory instrument revoking and re-enacting that Order with or without amendment), no part of the premises shall be used except for the precise purposes described in the application plans and documents.

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. In the interests of controlling the level of development for the purposes of highway safety in accordance with policy GDP1 of the Wrexham unitary Development Plan.
-

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

APPLICATION NO:

P/2019 /0087

LOCATION:

THE OLD POST OFFICE REDBROOK
VIEW REDBROOK MAELOR
WHITCHURCH
SY13 3AD

DATE RECEIVED:

06/02/2019

COMMUNITY:

Bronington

CASE OFFICER:

SEH

WARD:

Bronington

DESCRIPTION:

CONVERSION FROM OFFICES TO
ORIGINAL RESIDENTIAL USE TO
CREATE 2 NO. COTTAGES
INCLUDING EXTENSIONS AND
INTERNAL ALTERATIONS

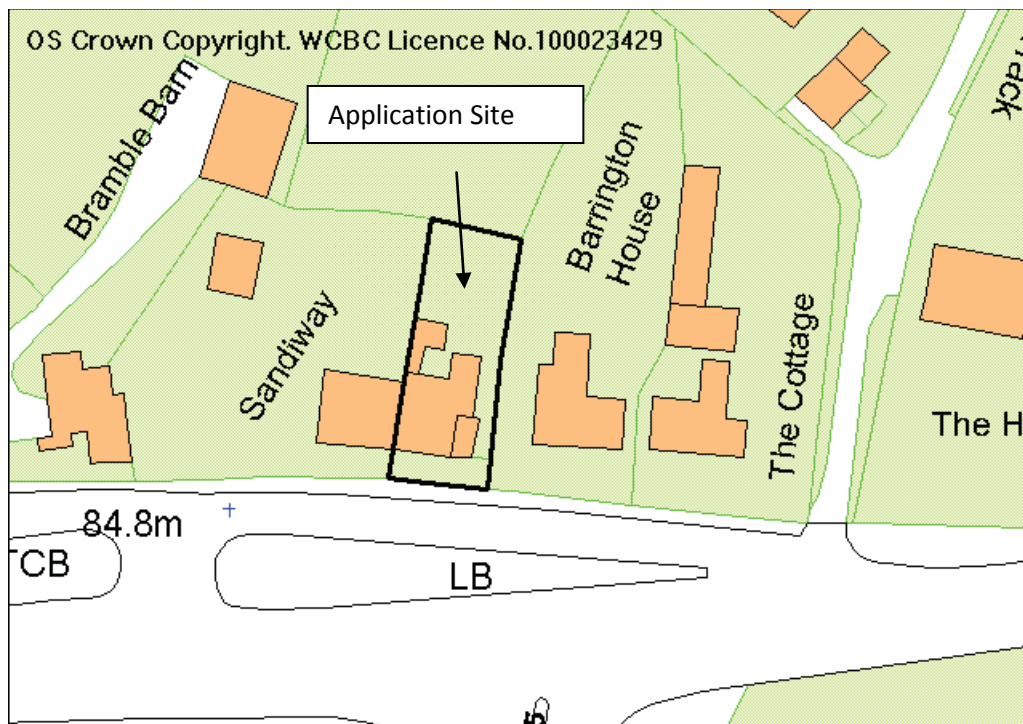
AGENT NAME:

ARH ARCHITECTURAL
DESIGN
MR ANDREW HEWITT

APPLICANT(S) NAME:

MR & MRS BEESLEY

THE SITE



PROPOSAL

As above

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

HISTORY

CB00535	Change of use from Café to A2 offices Approved 10/10/1996
CB02159	Conversion of garage to extend floor area of A2 offices Approved 13/06/1998

DEVELOPMENT PLAN

Outside of a defined settlement limit. UDP Policies GDP1, EC4 and T8 apply. Local Planning Guidance Notes Nos. 16 'Parking Standards' and 21 'Space around Dwellings' are also relevant.

CONSULTATIONS

Community Council:	Supports this application – No reasons given.
Local Member:	Notified 11/02/2019
Public Protection:	No objections subject to the imposition of conditions restricting noise, dust and bonfires.
Highways:	No objections subject to the imposition of conditions. (See Special Considerations below)
NRW:	No objection to the scheme.
Site Notice:	Expired 05/03/2019
Neighbours:	Two letters received expressing the following concerns: • There will be a highway issue with the number of cars and parking arrangements at the property. There is no way that 2 cars can park in front of the property as there is not enough room. Any further vehicles will have to park on the road which will have an impact on access; • Section 9 states that vehicle parking is not relevant but this will be based on 2 separate dwellings and the number of cars. My concern is that with the number of cars at the property it will be an issue for the service vehicles using the narrow road but more important it will restrict access by emergency vehicles; • Another concern is where the building materials will be placed as any skip on the highway would require a permit. They will have sand and bricks etc. that can only be placed on the road; • Concerned about the type of system that they intend to use for both the foul drainage and the rainwater from the property. They propose to have 5 bedrooms in total and I am aware that

they have limited garden for septic tanks and soakaways. There could be water seepage onto the adjoining property;

- Lack of room at the side and the proposed extension coming out toward the boundary. The scaffolding and work is very likely to impact upon the adjacent property and the occupants quality of life;
- While I accept that the property needs to be developed I feel it is suited for a single dwelling and to increase the current footprint on such a small plot is not feasible;
- The proposed scheme is an over development of the site.

SPECIAL CONSIDERATIONS/ISSUES

Background: This is an application for the conversion of the existing 2 storey vacant office building into 2 dwellings (1 x 2 bedroom and 1 x 3 bedroom units) together with a first floor extension to the rear. The last known use of the building was for financial services, and a café and post office prior to that. The main issues to consider relate to the impact of the development upon the residential amenities of the occupiers of the proposed and existing dwellings in terms of light and privacy, and the impact upon highway safety.

Design, Layout and Residential Amenity: The building once extended is considered large enough to accommodate 2 no. dwellings of adequate floor space to meet modern habitable standards. The outdoor space to the rear is also of sufficient size to provide private outdoor space for the occupiers of both units.

Having considered also the existing properties around the site, the extension will meet the Council's separation distances and guidance on 'Space around Dwellings' to safeguard against overlooking. There are to be no windows in the side elevations which will prevent any loss of privacy, and the 45 degree test for daylight passes (both plan and elevation). The development will have no detrimental impact upon the residential amenity of the existing dwellings.

Each of the habitable rooms within the dwellings will have a window opening within an external elevation which will ensure adequate natural ventilation and daylight, in the interests of the residential amenities of the future occupiers of the development.

Minimal alterations to the appearance of the principal elevation are required and the renovation of the building will enhance the street scene. The first floor extension to the rear of the building will not be readily visible from public viewpoints and the development will not have an adverse impact upon the character of the area.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
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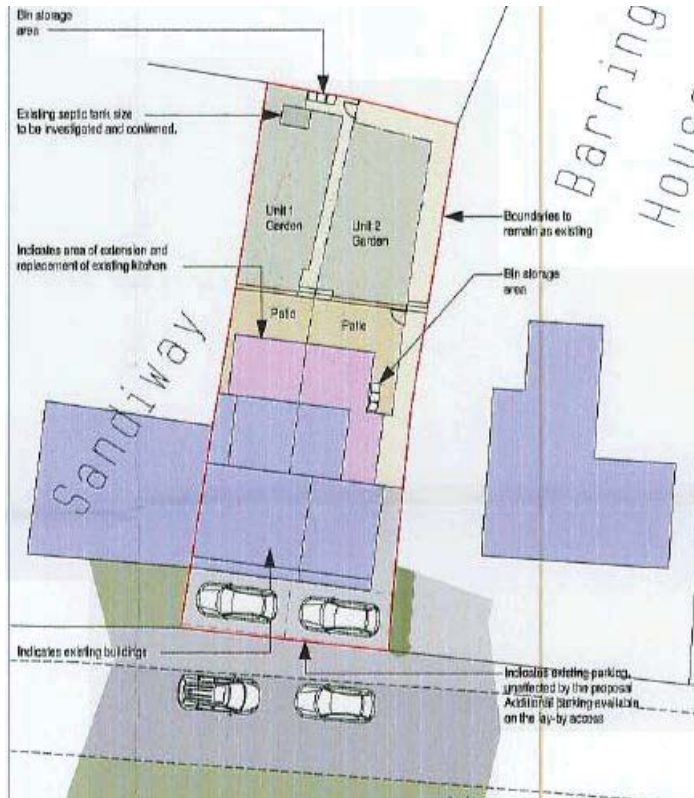


Figure 1. Site Layout



Figure 2. Proposed Elevations



Figure 3. Existing Elevations

Highways: The development site is situated within a lay-by off the A525 Whitchurch Road which is an unclassified road subject to a 60mph speed limit. The vehicular speeds along the lay-by are estimated at being 15mph, given the geometry of the road. This section of the carriageway fronting the site is typically 5.3 metres wide which is adequate for the simultaneous passage of 2 vehicles.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
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The property currently benefits from an A2 Use which has the potential to generate a significant number of vehicle movements and parking demand. The change of use to residential will result in a reduction in vehicle movements and parking demand and, on this basis the highway authority has no objection to the proposed change of use.

Other Matters: Foul drainage will be properly considered a part of the Building Regulations approval and the standards required for the proposed septic tank will be determined by NRW and permitted accordingly.

Conclusion: The proposal is in accordance with local policy, and development of the site will make a positive contribution to the visual amenities of the area by virtue of the regeneration of a property which has been vacant for a number of years. The development will not have a detrimental impact upon highway safety and I recommend 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 H5131/01 and H5131/03, and as contained within the application documentation.
3. 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.
4. With the exception of those shown on the approved plan and 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) no windows or other openings shall be inserted in any elevation of the building facing east or west.
5. 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), no further development shall take place under Classes A, B, C, D and E of Schedule 2 Part 1 other than the development hereby granted permission.
6. Prior to first use of the development hereby approved, the access shall be surfaced with hard bound materials.
7. The development shall be carried out in strict accordance with the methodology, findings and recommendations contained within the Ecological Assessment carried out by Greenscape Environmental Ltd, dated March 2019 and referenced 2162 1903R approved as part of this application.

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. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To protect the amenities of the occupiers of nearby properties 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. 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.

NOTE(S) TO APPLICANT

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.

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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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;

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- 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 Environment and Planning Department on 01978 315300 for further advice and information.

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 Housing and Public Protection Department on 01978 315300 for further advice and information.

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APPLICATION NO:

P/2019 /0089

LOCATION:

FERNDALE GARDEN CENTRE
BERSE ROAD CAEGO WREXHAM
LL11 6TP

DATE RECEIVED:

07/02/2019

COMMUNITY:

Broughton

DESCRIPTION:

OUTLINE APPLICATION FOR
RESIDENTIAL DEVELOPMENT (8
NO. DWELLINGS) AND
CONSTRUCTION OF NEW ACCESS,
CLOSURE OF EXISTING ACCESS
TO GARDEN CENTRE AND
CONSTRUCTION OF NEW ACCESS
POINT

CASE OFFICER:

PF

WARD:

New Broughton

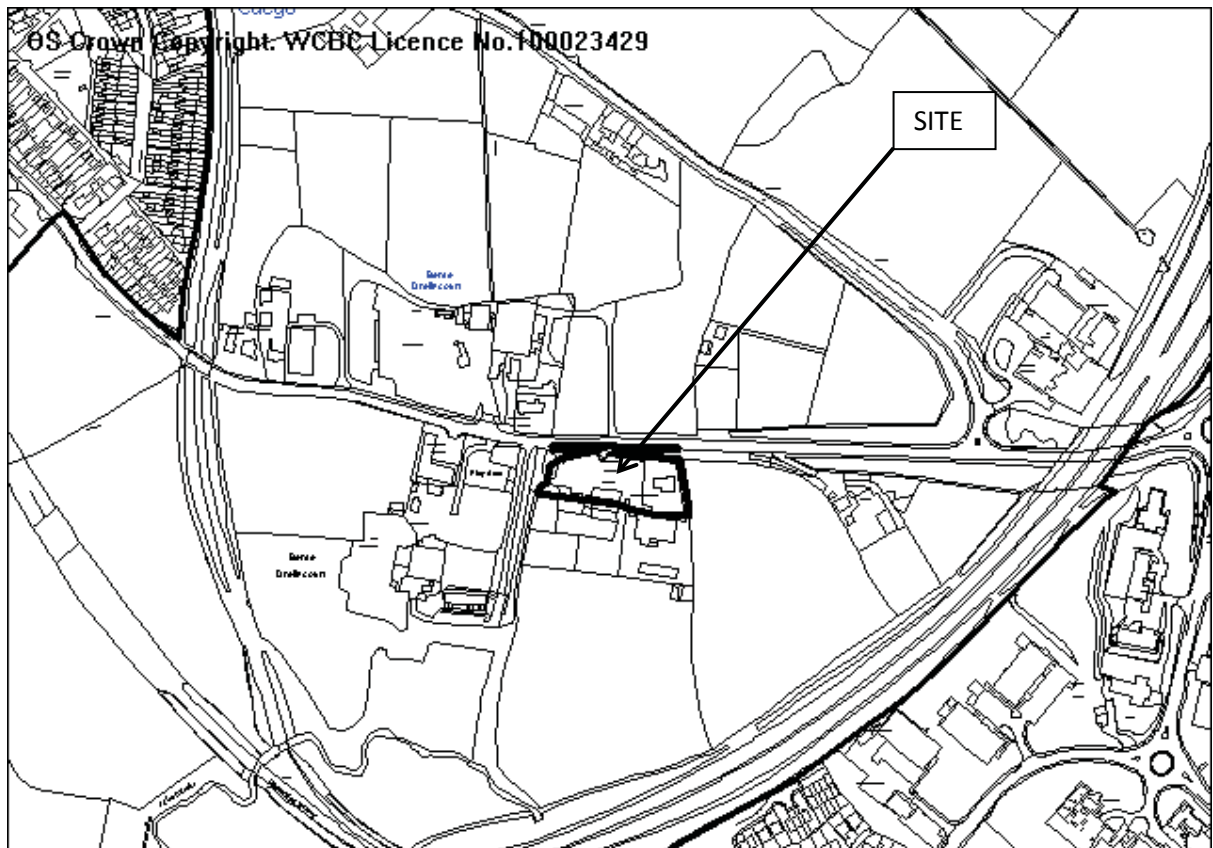
AGENT NAME:

BLUEPRINT LTD
MR DAFYDD EDWARDS

APPLICANT(S) NAME:

MR & MRS HUGHES

THE SITE



REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

PROPOSAL

Outline planning permission is sought for residential development (up to 8 dwellings) with all matters reserved for further approval.

HISTORY

P/2002/0706 09.12.2002	Use of land for the storage of caravans. Granted
P/2008/0049	Renewal of temporary planning permission for storage of 16 caravans (Previously granted under planning permission Code No. P/2002/0706. Granted 22.02.2008
P/2013/0097	Storage of caravans (previously granted under P/2008/0049). Granted 04.04.2013
P/2017/0879	Outline application for residential development (8 no dwellings) and construction of new access, closure of existing access to garden centre and construction of new access point. Refused 11.09.2018
P/2018/0571	Continued storage of caravans (previously granted under Code No. P/2013/0097). Pending.

PLANNING POLICY

The site is located outside any defined settlement limit. Policies PS1, PS2, PS3, PS4, GDP1, GDP2, EC1, EC4, EC13, H5, T8 and MW9 are relevant. Guidance is contained in Local Planning Guidance Notes 16 – Parking Standards, 17 – Trees and Development and 21 – Space Around Dwellings.

Policy and guidance is also contained in Welsh Government Planning Policy Wales (Edition 10) and Technical Advice Notes (TAN) 1 - Joint Housing Land Availability Studies, 5 – Nature Conservation and Planning, 12 – Design and 18 – Transport.

CONSULTATIONS

Community Council:	Objects due to major concerns in relation to access to and from the site and the impact on traffic on the Berse Road.
Local Member:	Verbally requested that the application be called in for consideration by the Planning Committee due to the inconsistency of approach in decision making between this site and the planning application currently being considered at Gatewen Road.
Site notice:	Expired 06.03.2019
Highways:	No objection as it would be possible to provide a safe access onto the site.
Public Protection:	Conditions will be required to provide for contaminated land investigations and any

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	possible mitigation measures. Construction nuisance informatives will be required.
NRW:	No objection subject to the imposition of conditions to ensure that the mitigation measures in relation to bats and lighting impact are adhered to.
Welsh Water:	A condition is recommended for a detailed drainage design to be submitted.
Flood Officer:	Have advised that the development of the site will need to adhere to the SAB (surface water disposal adoption) standards.
Education Officer:	Education contribution will be required in relation to primary provision.
Neighbouring occupiers:	7 neighbouring occupiers notified. No responses received.

SPECIAL CONSIDERATIONS

Background: Outline planning permission has previously been refused by the Planning Committee in September 2018 for the same development proposal. The reasons for refusal related to the principle of the development and its non-compliance with rural housing policy as well as highway safety matters relating to visibility at the access and the loss of parking associated with the retained garden centre.

This latest planning application has been submitted in order to deal with technical matters associated the reasons for refusal i.e. highway safety and parking provision.

Policy: The site is located outside any defined settlement limit and in an area of land designated as Green Barrier. The proposal does not represent any circumstance where residential development would be acceptable outside a defined settlement limit. Policies PS1 and H5 refer.

Policy EC1 defines development types which are acceptable in Green Barriers. Residential development is not such a development type and it is therefore inappropriate development by definition. This is also in line with Planning Policy Wales guidance on Green Barriers.

As such I am satisfied that the proposal represents a departure from the development plan.

The Council are unable to demonstrate a supply of allocated land to meet a demand over a 5 year period. TAN1 advises that where this is the case, it should be considered as a 0 year supply of land. It is for the LPA to apportion what weight to give in relation to consideration of out of settlement sites where there is a deficient supply of allocated housing land. I am of the opinion that considerable weight should be given to this matter.

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The site does not adjoin an existing settlement but is considered to be previously developed land (PDL). However PPW defines in detail the definition of PDL. It does not necessarily run to the extreme of the site boundary and goes on to state that whilst there is a preference to develop PDL over greenfield sites, other matters such as the location of the development come into play.

Green Barrier designations are in place to ensure openness is maintained, to prevent coalescence of settlements and promote urban regeneration. Development may be acceptable where it can be demonstrated that these aims are maintained or where very exceptional circumstances can be demonstrated.

The site is prominent and does not represent a logical addition to the settlement. The area of land is associated with a built form of development but does not feature a significant amount of physical buildings. I do not consider that the proposal will maintain the openness of the green barrier. The amount of development will be evident and prominent and it will not appear as a logical extension to the existing settlement. Whilst the LPA must give weight to the Council's shortage of housing land supply, I do not consider it outweighs the harm that would be attributed to the reasons for including the land within the Green Barrier. No other exceptional circumstances have been demonstrated in this instance.

The Local Member has made reference to the inequality of the determination of this planning application in comparison to an application currently under consideration at land off Gatewen Road (P/2018/0674 refers). Firstly, all sites are considered on their own merits. The nearby planning application for residential development is currently pending consideration and no recommendation has been put forward to the Planning Committee. However, Members should note that it is an allocated site in the Council's Local Development Plan which has been submitted for examination in public. I am satisfied that the planning application now before members should be considered in isolation.

Highways: There are two issues to consider relating to highway safety. The ability to provide a safe means of access and the demonstration of an adequate level of parking provision for the existing land use that would remain.

Highways accept that an access could be provided along the site frontage which would meet lateral and forward visibility requirements. The application is made in outline with all matters reserved for further approval. Notwithstanding the indicative access position shown on the submitted plans, I have confirmed with Highways that a point of access could be provided on to the site which would satisfy visibility requirements. This could include the use of the existing garden centre access point.

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The level of parking provision which could be made available for the remaining garden centre has been shown in submissions. I am satisfied that any previous concern in relation to the loss of adequate parking provision for the retained garden centre has been addressed and the development would comply with policy T8 of the UDP

General matters relating traffic generation are not of concern in this instance given the scale of the development.

Ecology: The submitted documentation indicates the presence of bats within the existing bungalow. The loss of this habitat would represent a detriment to the population of this protected species. Based on the nature of responses received, mitigation measures will be required to provide for these bats once the scheme is implemented. There is concern from the council's Ecologist that this level of detail should be provided up front. The nature of the application does not allow for this to occur. I have no indication in the LPA's ecologist response or that of NRW that a form of mitigation could not be provided. The form of mitigation may result in the reduction of the number of dwellings or the layout to be provided. On this basis I would not wish to make this matter a reason for refusal.

Trees: Concerns have been raised regarding the ability to provide sufficient planting to mitigate the loss of trees to the site frontage. The layout as shown would also be heavily influenced by the shading pattern of those trees on the eastern boundary. Again, the scheme is in outline and issues relating to the detailed layout of the proposal would be a reserved matter. Suitable conditions could be imposed to ensure that the layout of the proposal would not harm existing trees and the landscaping scheme would provide the opportunity for sufficient mitigation planting. There are no reasons at this stage to refuse the scheme on tree related matters.

Other matters: I have no indication that the development of this site could not occur without providing for sufficient drainage. There remains a requirement for the developer to demonstrate on site surface water disposal or discharge of the site in accordance with current runoff rates. Approval by WCBC as the Sustainable Drainage Approval Body (SAB) will be required for surface water drainage and Welsh Water has sought a detailed drainage scheme to deal with the comprehensive drainage of the site. This matter could be dealt with by condition.

Conclusion: I am satisfied the principle of the development in this location has not been demonstrated. The proposal does not accord with Council policies in relation to the location of development. It would not maintain the openness of the green barrier and whilst the Council has a shortfall in housing supply land, this matter is not considered to outweigh the harm that would be caused to the openness of the Green Barrier in this instance. Previous concerns in relation to highway safety and parking provision have been addressed and I therefore recommend accordingly.

RECOMMENDATION: That permission be REFUSED

REASON(S)

1. The proposed development lies outside any settlement limit and within a designated green barrier. The proposed development would represent an unacceptable incursion in to the green barrier and would not form a logical extension to the existing settlement. To allow the development would be contrary to policies PS1, PS2, PS3, PS4, H5, EC1 and GDP1 of the adopted Wrexham Unitary Development Plan.
-

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

APPLICATION NO:

P/2019 /0094

LOCATION:

7 HEOL DINAS WREXHAM
LL12 7RF

DATE RECEIVED:

08/02/2019

COMMUNITY:

Acton

DESCRIPTION:

CONSTRUCTION OF CAR PORT (IN
RETROSPECT)

CASE OFFICER:

PF

WARD:

Acton

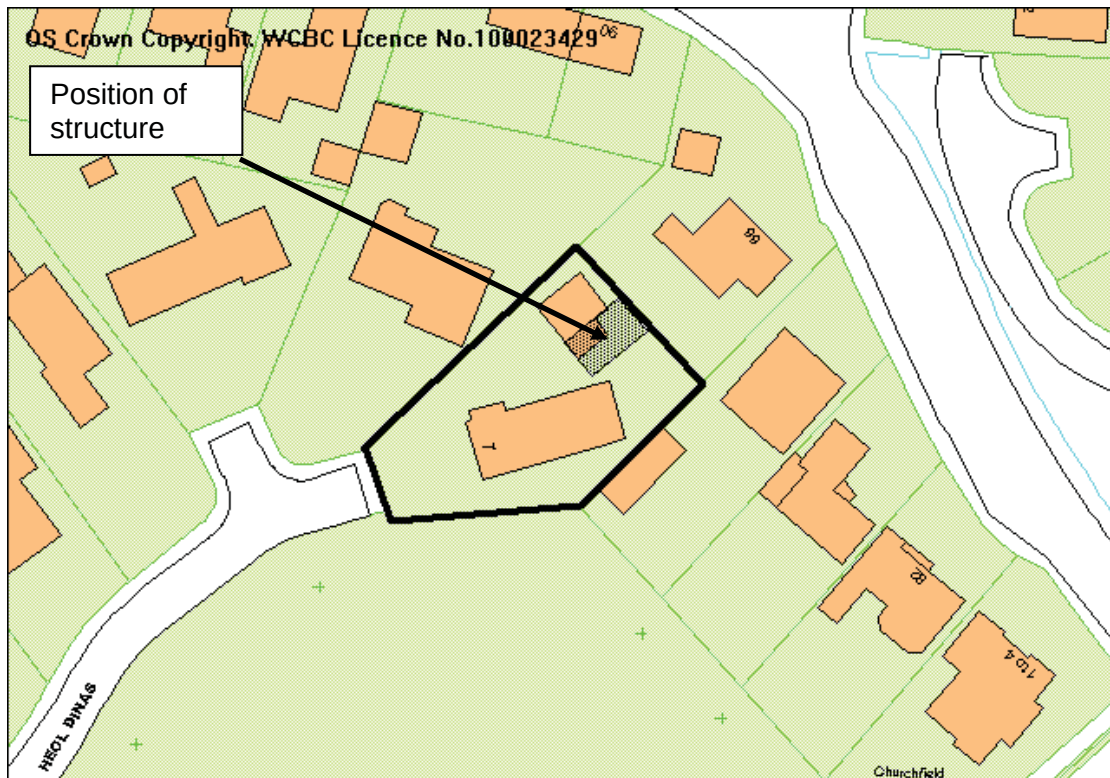
APPLICANT(S) NAME:

MR A HALL

AGENT NAME:

M A CLARK
MR MICHAEL CLARK

THE SITE



PROPOSAL

Planning permission is sought in retrospect for the erection of a steel frame clad shelter to the rear of the dwelling attached to an existing detached outbuilding.

HISTORY

None.

PLANNING POLICY

The site is located within a settlement limit. Policies PS2, GDP1 and T8 are relevant. Guidance is also contained in Local Planning Guidance Notes 16 - Parking Standards and 20 – House Extensions.

CONSULTATIONS

Community Council:	No objection.
Local Members:	No observations.
Site notice:	Expired 05.03.2019
Highways:	No recommendations.
Neighbouring occupiers:	3 neighbouring occupiers notified. 2 responses received raising the following points: • Whilst the structure is described as a carport, it is higher than the adjacent detached garage and the photos submitted show that it is intended to house much larger vehicles than cars; • The structure is visible on approach to the site; • The structure colour adds to the impact as it is unlike any other structure in the locality and it is totally out of place; • It is over dominant in a neighbourhood of other bungalows and flat roofed garages; and • It is close to the neighbouring boundary and resembles an industrial building.

SPECIAL CONSIDERATIONS

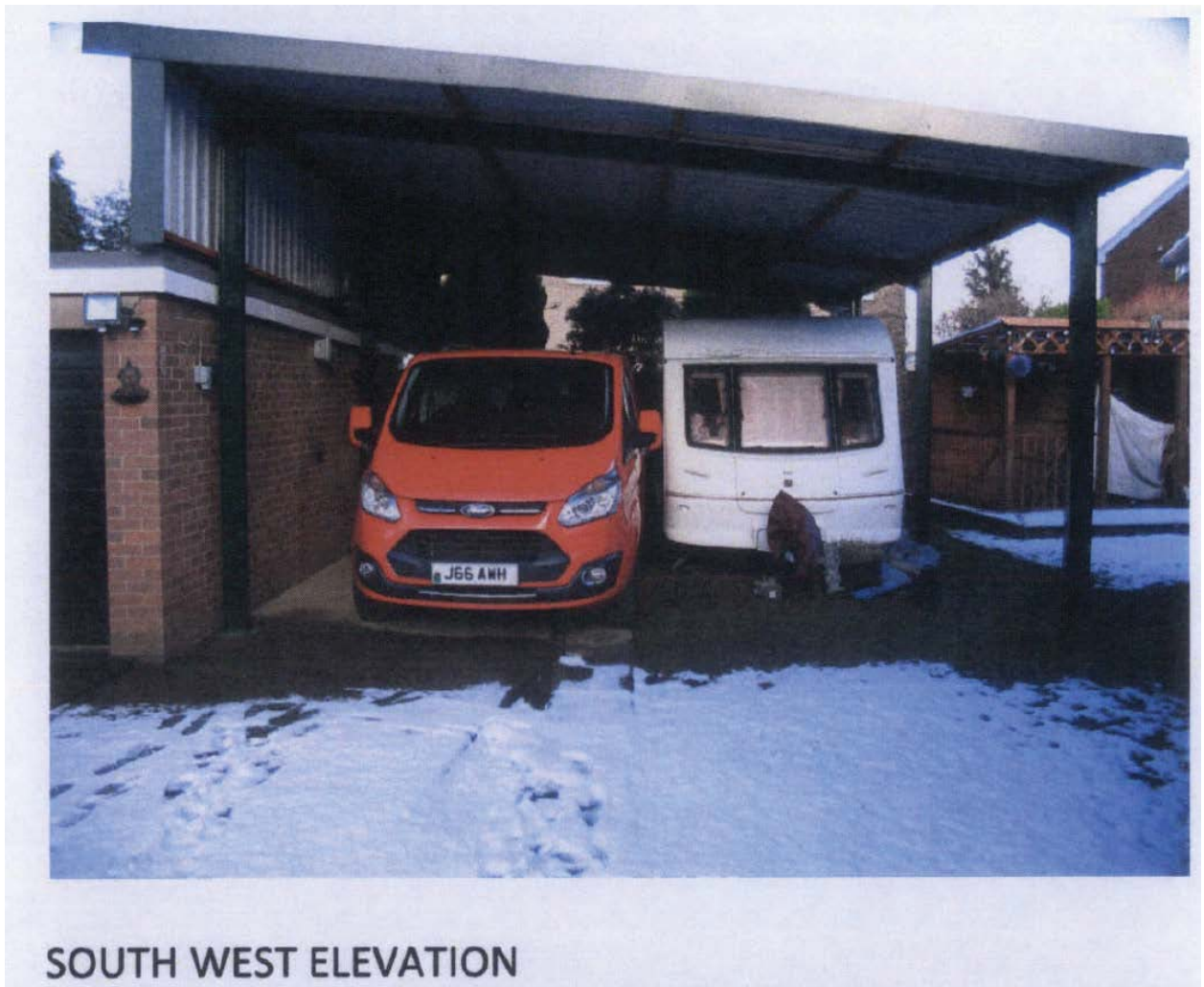
Design: The structure consists of an open sided steel frame with a lean to roof of corrugated cladding. Where the building adjoins to the existing flat roof detached garage, the gap between the highest point of the car port and said garage is infilled with vertical steel cladding.

I am satisfied that the design of this structure is not typical within a residential setting, in terms of its form and use of materials as well as its overall height.

Views of the structure are limited from the property frontage on Heol Dinas. There are glimpses of the structure possible through the gap at the side of the dwelling. As a result of this, I do not consider that the visual impact of the structure is detrimental within the street scene.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

The main impact is the massing of the structure in close proximity to neighbouring property boundaries and the impact this has upon the outlook of those neighbouring occupiers. Whilst the overall height of the structure (its highest point being 3.7m) is within realms of a normal pitched domestic garage for example, its utilitarian industrial/ agricultural design appears out of place in this residential setting. Whilst the structure is not widely visible from an open public vantage point, I consider its appearance is unacceptable and overbearing to the neighbouring occupiers and is not characteristic of what would be expected in this suburban setting. As such, I do not consider that the proposal accords with policies GDP1 of the UDP and LPG20. For the benefit of Members, images of the building as erected are shown below.





SOUTH WEST ELEVATION

Conclusion: For the above reasons, I consider that the design of the structure would have an overbearing impact upon the neighbouring occupiers and I recommend accordingly.

RECOMMENDATION: That permission be REFUSED

REASON(S)

1. The structure, by virtue of its scale, form and use of materials would represent a form of development out of character in a residential area and would appear overly oppressive to the detriment of the neighbouring occupiers of the site. To allow the development would be contrary to policies PS2 and GDP1 of the Wrexham Unitary Development Plan.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

APPLICATION NO:
P/2019 /0096

LOCATION:
4 SALEM ROAD COEDPOETH
WREXHAM
LL11 3SG

DATE RECEIVED:
08/02/2019

COMMUNITY:
Coedpoeth

DESCRIPTION:
ERECTION OF 1 NO. DWELLING
AND CONSTRUCTION OF NEW
VEHICULAR AND PEDESTRIAN
ACCESS

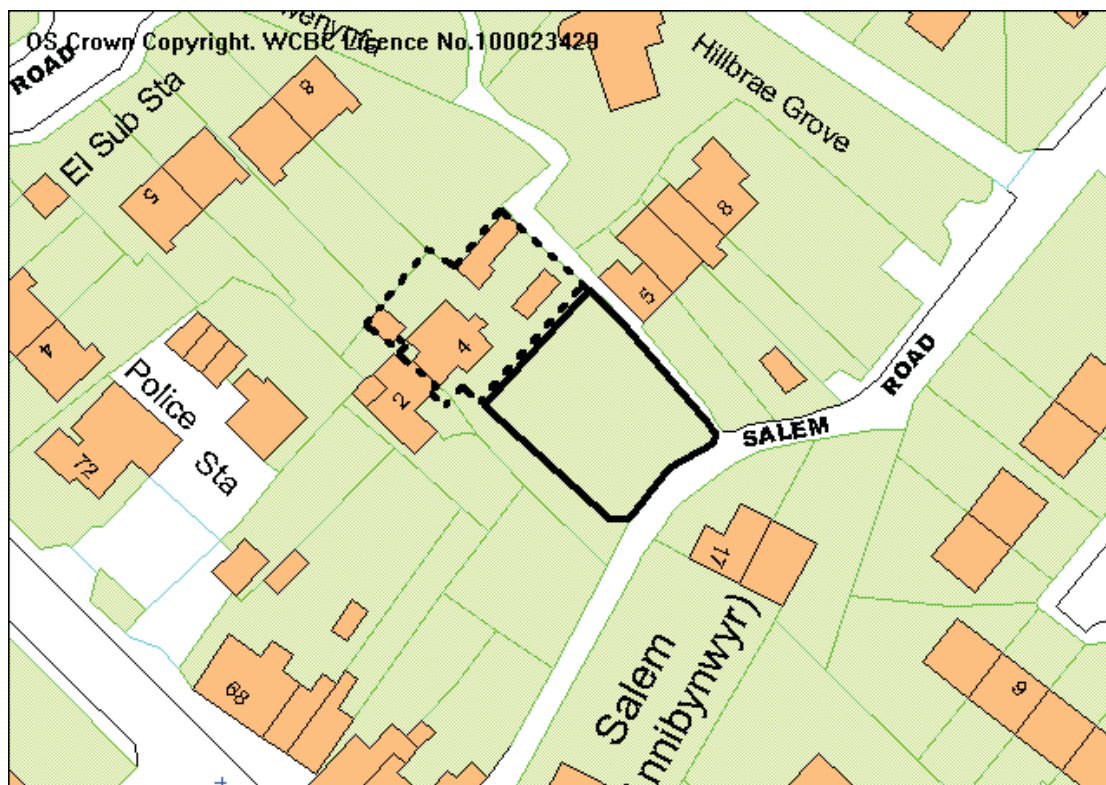
CASE OFFICER:
PF

WARD:
Coedpoeth

AGENT NAME:
REAL PLANNING
MR GERRY KELLETT

APPLICANT(S) NAME:
RYAN AND RHIAN POWELL

THE SITE



PROPOSAL

Full planning permission is sought for the erection of one two storey 3 bedroom dwelling with associated access and hardstanding.

HISTORY

None.

PLANNING POLICY

The site is located with the Coedpoeth settlement as designated in the Wrexham Unitary Development Plan. Policies PS1, PS2, PS3, PS4, GDP1, H2 and T8 are relevant. Guidance is also contained in Local Planning Guidance Notes 16 – Parking Standards and 21 – Space Around Dwellings.

CONSULTATIONS

Community Council:	Consulted 11.02.2019
Local Members:	Cllr M. Dixon – No comments at this stage. Cllr K. Childs notified 11.02.2019
Site notice:	Expired 06.03.2019
Public Protection:	Ground contamination investigations will be required due to historic metal mining in the area. Standard notes to applicant are recommended in relation to construction nuisance measures.
Highways:	Adequate visibility splays can be provided given the likely traffic speeds. Adequate off road parking and turning is proposed.
Welsh Water:	An easement is required in relation to the public sewer which crosses the site. A condition requiring a detailed drainage plan should be submitted as one has not accompanied the planning application.
NRW:	No comments.
Neighbouring occupiers:	5 neighbouring occupiers notified. 10 responses received raising the following objections: • The site notice was not placed in a prominent enough location; • This would represent an over development of the garden area, would be detrimental to the character of Salem Road and the setting of the Grade II Salem Chapel; • The neighbouring dwelling would be overshadowed and lose natural daylight; • Privacy would be lost as the first floor windows would overlook the neighbouring garden areas; • It would hem in the neighbouring occupiers due to its position;

- Another driveway on Salem Road would result in a safety issue as it is a one way road and narrow;
- The build process would cause disruption to the whole of Salem Road i.e. vans and lorries doing building deliveries;
- The proposed timber screen fence will impact upon the shared driveway of nos. 2 and 4 which is already tight;
- Boundary lines do not appear correct on the submitted plans;
- It will look out of place with other dwellings;
- A neighbour purchased their property due to it having no overlooking. The proposed dwelling will overlook the garden and only the highest summer sun will reach their garden;
- Surface water is likely to run down from the site and affect the neighbouring properties;
- Another dwelling will potentially increase on street parking disputes;
- Visibility on Salem Road will cause a problem for pedestrians;
- The new dwelling is against the current building line along Salem Road;
- The design of the dwelling will not be in keeping with the area;
- The perceived speed of 20mph as concluded by WCBC Highways teams is wrong; and
- There will be disturbance from noise and dust during the construction phase.

SPECIAL CONSIDERATIONS

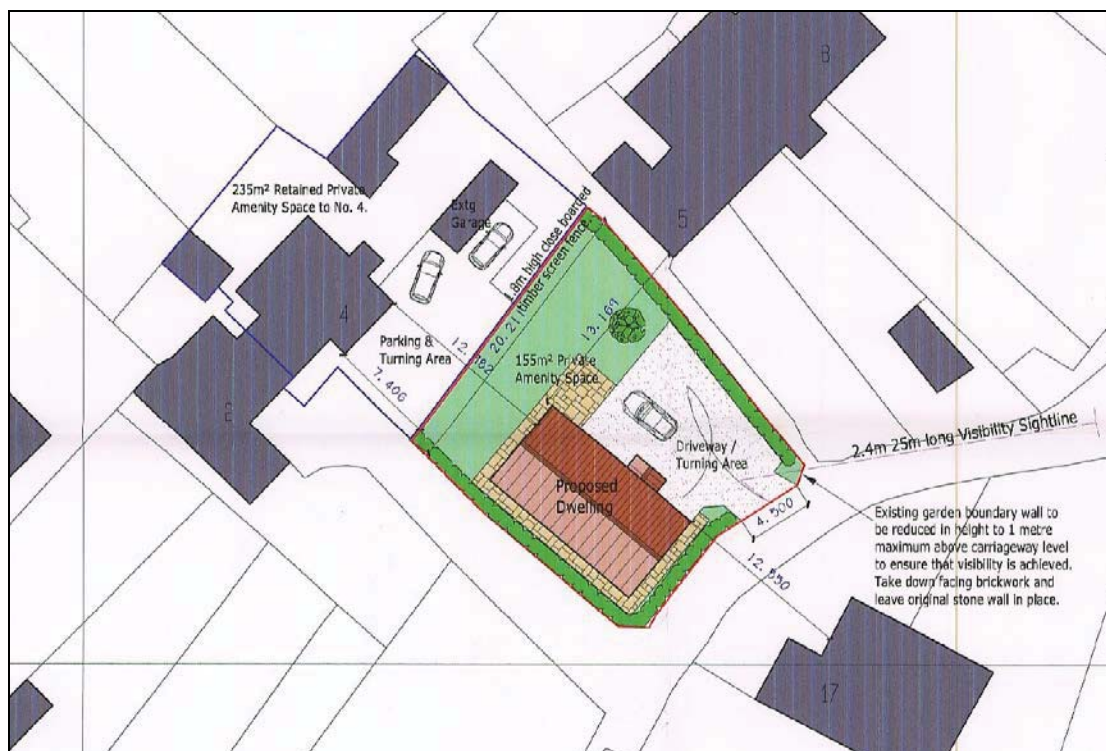
Policy: The site is located within the Coedpoeth settlement. Policies PS1 and H2 of the Wrexham UDP establish the principle of residential development in this location. All development proposals must adhere to the council's general development principles (policy GDP1) and parking requirements (policy T8). These matters are discussed in detail below.

Design: Salem Road is a one way street which narrows as it leads round to its junction with the main A525 High Street. The general pattern of development in this location is one of a scattered character. Nos. 2 and 4 (the application site) sit some distance from the highway boundary with the

7th MAY 2019

frontages of nos. 5 to 8 sitting 10 metres closer. Across the road from the application site are nos. 16 and 17 – their semidetached footprint sitting in an isolated position in the overall context of the streetscene.

The proposed dwelling would sit within the front garden area of no. 4. Its principle elevation would sit at a right angle to the orientation of nos. 2 to 8. I have shown the proposed layout in the image below.



Proposed site plan

In this instance, I am satisfied that the proposed dwelling would not appear incongruously in the streetscene. On approach from a north easterly direction the principle elevation would be seen in the same context as nos. 16 and 17 Salem Road and it would sit comfortably creating a right angle to the frontages of nos. 5 to 8. It would not appear incongruous in front of nos. 2 and 4 given that they sit a considerable distance from the road frontage. I am satisfied that there is sufficient space between the footprint of the proposed dwelling and the existing properties without it looking hemmed in.

Amenity: Concern has been raised by neighbouring occupiers that allowing the proposed dwelling would result in detrimental levels of overlooking and loss of natural daylight. The applicant has annotated the proposed site layout with the key separation distances between the footprint of the proposed dwelling and the neighbouring buildings. Given the position of habitable room windows, which all face in a north easterly direction, I am satisfied that the proposed dwelling accords with the council separation standards as laid out in LPG21. The principle elevation of the dwelling does face directly towards the front garden area of nos. 5 to 8. Given the size of the front garden areas of

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

these dwellings, they do appear to use as a mixture of amenity space and frontage access and parking. That said, any overlooking into these areas is likely to be limited. The gardens are not the only amenity spaces associated with the dwellings and in any case, given the proposed layout is generally in accordance with the overall settlement pattern of the area. It is for this reason that I am also satisfied that there will be no detrimental loss of natural daylight to these properties and the mass of the dwelling will not be overbearing.

Highways: Highways consider that the likely speed of vehicles using this stretch of Salem Road would be no more than 20mph. On this basis, the applicant is able to demonstrate adequate visibility splays in a north easterly direction commensurate to that speed. Whilst representations have been made to suggest that splays should be provided at the stated speed limit of the road, this would be unreasonable based on the highways engineers observations of likely speeds of traffic. Representations also state that traffic has been witnessed at the point of the application site access in excess of 20mph. Based on my own observations of the geometry of the road, I consider this highly unlikely.

Parking and turning provision can be provided in line with the maximum requirements of LPG16. On this basis, I am satisfied that the proposed development can be implemented without causing detriment to highway safety.

Other matters: Contrary to representations made, I have no reason to believe that the development cannot be implemented within land wholly controlled by the applicant as indicated within the application documentation. Any disputes regarding the position of any boundary is a civil matter between the parties involved.

Given the scale of the proposed development, I am of the opinion that construction nuisance will be minimal. It is inevitable that there may be some limited disturbance from materials deliveries, especially given the geometry of the highway. That said, this disturbance is likely to be short term and is not a reason to resist this development.

Whilst Welsh Water have requested the provision of a detailed drainage plan, no indication has been given to suggest that foul water cannot be communicated to the existing infrastructure. Approval of surface water will be required through the Building Regulations and SAB approval process. I therefore do not consider that such a condition is necessary in this instance.

Conclusion: I am satisfied that a dwelling can be provided on site in accordance with the council's planning standards and will not detrimentally impact upon the neighbouring occupiers. I recommend accordingly.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

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 10361.01.dsj, 10361.02.dsj and 0361.03.dsj and as contained within the application documentation.
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 3 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. Prior to their use on the development samples of all external facing 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.
6. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.
7. Prior to the first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4m by 25m in a north easterly direction measured to the centreline of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any obstruction to visibility.

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.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

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 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.
6. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
7. 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

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is 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.

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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

APPLICATION NO:

P/2019 /0127

LOCATION:

BLACK ROCK FARM SESSWICK
WAY CROSS LANES WREXHAM
LL13 0SQ

DATE RECEIVED:

18/02/2019

COMMUNITY:

Marchwiell

DESCRIPTION:

ERECTION OF AGRICULTURAL
BUILDING (IN RETROSPECT)
ANCILLARY TO THE POULTRY
BUILDINGS CURRENTLY UNDER
CONSTRUCTION

CASE OFFICER:

PF

WARD:

Marchwiell

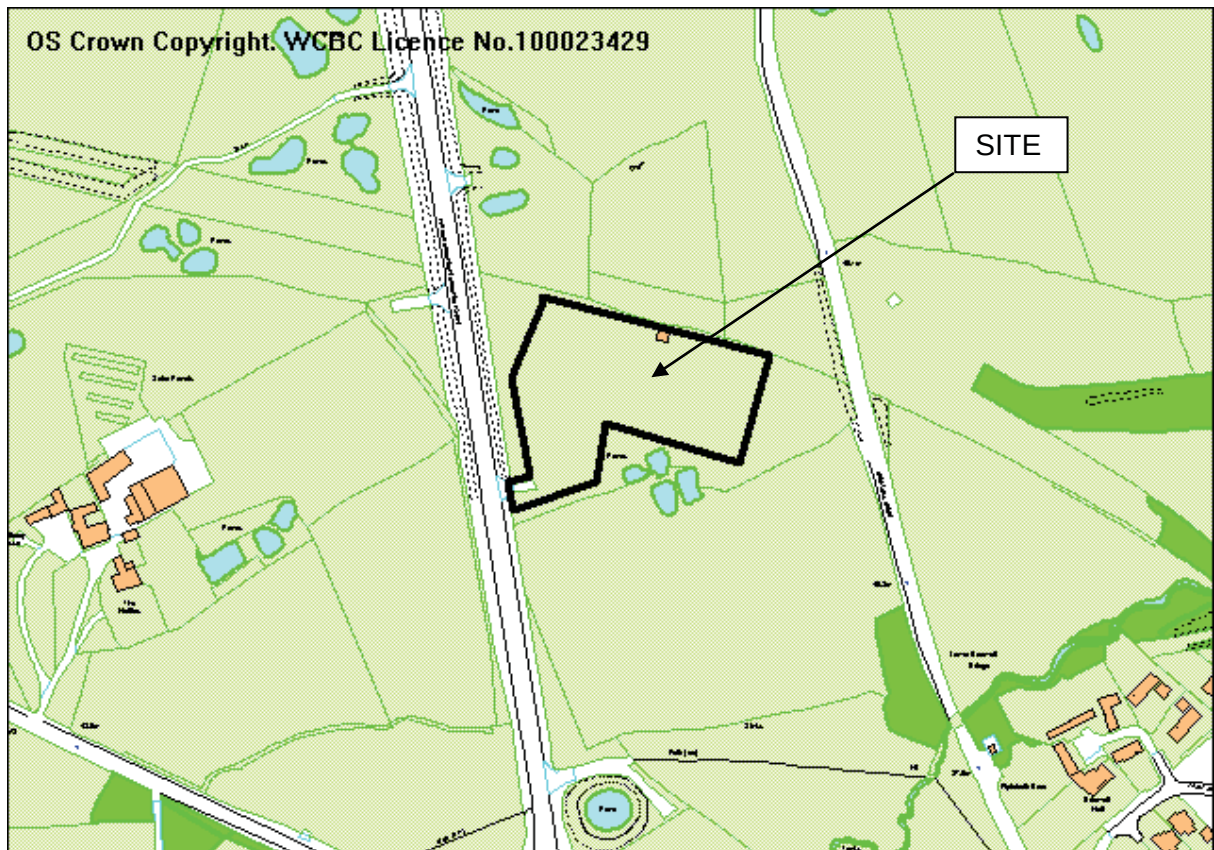
AGENT NAME:

ACORUS RURAL
PROPERTY SERVICES
LTD
MR ANTHONY
ATKINSON

APPLICANT(S) NAME:

MR & MRS ELLIOTT

THE SITE



PROPOSAL

Planning permission is sought in retrospect for the erection of an agricultural building measuring 9m by 3.5m with a mono-pitched roof at a maximum

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

height of 3m. The application is made in retrospect. The purpose of the building is ancillary to the lawful agricultural use of the site and houses the heating system associated with the main poultry rearing unit.

HISTORY

P/2016/0533 Erection of two broiler chicken rearing buildings (each measuring 101.019m x 23.365m) housing up to 40,000 chickens each, to be served by 4 feed bins and a wood chip bin. Erection of associated control rooms, feed weighing rooms and mess facilities, construction of an agricultural storage building and temporary siting of mobile living accommodation in connection with operation of the development.
Refused 21.07.2017 - Allowed on appeal.

PLANNING POLICY

The site is located outside any defined settlement limit. Policies PS2, GDP1, EC3 and T8 are relevant. Guidance is also contained in Local Planning Guidance Note 16 – Parking Standards.

CONSULTATIONS

Community Council: Strongly opposes this application. Furthermore, members call for this to be placed before the full Planning Committee.
The proposal fails to state what items will be stored in this building, why construction happened before permission was sought, and why this was not a feature of the original application. It should surely have been known at that time that such facilities would have been required. Furthermore, the building's location is hidden out of the way, tucked away between the two main buildings with no visible road or path leading to it, and away from the entrances to the chicken sheds. This engenders further suspicions as to motives and purpose. The council objected to the initial application and oppose any further development at the site, especially with so little detail being provided. The building of the two chicken rearing sheds at Black Rock Farm was allowed by the Planning Inspectorate, overruling the local planning authority and disregarding local objections. However, this in no way should be passively interpreted as a green light for the applicant to proceed piecemeal with further development. There have been similar activities alleged at the applicant's other farm in

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

	Hale, where construction continued <i>peu a peu</i> until what was originally intended was achieved. Members do not wish to see the same happening in Cross Lanes.
Local Member:	Requests the application is presented to the Planning Committee as the original planning application was refused.
Site notice:	Expired 19.03.2019
Public Protection:	No comments.
NRW:	Consideration should be given to the ecological mitigation scheme which was approved as part of the original planning application and whether this proposal may impact upon those measures.
HSE:	Does not advise against granting planning permission.
Cadant Gas Networks:	Confirms that there is gas infrastructure adjacent to the site.
Neighbouring occupiers:	None notified.

SPECIAL CONSIDERATIONS

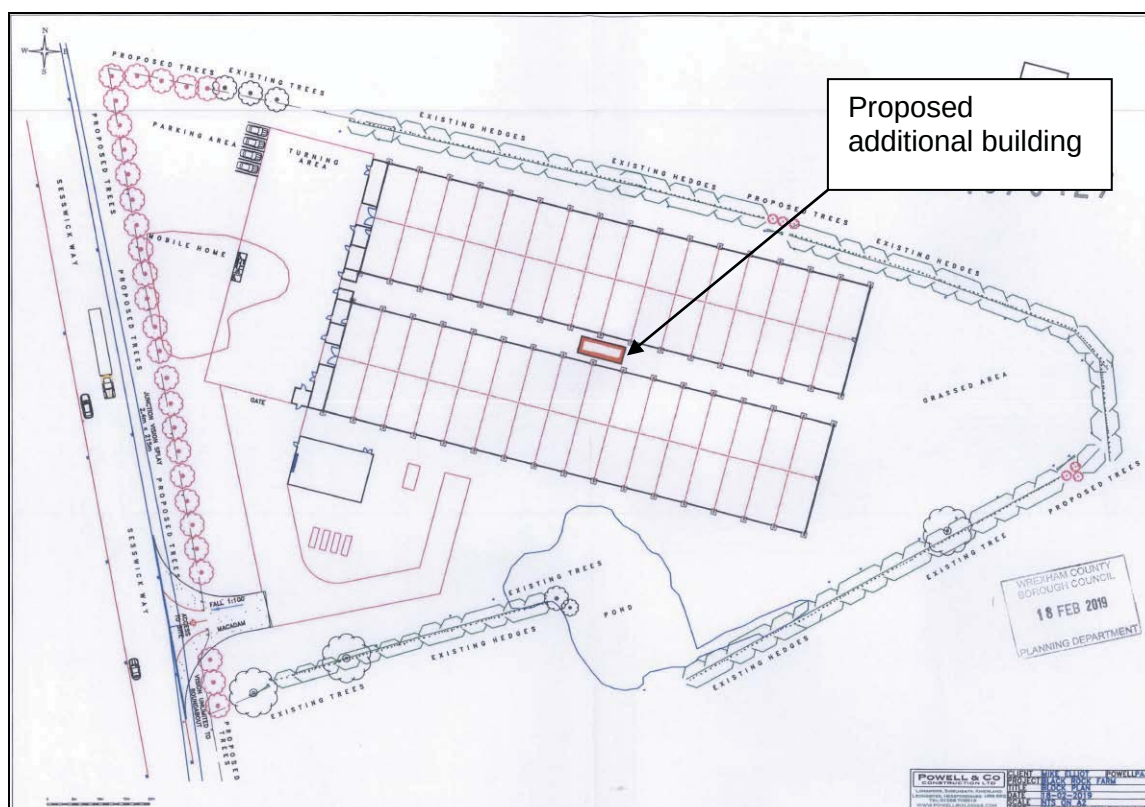
Background: Planning permission was refused in January 2017 for the erection of two agricultural buildings for the purposes of rearing poultry along with a temporary caravan for residential purposes and associated access and hardstanding. Planning permission was subsequently granted on appeal. The development has been substantially completed and the applicant has confirmed that the buildings were stocked with poultry in January 2019.

This planning application relates to the provision of a small ancillary building which has been located in between the two poultry units. The scale of the building is small relative to the poultry buildings. It is required for the purposes of housing heating equipment associated with a ground source heat pump.

Policy: Policy EC3 of the UDP permits new agricultural buildings in the open countryside. Such buildings should be located as close as possible to the existing farmstead. I am satisfied that this proposal accords wholly with this policy and is acceptable in principle.

Design and amenity: Due to its position between the two poultry units, the building in question is not visible and therefore has no impact upon the character of the wider landscape. I have no reason to believe that the building will have any adverse impact upon any nearby neighbouring residential occupiers or other noise sensitive properties. For the benefit of Members, an image of the proposed site layout is shown below.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
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Position if proposed building relative to existing poultry rearing buildings

Ecology: The previous planning application secured ecological mitigation and management measures in relation to the protection of great crested newts. I am satisfied that this small scale development, which is likely to have been erected at the same time as the poultry units, will have had little to no impact upon the protected species in question or the protection measures imposed and secured by the planning condition of the original planning permission.

Other matters: The Community Council has raised concerns regarding the retrospective nature of the planning application. Planning legislation allows for the submission of retrospective planning applications and the proposal cannot be refused for this reason. I am satisfied that the applicant has provided a credible reason for the need of the building. Any developer has the right to submit a planning application for further development whether it was their intention at the time of the original application or as their project has evolved. Whilst doing this in a retrospective manner is a risk for the developer, it is not unlawful. The background of the applicant and how they have developed other sites is not a material planning consideration and cannot be used as a reason to refuse planning permission in this instance.

Conclusion: I am satisfied that the proposed development is justified, accords with planning policy in principle and does not have any adverse impact upon the locality or neighbouring amenity. I recommend accordingly.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The approved plans are those numbered POWELLPA375 LOCATION PLAN and BLOCK PLAN and Black Rock 01.

REASON(S)

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

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

APPLICATION NO:

P/2019 /0147

LOCATION:

LAND ADJACENT TO 1 ISLWYN
BEECH AVENUE
RHOSLLANERCHRUGOG
WREXHAM LL14 1AA

DATE RECEIVED:

26/02/2019

COMMUNITY:

Rhos

CASE OFFICER:

SEH

WARD:

Ponciau

DESCRIPTION:

DEMOLITION OF EXISTING GARAGE
AND REPLACEMENT WITH A
DETACHED DWELLING

AGENT NAME:

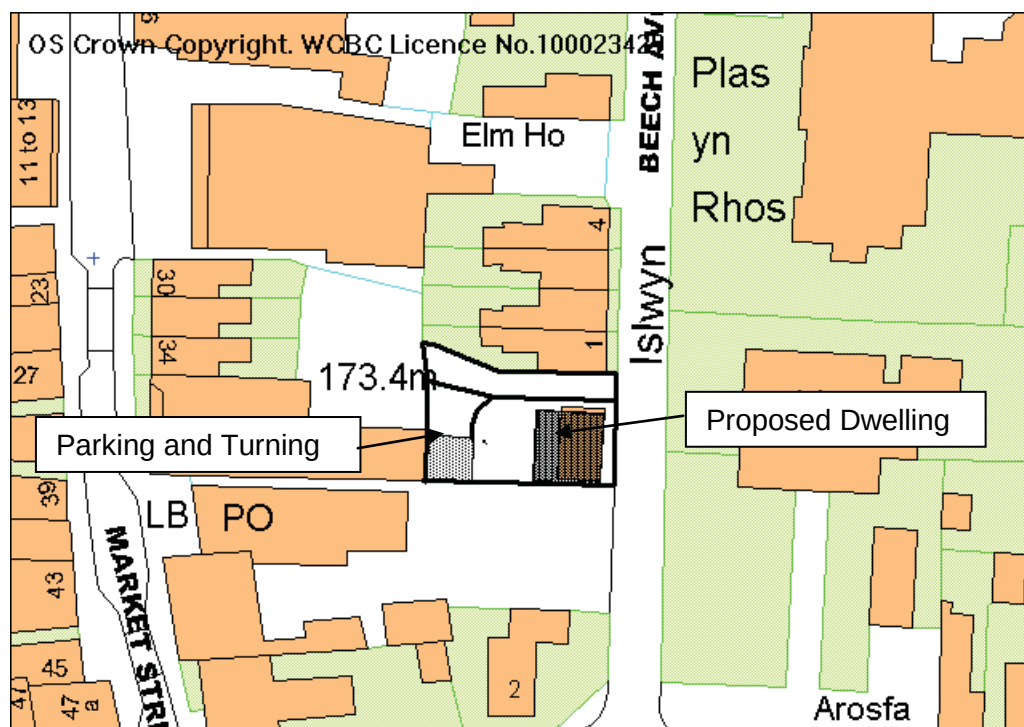
HERITAGE PLANNING
CONSULTANCY
MISS ANNE MORRIS

APPLICANT(S) NAME:

VINCENT, GRAHAM HUGH & ANNE
MORRIS

THE SITE

A plot of land measuring approximately 275 square metres currently housing a dilapidated outbuilding / garage.



PROPOSAL

As above

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
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HISTORY

None relevant

DEVELOPMENT PLAN

Within a defined settlement. UDP Policies GDP1, PS1, PS2, PS3, PS4, H2 and T8 apply. Local Planning Guidance Notes Nos. 16 'Parking Standards' and 21 'Space around Dwellings' are also relevant.

CONSULTATIONS

Community Council:	Re-consulted 08/04/2019
Local Member:	Councillor Pemberton: No observations at this stage. Councillor Hughes: Re-notified 08/04/2019
Public Protection:	No objections subject to the imposition of conditions restricting noise, dust and bonfires.
Highways:	No objections subject to the imposition of conditions relating to access and parking etc. (See Special Considerations below)
Welsh Water:	No objections subject to the imposition of conditions relating to drainage.
NRW:	No comments to make
Site Notice:	Expired 22/03/2019
Neighbours:	One letter received expressing the following concerns: • Loss of light, view and privacy; • The site of the application property is bounded on both sides by accesses which receive deliveries by large service vehicles, which does not bode well for a satisfactory residential environment – however well designed that dwelling may be; • The access on the far side of the site from my Clients' service compound also doubles as the customer car park for branches of Bargain Booze and the Post Office (located inside the former), from which the application site presently acts as a 'buffer' so far as Islwyn is concerned; • The view of the Council's Environment Service Manager - that removal of the existing garage would be of benefit to the highway – is not a material consideration in determining the merits of the proposed development. Large vehicles accessing adjacent and nearby commercial premises cope with its existence;

- Residential use is not the only potential use for this site on redevelopment. Further consideration of the best use for this small parcel of land seems desirable;
- The 2m 'setting back' of the intended dwelling from the edge of the highway for the purpose of visibility would still leave the intended dwelling and highway in an extremely tight juxtaposition, especially assuming the dwelling was a two-storey house;
- The proposed development would lead to increased density of use of Beech Avenue by vehicular traffic as well as encourage overcrowding of the subject site by vehicles. Although the plans showing reversing angles for a single vehicle suggest that the vehicle would be able to park within the curtilage of the proposed dwelling, rather than on the shared right of way, I question how realistic it is to expect that the occupiers of a detached house would limit themselves to owning and using only one vehicle. Even if they did, where would the vehicles of their visitors and contractors etc. park?
- It is noted that the response of Dwr Cymru Cyf. is opposed to the discharge of surface water drainage from the proposed new dwelling into the public combined sewerage network: given the limited size of the site, proximity both of my Clients' property, 1 Islwyn and the highway, where is surface water to go without impacting upon any of these 'neighbours' adversely?
- Since the applicant owners of the property are long-term residents either completely outside the area or in distant Glyn Ceiriog - that the Application is not to permit the construction of a dwelling for use by any of the applicants, but to enhance the value of the plot for sale with the benefit of planning permission. The likely outcome – if permission is granted – is that the Sellers will not be personally responsible for the impact of any development as it proceeds on my Clients or other neighbours. I question whether it is appropriate for a

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7th MAY 2019

planning authority to be the means of
unlocking the financial potential of land as a
primary purpose, when the bringing into use
of the land is, at best, only secondary and
incidental to that primary purpose.

Re-notified 08/04/2019

SPECIAL CONSIDERATIONS/ISSUES

Background: This is an outline application for the demolition of an existing garage and erection of 1 no. two storey dwelling, with all matters reserved for subsequent approval. The site lies within the settlement limit of Rhos, where residential development is acceptable in principle subject to compliance with UDP Policy GDP1. The main issues to consider therefore relate to impact of the development of the site upon the residential amenities of the occupiers of the surrounding properties in terms of loss of light, view and privacy, and the impact upon highway safety.

Layout and Residential Amenity: The site is considered large enough to accommodate a single dwelling whilst providing on-site parking and outdoor recreation space. Having considered also the properties around the site, it is possible to achieve the erection of a dwelling on this land in accordance with the Council's separation distances and guidance in LPGN. 21 'Space around Dwellings' which protect privacy and daylight.

The applicant has submitted an indicative layout plan which demonstrates that the plot is large enough to accommodate a dwelling which would be of character in relation to the surrounding properties, whilst protecting the visual amenities of the area. Design, appearance and residential amenity will all be properly considered at the reserved matters stage to ensure that there is no significant loss of light or privacy to surrounding properties, and that the development fits in with the existing street scene.

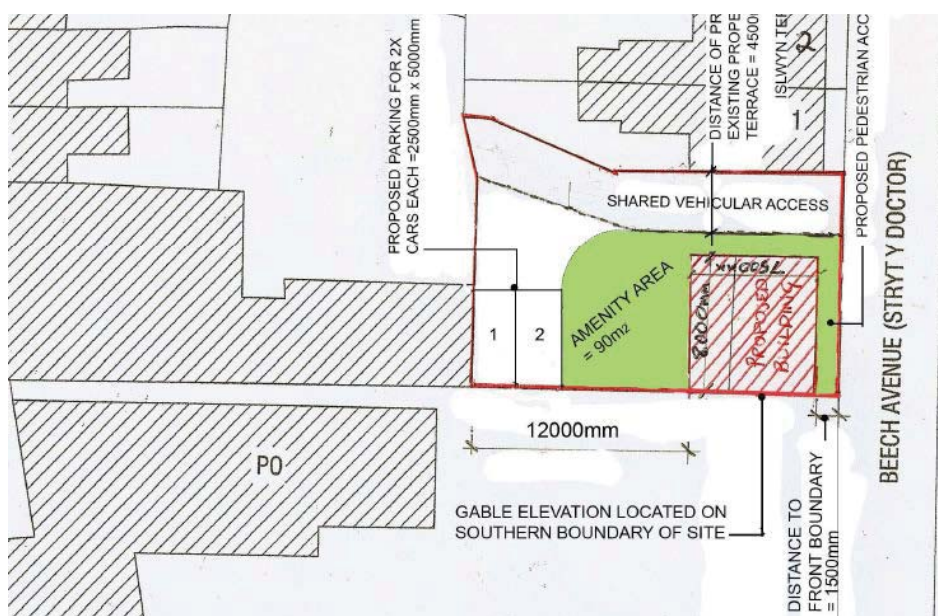


Figure 1. Indicative Site Layout Plan

Highways: The existing garage has its access immediately adjacent to the highway. Users of the garage are likely to reverse out onto Beech Avenue which is considered to be unsafe due to the lack of visibility in either direction. The removal of the garage can only be considered as a benefit in highway safety terms.

The site is to be accessed at the rear from the shared driveway to the north of the site, which also serves the rear of the commercial premises on Market Street. Visibility is restricted from this access in both directions by the existing dwelling known as No.1 Islwyn, and by the existing garage. It is proposed to locate the dwelling further over into the site than the current footprint which will make an (albeit) minor improvement to visibility from the access.

An indicative plan showing potential parking and turning area has demonstrated that parking spaces can be accessed and egressed in a forward gear. There is no reason to believe that the access to the development will interfere with access to service the commercial premises beyond. Two parking spaces are provided which is 1 space short of the maximum standard in LPGN 16 for a 3 bedroom dwelling. However, given the sustainable location of the development within the centre of the Village close to shops, schools, library etc., I am satisfied that the shortfall of 1 space will not lead to indiscriminate parking on the surrounding residential streets to the detriment of highway safety.

Drainage: Welsh Water has been consulted and has confirmed that there are no objections to the proposal subject to a pre-commencement condition securing the submission of a drainage scheme for further approval. However, I do note the comments made by a local resident that the relatively small size of the site makes the managing surface water on site without discharge to the public sewer more difficult. As such, I think it appropriate to request

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7th MAY 2019

submission of the drainage scheme as part of the reserved matters approval application for full consideration part of the site layout arrangements.

Applicant's Statement: The proposal site is within the settlement boundary for Rhosllannerchrugog within which development is allowed subject to conforming with more specific policies. Residential use is a perfectly acceptable use, as Beech Avenue is a residential street which has been increasingly blighted over the years by commercial properties on Market Street using it for their service deliveries.

The proposed dwelling has been positioned on the site of the existing garage in order to ensure that there is minimal change. The position also ensures that there is no loss of light or privacy to any habitable rooms in any neighbouring dwellings. No one has a right to a view, so that is not a planning consideration, but in any case no view from a habitable room within the WCBC recommended distance will be affected by the proposal.

The proposal site is currently an overgrown site, when developed it will still act as a buffer between the rear of Bargain Booze/PO and Islwyn Terrace by virtue of having tidy fencing and a garden. The removal of the garage directly on the street will be a benefit because whenever the garage is in use the car blocks the street while the driver gets out to open and close the garage door upon arrival and departure.

The proposed 1.5 metre set-back of the house from the street follows the established building line along Beech Avenue. It is proposed that the dwelling will have an enclosed private frontage yard with a gate similar to Islwyn Terrace to protect users of the front door access. Surface water drainage will be dealt with via an approved SUDS system.

Other Matters: The concerns expressed in relation to the financial gain of the applicant are not a relevant planning consideration.

Conclusion: The proposal is in accordance with UDP Policy GDP1 and the development of the site will make a positive contribution to the visual amenities of the area. The development will not be detrimental to highway safety or residential amenity and I recommend accordingly.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced:
 - a. the layout of the building(s)
 - b. the scale of the building(s)
 - c. the appearance of the building(s)

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- d. the means of access to the site and building(s)
- e. the landscaping of the site.
- 2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
- 3. The development as permitted shall be commenced before the two years from the date of approval of the last of the reserved matters required to be approved.
- 4. This permission shall provide for a maximum of 1 dwelling.
- 5. As part of the reserved matters application, a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, and for a Sustainable urban Drainage Systems (SuDS) to manage surface water and land drainage on site shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall:
 - i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
 - ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
 - iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 6. No part of the development shall be occupied until the drainage scheme for the site has been completed in accordance with the details approved in connection with condition no. 5. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.
- 7. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.
- 8. 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), no further development shall take place under Classes A, B, C, D, E, F or G of Schedule 2 Part 1, other than the development hereby granted permission.
- 9. Nothing shall be planted, allowed to grow or erected to a height greater than 1 metre in height above the level of the nearside edge of the adjoining highway for a distance of 2.4 metres measured back from the adjoining highway along the entire site frontage. The splays shall be provided prior to first use of the development and shall thereafter be permanently retained clear of any such obstruction.

REASON(S)

- 1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012

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2. To comply with Section 92 of the Town and Country Planning Act, 1990.
3. To comply with Section 92 of the Town and Country Planning Act, 1990.
4. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
6. This is a non-standard reason
7. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policies GDP1 and EC13 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.
To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. 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

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.

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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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

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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 Environment and Planning Department on 01978 315300 for further advice and information.

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 Housing and Public Protection Department on 01978 315300 for further advice and information.

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APPLICATION NO:

P/2019 /0192

LOCATION:

49 CASTLE ROAD COEDPOETH
WREXHAM LL11 3NU

DATE RECEIVED:

08/03/2019

COMMUNITY:

Coedpoeth

DESCRIPTION:

TWO-STOREY FRONT EXTENSION
AND FIRST-FLOOR REAR
EXTENSION

CASE OFFICER:

SEH

WARD:

Coedpoeth

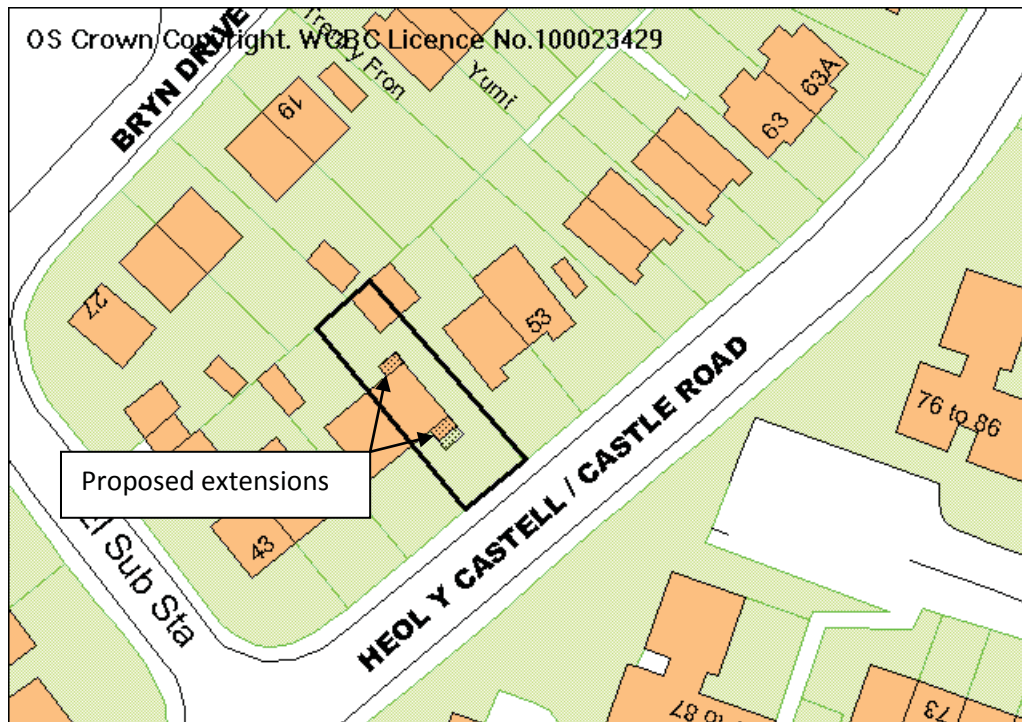
APPLICANT(S) NAME:

MRS SUSAN JONES

AGENT NAME:

BLUEPRINT LTD
MR DAFYDD EDWARDS

THE SITE



PROPOSAL

As above

HISTORY

None relevant

DEVELOPMENT PLAN

The site is within settlement. UDP Policies PS2 and GDP1 apply. Local Planning Guidance Notes Nos. 20 'House Extensions' and 21 'Space around Dwellings' are also relevant.

CONSULTATIONS

Community Council:	Consulted	19.03.2019
Local Member:	Councillor Dixon - No comments at this stage.	
	Councillor Childs - Notified	19.03.2019
Site notice:	Expired	21.03.2019
Neighbours:	1 letter received expressing the following concerns:	
	• The rear extension will take away light from the conservatory and kitchen in the adjacent property, which is approx. 4ft lower than the application site; • The front extension will take away light from the bedroom window in the side elevation of the adjacent property; • A reduction in light to the adjacent property which is already restricted by the existing garage; • Further works to the foundations are of concern because the adjoining wall lacks drainage.	

SPECIAL CONSIDERATIONS

Background: This application is for a first floor rear extension over the existing kitchen, and for the removal of the existing front porch and replacement two storey extension. The main issues to consider relate to the impact of the development upon residential and visual amenity.

Design: The extensions proposed seek to utilise matching materials and have been designed to be in keeping with, and sympathetic to, the character and appearance of the existing dwelling. The rear extension will not be visible from public viewpoints with the only visible element being the two storey front extension. The front extension does not over dominate the building and will not have an adverse impact upon the street scene.



Figure 1. Proposed Front Elevation



Figure 2. Proposed Side Elevation



Figure 3. Proposed Rear Elevation

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Residential Amenity: There are no windows proposed in the side elevations of the extensions and there would be no loss of privacy to the adjoining properties either side. LPGN No.21 requires a separation distance of 22 metres between habitable room windows. I note that this has not been met at the rear of the property with the separation distance being 21 metres. Given that there is a shortfall of just 1 metre, I do not consider the level of overlooking to be significant in this case.

The 45 degree test for daylight (both elevation and plan) passes and there would be no significant loss of light to the adjacent property. I have considered also the existing garage and the cumulative impact of the development upon the adjacent dwelling, and have concluded that there will be no significant over dominance / over shadowing of the rear garden and conservatory at the adjacent property.

Other matters: Concerns expressed in relation to the foundations and the impact upon drainage will be properly dealt with as part of the building regulations approval and this is not a relevant planning consideration for this application.

Conclusion: I consider the proposed extensions to the dwelling to be acceptable in terms of scale and design, and that there would be no significant impact upon visual or residential amenity. The development is in accordance with the Council's adopted policies and guidance and I recommend 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 J144/004 and J144/005, and as contained within the application documentation.
3. No facing or roofing materials shall be used other than materials matching those used on the existing building.
4. With the exception of those shown on the approved plan and 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) no windows or other openings shall be inserted in any elevation of the existing dwelling or extension hereby approved.

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. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

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.

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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control Section on 01978 292050.

The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.

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APPLICATION NO:

P/2019 /0211

LOCATION:

5 Ffordd Elwy Wrexham
LL12 7RE

DATE RECEIVED:

15/03/2019

COMMUNITY:

Acton

DESCRIPTION:

FRONT PORCH AND REAR LOUNGE
EXTENSIONS

CASE OFFICER:

LP1

WARD:

Acton

APPLICANT(S) NAME:

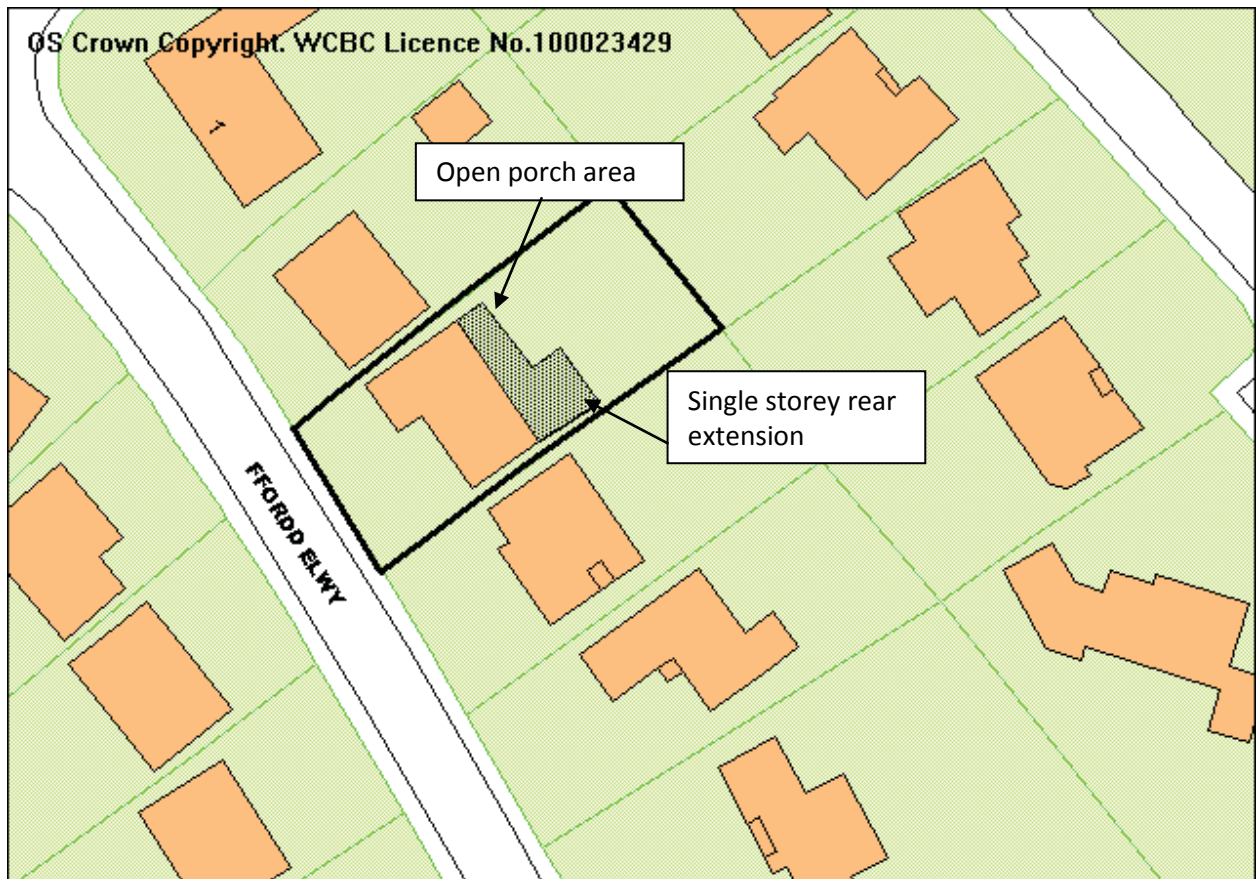
MR & MRS LUMB

AGENT NAME:

THREE 6 T
ARCHITECTURE
MR ANDREW MUNRO

SITE

Detached property on Ffordd Elwy



PROPOSAL

Front porch, single storey rear extension and rear open porch area.

HISTORY

None relevant

DEVELOPMENT PLAN

Lies within settlement limit, Policies GDP1 and PS2 apply

CONSULTATIONS

Community Council:	No objections
Local Member	No comments
Site Notice:	Expired 11 April 2019
Neighbouring properties:	Two letters received raising the following points: • Concerns about the stainless steel flue to the rear which does not reflect the design and materials of the original property. • As the property is on a hill the flue will be visible from public viewpoints to the rear and does not reflect the character of the surrounding area. • Steel flue is reminiscent of those on industrial premises. • The property is within a Smoke Control Area and assurances should be made as to whether the proposed burner would comply with the regulations. • The proposed flue would be an eyesore. • Regular meetings are held at the property and causes problems with parking on the road with visitors. • With a larger living area will larger meeting be accommodated causing further problems with parking. • The proposed redesign of the first floor with en-suite bedrooms being created gives a layout which is similar to that of a guesthouse.

SPECIAL CONSIDERATIONS

Background: The property is a detached two storey property in Little Acton, lying on a hill. The properties to the rear are lower. The existing property has 4 bedrooms (none en-suite) with one of them being on the ground floor. The main living room is on the first floor and faces to the rear of the property.

The proposals are to change the layout of the property so that there are 4 bedrooms (3 en-suite) and an office on the first floor. The main living room will be relocated downstairs to the rear and an extension is proposed to

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accommodate this. An open patio/porch will extend across the remainder of the rear extension. To the front a small porch extension is proposed.

Design and amenity: The design of the extension is in keeping with the existing property and passes the BRE tests in relation to the neighbouring properties. As a single storey extension it maintains sufficient separation distances to the properties to the rear taking into account the difference in land levels.

The front porch is marginally larger than that which would be permitted development and the design is acceptable. It does not project further forward than the existing garage and will not adversely affect the street scene.

The flue to the rear is necessary for the new burner which is to be located in the extension. Whilst it is stainless steel it is narrow in diameter and similar to those which can be found on other residential properties. As it located to the rear of the property and will be the same height as the ridgeline it will have minimal impact on the street scene.

Parking: There is sufficient parking at the property for at least 4 cars, not including the space within the garage. The number of bedrooms at the property is not changing and there is no additional requirement for spaces. Whilst there may be meetings held at the property there is no evidence that any business is being operated which would constitute a change of use.

Other considerations: The rearrangement of the rooms at the property does not require planning permission. It is not uncommon for modern properties to have several bedrooms which have en-suite bathrooms and there is no suggestion that the property is to be used for anything other than a residential property.

CONCLUSION

The design of the extension is acceptable and appropriate for the area and will not have an adverse impact on the neighbouring property and I therefore recommend 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 PL010 C and as contained within the application documentation.

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3. No facing or roofing materials shall be used other than materials matching those used on the existing building.

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.

NOTE(S) TO APPLICANT

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

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APPLICATION NO:
P/2019 /0220

LOCATION:
1 BEDWELL CRESCENT CROSS
LANES WREXHAM LL13 0TT

DATE RECEIVED:
19/03/2019

COMMUNITY:
Sesswick

DESCRIPTION:
DEMOLITION OF EXISTING
DETACHED GARAGE AND
ERECTION OF DETACHED ANNEX

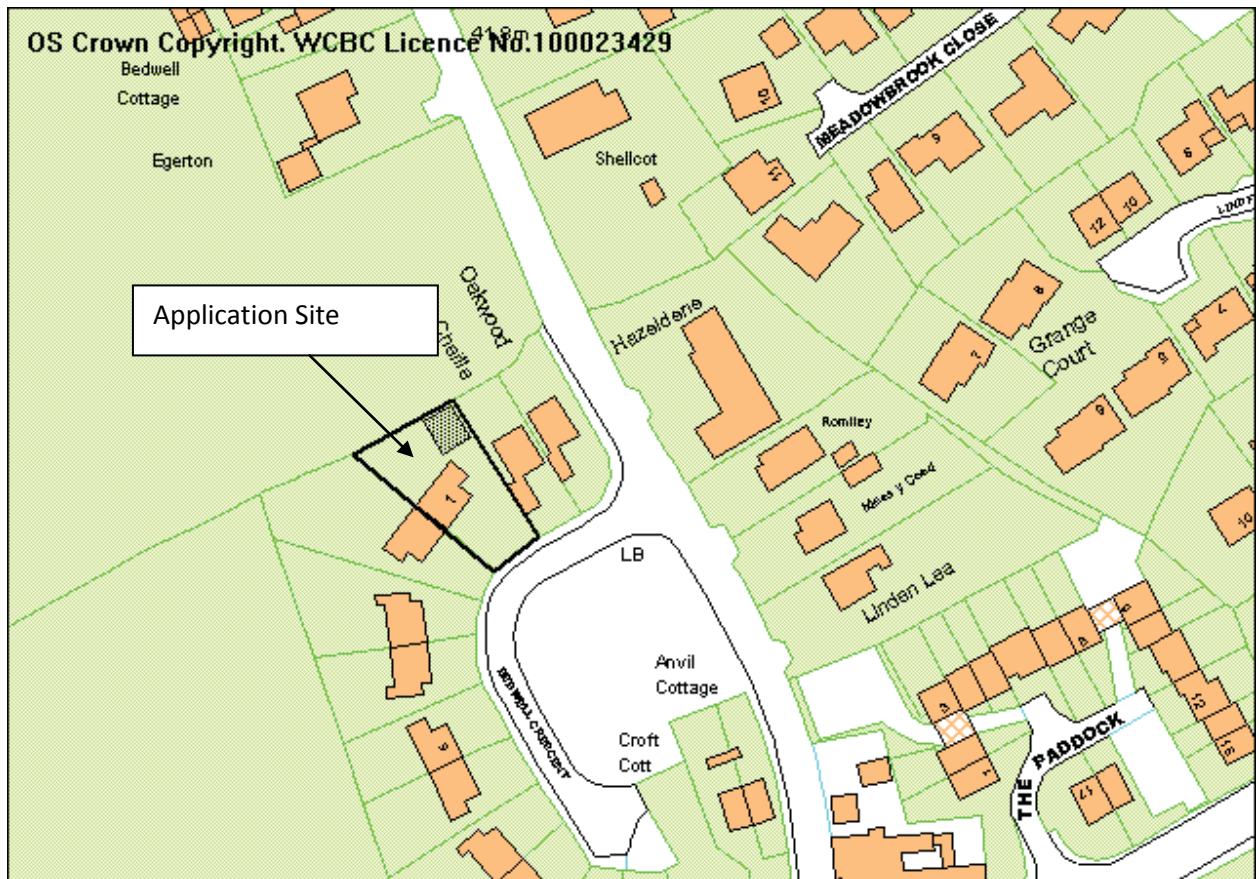
CASE OFFICER:
SEH

WARD:
Marchwiell

APPLICANT(S) NAME:
MR & MRS JONES

AGENT NAME:
BLUEPRINT LTD
MR DAFYDD EDWARDS

THE SITE



PROPOSAL

As above

HISTORY

None relevant

DEVELOPMENT PLAN

The site is within settlement. UDP Policies PS2 and GDP1 apply. Local Planning Guidance Notes Nos. 20 'House Extensions' and 21 'Space around Dwellings' are also relevant.

CONSULTATIONS

Community Council:	Objects on the grounds that:	
	• This is against the fence of the neighbouring property. Indeed, it seems nearer to the next-door house than to 1 Bedwell Crescent itself. Whilst no windows in the proposal are shown as overlooking, members feel its presence would be too close for comfort for the neighbour; • The application would appear to be an attempt to make an extra property where none has existed previously. Similar such applications in our community have been refused by the local planning authority as being against policy, so councillors call for the same rationale to be applied here; • Furthermore, members believe the proposed annex would be visible from Bedwell Road though has a restricted view from Bedwell Crescent due to the presence of a wooden shed.	
Local Member:	Notified	21.03.2019
Site notice:	Expired	11.04.2019
Neighbours:	Notified	21.03.2019

SPECIAL CONSIDERATIONS

Background: Proposed is the removal of an existing dilapidated, flat roof outbuilding and replacement with a pitched roof outbuilding to be used for ancillary accommodation (annex). The annex comprises of a bedroom, lounge and bathroom. There are no kitchen facilities proposed within the building. The main issues to consider relate to the impact of the development upon residential and visual amenity.

Design: The annex will utilise matching materials and has been designed to be in keeping with, and sympathetic to, the character and appearance of the dwelling. The building will not be readily visible from Bedwell Crescent and the development will have little impact when viewed from this direction. The building will be visible from Bedwell Road to the side and rear of the property. The image below is taken from google street view and shows the existing

garage (coloured white and green) which is to be removed to make way for the building.



Figure 1. Existing View from Bedwell Road

As mentioned previously, the annex will have a pitched roof which is the only substantial feature that will be fully visible from public viewpoints. That said, the roof will not have a significant impact within the context of the existing surrounding built development, and the annex will not have an adverse impact upon the visual amenities of the area.



Figure 2. Proposed Front Elevation

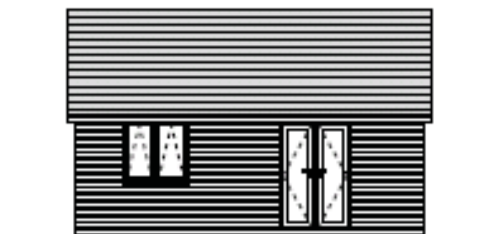


Figure 3. West Facing Side Elevation



Figure 4. Proposed Rear Elevation

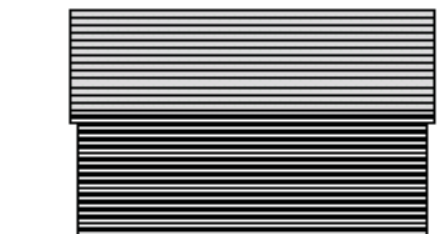


Figure 5. East Side Facing Elevation

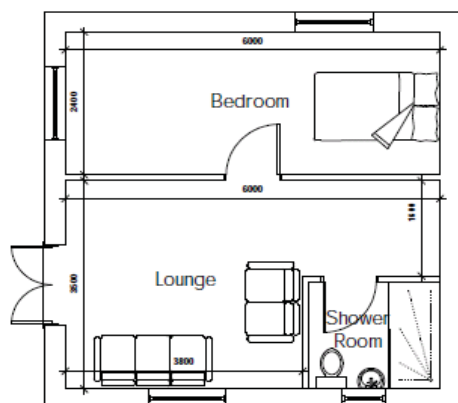


Figure 6. Floor Plan

Residential Amenity: There are no windows proposed in the side elevation facing of the building facing east which will avoid any loss of privacy to the adjacent property. The windows facing north overlook fields across which there will be no impact upon residential amenity. There is a window proposed facing west and so a condition is required to secure an appropriate boundary treatment to safeguard against any overlooking of the garden area of the adjacent dwelling.

The footprint of proposed annex is larger in size than the existing by approx. 1 metre in depth and 0.5 metre in width, and is to be on the same footprint as the existing building (see figures 7 and 8 below). The main change is the addition of the pitched roof which will measure the standard 4 metres in height when measured from ground level. The roof has been designed so that it slopes away from the adjoining property, rather than have the gable end adjacent to the site boundary. I do not therefore consider there to be any significant over dominance / over shadowing of the rear of the adjacent property.



Figure 7. Existing Site Layout

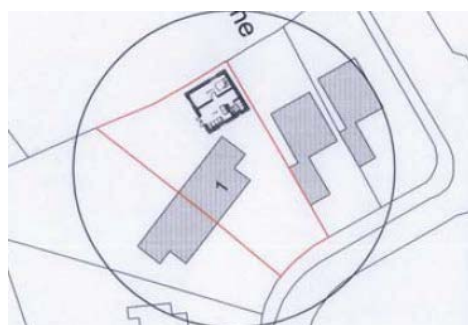


Figure 8. Proposed Site Layout

Conclusion: I consider the proposed annex to be acceptable in terms of scale and design, and that there would be no significant impact upon visual or residential amenity. The development is in accordance with the Council's adopted policies and guidance and I recommend 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 J146/005 rev B and as contained within the application documentation.
3. 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.
4. With the exception of those shown on the approved plan and 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) no windows or other openings shall be inserted in any elevation of the building.
5. The annex hereby approved shall not be used other than by members of the same family as occupying the existing dwelling and shall in no case be used as a separate dwelling. For the avoidance of doubt, there shall be no kitchen or other cooking facilities incorporated within the building.
6. 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.
7. Prior to first use of the annex hereby approved, a 2 metre high close boarded fence shall be erected along the western boundary to the rear garden area of the site. The fence shall thereafter be permanently retained at this height.

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. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To protect the amenities of the occupiers of nearby properties and ensure that the building remains incidental to the dwelling, and in the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. 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.
7. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control Section on 01978 292050.

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.

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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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HISTORY

- P/2014/0905 OUTLINE APPLICATION FOR 365 DWELLINGS AND ERECTION OF 300 SQUARE METRE RETAIL UNIT - ALL DETAILED MATTERS RESERVED. Refused 5.10.2015. Allowed on appeal 26.6.2017
- P/2017/1054 LAYOUT AND SCALE FOR THE ERECTION OF 362 DWELLINGS ON ALL PHASES, INCLUDING 25% AFFORDABLE HOUSING, PUBLIC OPEN SPACE, PLAY FACILITIES, ASSOCIATED WORKS INCLUDING SURFACE WATER ATTENUATION BASINS AND THE ERECTION OF TWO SUB-STATIONS. Approved 30.7.2018
- P/2018/0894 APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING APPEAL REFERENCE: APP/H6955/A/18/3147116 (PLANNING REF P/2014/0905):- CONDITION 17 - SUBMISSION OF A CONSTRUCTION METHOD STATEMENT. Approved 19.12.18

DEVELOPMENT PLAN

No UDP policies that deal specifically with advertisements.

Technical Advice Note 7: Outdoor Advertisement Control provides national guidance.

CONSULTATIONS

Community Council: Llay Community Council **oppose the location of the V-Boards** as visibility for Old Meadow Court residents in their vehicles is poor anyway. This will make it much worse. Plus the increase in traffic from wagons exiting the development site creates a greater hazard. Llay CC feel that the V-Boards are either moved to nearer the Crown Crossroads, or moved further up the road towards the Meadow Rise entrance. That would be safer.

There are already large display boards for the development at the Crown Crossroads. Why has **planning permission never been sought for these?** Once again, there appears to be inconsistency.

Llay Community Council are annoyed that the developers have **chosen to move their site offices** from the previous location (**as agreed on the detailed planning**) to immediately opposite residential properties without any consultations

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with local residents. This along with the deliberate breaches of planning conditions has done a huge amount of damage to the reputation of the planning system process. How can the public have faith in the planning system process if applicants can change their plans when they feel like it?

Cllr Rob Walsh: As local member, I wish make the following comments:

- I strongly oppose the location of the V-Boards as visibility for Old Meadow Court residents in their vehicles is poor anyway. This will make it much worse. Plus the increase in traffic from wagons exiting the development site creates a greater hazard. I suggest the V-Boards are either moved to nearer the Crown Crossroads, or moved further up the road towards the Meadow Rise entrance. That would be safer;
- There are already large display boards for the development at the Crown Crossroads. Why has planning permission never been sought for these? There seems to be some inconsistency here;
- I am very disappointed that the developers have chosen to move their site offices from the previous location (as agreed on the detailed planning) to immediately opposite residential properties without any consultations with local residents. This along with the deliberate breaches of planning conditions has done a huge amount of damage to the reputation of the planning system process. How can the public have faith in the planning system process if applicants can change their plans when they feel like it?

Cllr Bryan Apsley:
Highways:
Site Notice:
Neighbours:

Notified 26.3.19

No recommendations on highways grounds:

Expired 19.4.19

The owners/occupiers of 5 nearby properties notified 28.3.19.

6 representations received expressing the following concerns/comments:

- Sales offices should be off the Straight Mile not Gresford Road;
- No planning permission for sales offices to the there;
- Intrusive to residents;
- Restricted visibility at Old Meadow Court;

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- Sales office will be a distraction to people driving down Gresford Road
- To put up the sign is inappropriate, plus a line of flags, shows a lack of respect for the community;
- Use the Straight Mile entrance;
- Already have concerned about the signs located at the Crown Crossroads and there being no planning approval for them;
- New access point for the sales offices has already created a severe hazard for residents of Oakfield Park, Old Meadow Court and Fair Oaks Crescent. These may compounded by the signs;
- Gresford Road is busy and traffic has only increased since the development commenced;
- The site will be on the approach to a right hand bend which has poor visibility;
- The site will pose a distraction to drivers;
- The sales area is deemed to be temporary - who determines how long temporary is;
- Why has the Planning Department ignored Highways and permit access to the development via Gresford Road;
- Why have you permitted another access onto Gresford Road;
- Why has the developer been allowed to erect a 6ft fence adjacent to Gresford Road;
- The junction created does not match the plans;
- What steps are Wrexham Planning Department taking to ensure that the Developers adhere to the permissions given and to ensure that disruption to the existing community is kept to a minimum?

SPECIAL CONSIDERATIONS

Extent of control: TAN7 advises that control of advertisements can only be exercised in:

- a) the interests of amenity;
- b) the interests of public safety, for example whether the impact a sign will have on the safe operation/use of the highway.

Objectors have expressed concern about the location of a temporary sales offices shown on the plans submitted with this application. I am aware that the details submitted with application P/2018/0894 to discharge condition 17 of the outline planning permission P/2014/0905 confirm the location of the location of Anwyl's shown homes and Bellway's permanent sales area, they

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make no provision for temporary sales areas nor does condition 17 seek to impose control over such provision.

Members are reminded that under the provisions of Part 4, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 the **provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection with and for the duration of operations carried out on land is permitted development and therefore does not require the benefit of planning permission from the Local Planning Authority.** Furthermore this is an application **for advertisement consent to display signage** and **not** an application for planning permission for the siting or erection of buildings, temporary or otherwise.

The submitted plans also show the siting of 8 marketing flags. Under the provisions of the Town and Country Planning (Control of Advertisement) Regulations 1992, a developer can site up to 3 flag advertisements on land where 100 or more are being erected. Given that the site is divided between two developers, I would not expect an application to be submitted if up to 6 flags were displayed. I have reminded the applicants of this. The proposed flags do **not** form part of this application.

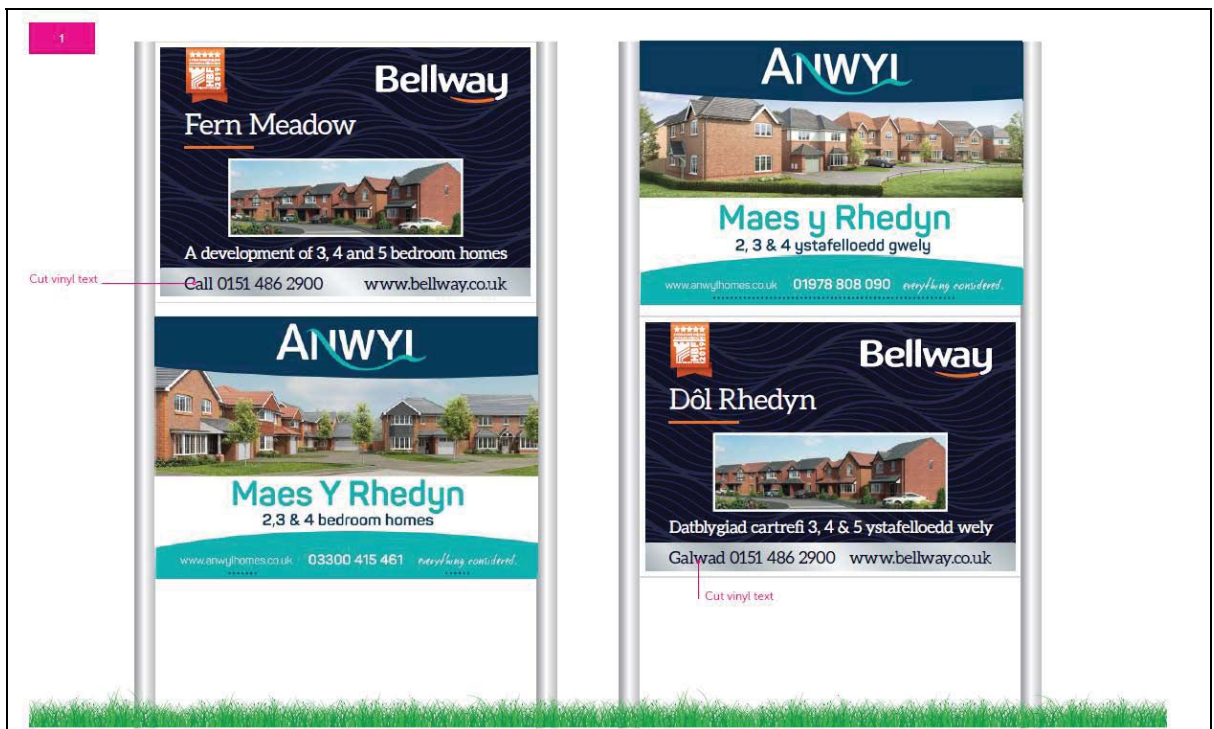
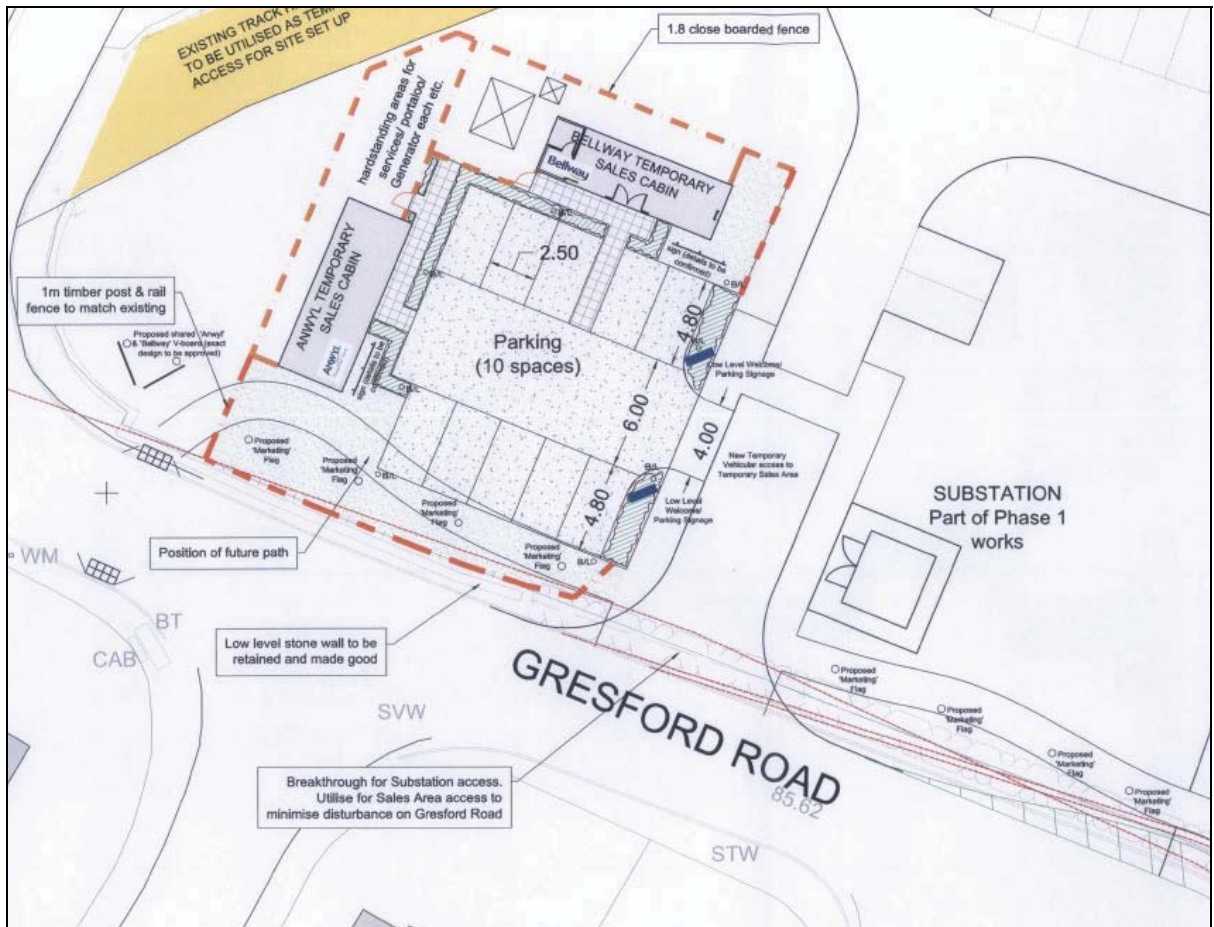
I am aware that signs advertising the development have been erected close to the Crown Crossroads but that no application for advertisement consent has been submitted. The matter has been referred to Planning Enforcement. Should an application be received for that or indeed any other signage at the site it will be considered on its own merits.

In considering this application, the Council is strictly limited to considering the merits of the proposed sign in accordance with the advice given in TAN7. The siting of temporary offices, the potential for further signage or the erection of signs by the development elsewhere are **not** material considerations.

In addition to the above, representations have commented whether the developer is complying conditions on the planning permission and developing in accordance with the approved plans. Officers are monitoring the site to ensure that this is the case, however these are not matters that are material to the determination of this application.

Amenity: Consent is sought for a V sign proposed measuring 5m from ground level with each face of the 'V' measuring 3.05m wide. The location and appearance of the proposed sign is shown below:

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The erection of temporary signage on construction sites to identify the developers as well as the name and basic details of the development is not

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unusual. The sign is proposed to be in-situ until 3 April 2023 and will be viewed in conjunction with the new housing development. In this context I do not consider it to be harmful to the appearance of the site or to have a significant or harmful impact upon the wider locality. A condition will be imposed to require the sign to be removed on the date specified.

The sign will not be illuminated and being approximately 20m from the nearest residential properties so will not prove harmful to residential amenity by way of loss of light or by being visually overbearing.

Public Safety: Whilst I am aware of the proximity to the access into Old Meadow Court the sign is set back 3m from Gresford Road. Highways have not expressed any concerns about the sign therefore I have no reason to believe it will impede visibility for vehicles exiting Old Meadow Court or prove a dangerous distraction to drivers using Gresford Road.

CONCLUSION

I am satisfied that there are no amenity or safety reasons to withhold advertisement consent.

RECOMMENDATION: Advertisement consent be **GRANTED**

CONDITION(S)

1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant such permission.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).
6. Notwithstanding the provision of the Town and Country Planning (Control of Advertisements) Regulations, the advertisement(s) as granted consent shall be removed on or before 03/04/2023.

REASON(S)

1. To comply with the Town and Country Planning (Control of Advertisements) Regulations 1992.
 2. To comply with the Town and Country Planning (Control of Advertisements) Regulations 1992.
 3. To comply with the Town and Country Planning (Control of Advertisements) Regulations 1992.
 4. To comply with the Town and Country Planning (Control of Advertisements) Regulations 1992.
 5. To comply with the Town and Country Planning (Control of Advertisements) Regulations 1992.
 6. The signs are related to construction works taking place on adjoining land. Continued display once construction works have been completed would be detrimental to the visual amenity of the area.
-

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LIST OF DELEGATED DECISIONS ISSUED

LLA P/2018/0426 WITHDRAWN 21/03/2019	DISUSED MILL, BRADLEY MILL, BRADLEY, WREXHAM, LL11 4DD	CONVERSION AND CHANGE OF USE TO SINGLE DWELLING (PREVIOUSLY GRANTED UNDER CODE NO P/2012/0735)
WRR P/2018/0554 GRANTED 04/04/2019	ALDI SUPERMARKET LTD, PLAS COCH RETAIL PARK, PLAS COCH, WREXHAM, LL11 2BA	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2018/0105 - CONDITION 3 - ARCHAEOLOGICAL REPORT
LGC P/2018/0625 GRANTED 18/04/2019	FORMER SARON CHAPEL, NANTYR, LLANGOLLEN, LL20 7DB	CHANGE OF USE OF DISUSED CHAPEL TO CREATE 1 NO. DWELLING AND NEW ACCESS
WRC P/2018/0974 REFUSED 01/04/2019	UNIT 6, WHITEGATE INDUSTRIAL ESTATE, WREXHAM, WREXHAM, LL13 8UG	CHANGE OF USE FROM USE CLASS B8 AND B2 TO USE CLASS D2 FOR LEISURE AND SPORTING ACTIVITIES (INDOOR TRAMPOLINE PARK)
RUA P/2018/0978 GRANTED 11/04/2019	PARK COTTAGE, PEN Y LAN, RUABON, WREXHAM, LL14 6HP	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2018/0820: CONDITION 3 - SAMPLES OF ALL EXTERNAL FACING AND ROOFING MATERIALS
MIN P/2018/0990 REFUSED 11/04/2019	FIVE CROSSES INN, RUTHIN ROAD, MINERA, WREXHAM, LL11 3UT	APPLICATION FOR VARIATION OF CONDITION NO. 20 IMPOSED UNDER APPEAL REF APP/H6955/A/16/3163233 (PLANNING REF [2016/0540) TO ALLOW FOR DELIVERIES AND SERVICING TO TAKE PLACE BETWEEN 7.00 AND 22.00 MONDAY TO SATURDAYS (THE PROPOSAL SEEKS TO EXTEND THE DELIVERY PERIOD BY 30 MINUTES IN THE MORNING)
OVE P/2018/0998 GRANTED 22/03/2019	LITTLE OVERTON FARM, STATION ROAD, OVERTON, WREXHAM, LL13 0LJ,	CONVERSION OF TRADITIONAL FARM BUILDING INTO SINGLE DWELLING AND CREATION OF NEW VEHICULAR ACCESS
HOL P/2018/1080 GRANTED 01/04/2019	LAND WEST OF WREXHAM GOLF CLUB, OFF A534 ROUNDABOUT, HOLT ROAD, LLANYPWLL, WREXHAM, LL13 9SB	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2017/0527:- CONDITION 4 - SUBMISSION OF SCHEME FOR THE COMPREHENSIVE AND INTEGRATED DRAINAGE OF THE SITE □ CONDITION 7 - SUBMISSION OF SCHEME FOR THE INFILTRATION OF SURFACE WATER DRAINAGE INTO THE GROUND □ CONDITION 8 - SUBMISSION OF SCHEME DETAILING THE INSTALLATION OF OIL AND PETROL INTERCEPTORS
ABE P/2019/0013 GRANTED 23/04/2019	ARDAGH GROUP, ARDAGH METAL BEVERAGE, BRIDGE ROAD ROAD, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9PS	ERECTION OF OFFICE ACCOMMODATION ADJOINING EXISTING WAREHOUSE
HOL P/2019/0022 GRANTED 22/03/2019	SCHOOL HOUSE, SCHOOL LANE, HOLT, WREXHAM, LL13 9AX	NOTIFICATION OF PROPOSED WORKS TO TREES WITHIN HOLT CONSERVATION AREA:- 2 NO. BEECH TREES - REMOVAL

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BAN P/2019/0035 GRANTED 04/04/2019	ALTHREY HALL, BANGOR ON DEE, WREXHAM, LL13 0DA	ERECTION OF OAK FRAMED GARAGE BUILDING (TWO SECURE BAYS AND TWO CAR PORT BAYS) WITH STORAGE AREA ABOVE
CEF P/2019/0053 GRANTED 01/04/2019	BERWYNFA, MILL LANE, CEFN MAWR, WREXHAM, LL14 3NL	APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR THE DEVELOPMENT OF A 6.5 MSQ EXTENSION TO EXISTING PROPERTY
BRY P/2019/0056 GRANTED 22/03/2019	BRYMBO IRON AND STEELWORKS, NEW HIGH STREET, BRYMBO, WREXHAM, LL11 5AX	APPLICATION FOR WORKS TO TREES SUBJECT TO TREE PRESERVATION ORDER WMBC NO 184 1. MIXED BROAD LEAF TREES (APPROXIMATELY 25) OF YOUNG AGE RANGE - REMOVE TO GROUND LEVEL 2. LINEAR LINE OF SMALL SAPLINGS (LESS THAN 25MM DIAMETER) TO BE REMOVED APPROXIMATELY 2 METRE BACK FROM THE HISTORICAL WALL LINE
HOL P/2019/0062 GRANTED 23/04/2019	BELLA VISTA, SMITHFIELD GREEN, HOLT, WREXHAM, LL13 9AJ	INSTALLATION OF REPLACEMENT GREY UPVC GUTTERS, SOFFITS, FASCIA AND BARGES
HOL P/2019/0063 GRANTED 23/04/2019	BELLA VISTA, SMITHFIELD GREEN, HOLT, WREXHAM, LL13 9AJ	REPLACE EXISTING WINDOWS AND DOORS WITH DOUBLE GLAZED UPVC WINDOWS AND DOORS
WRR P/2019/0071 GRANTED 05/04/2019	YR HENDRE, 18 KENYON AVENUE, GARDEN VILLAGE, WREXHAM, LL11 2SP	APPLICATION FOR WORKS TO TREES SUBJECT TO TREE PRESERVATION ORDER WCBC NO. 254- - T24, LIME - POLLARD TO PREVIOUS POLLARD POINTS (APPROX 2 - 4 METRES) - T25, LIME - POLLARD TO PREVIOUS POLLARD POINTS (APPROX 2 - 4 METRES)
BRY P/2019/0073 GRANTED 22/03/2019	6, FFYNNON Y CEIRW, BRYMBO ROAD, BWLCHGWYN, WREXHAM, LL11 5UA	ERECTION OF CONSERVATORY EXTENSION
MIN P/2019/0076 GRANTED 04/04/2019	PEN Y PALMANT FARM, OLD ROAD, MINERA, WREXHAM, LL11 3YR	CLOSURE OF EXISTING FIELD GATEWAY ACCESS AND FORMATION OF NEW FIELD GATEWAY ACCESS FROM FIELD NORTH OF PENYPALMANT FARM ONTO OLD ROAD
WRA P/2019/0077 PART CONSENT 04/04/2019	TREES ADJACENT TO, 18 RHOSNESNI LANE, RHOSNESNI, WREXHAM, LL12 7LY	APPLICATION FOR WORKS TO TREE SUBJECT TO TREE PRESERVATION ORDER WMBC NO. 21: □T12 OAK - REMOVE EPI UP TO 6M PLUS REDUCE BRANCH ADJACENT TO GARAGE BY 4 METRES TO CLEAR GARAGE AND REMOVE DEADWOOD □T13 SYCAMORE - REMOVE DEADWOOD PLUS LOWER LIMB OVER DRIVE
WRO P/2019/0082 GRANTED 01/04/2019	REAR OF BELL COURT AND BARTER COURT, WREXHAM, LL13 8QT	APPLICATION FOR WORKS TO TREE SUBJECT TO TREE PRESERVATION ORDER NO WMBC NO. 52 - CUT BACK TO BOUNDARY AND DEADWOOD

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WRC P/2019/0086 GRANTED 05/04/2019	MECCA BINGO, SMITHFIELD ROAD, WREXHAM, LL13 8UD	APPLICATION FOR WORKS TO TREES SUBJECT TO TREE PRESERVATION ORDER NO. 210 - T1 - LIFT CROWN 2 METRES, TRIM ANY HANGING BRANCHES FROM CROWN, PRUNE INDIVIDUAL BRANCHES 1.5 METRES AWAY FROM LIGHT - T2 - LIFT CROWN 2 METRES - T3 - LIFT CROWN 2 METRES TRIM BRANCHES 1.5 METRES AWAY FROM LIGHT - T6 - LIFT CROWN 2 METRES - T8 - LIFT CROWN 2 METRES, REMOVE LOWER ENDS OF BRANCHES 2 METRES FROM CROWN AND IN LINE WITH KERB BOUNDARIES - T16 - LIFT CROWN 4 METRES. REMOVE BRACHES AS FAR AS NEEDED TO CLEAR PARKING BAY BY 4 METRES. CLEAR TRUNK TO PROVIDE 4 METRE CLEARANCE ABOVE FOOT PATH AND TRIM 1 METRE OF OVERHANGING BRANCHES IN LINE WITH THE BOUNDARY FENCE - T21 - LIFT CROWN 2 METRES
ISY P/2019/0098 GRANTED 05/04/2019	DERBY VILLA, BOWLING BANK, WREXHAM, LL13 9RL	ERECTION OF CAR PORT AND IMPLEMENT STORE
ISY P/2019/0118 GRANTED 18/04/2019	ST PAULS VA PRIMARY SCHOOL, HOLT ROAD, BOWLING BANK, WREXHAM, LL13 9RL	SITING OF MOBILE CLASSROOM (PREVIOUSLY GRANTED UNDER REF NO. P/2013/0870)
GRE P/2019/0119 GRANTED 18/04/2019	,ALL SAINTS CHURCH IN WALES VA SCHOOL, SCHOOL LANE, GRESFORD, WREXHAM, LL12 8RW	SITING OF MOBILE CLASSROOM (PREVIOUSLY GRANTED UNDER REF NO. P/2013/0871)
BRN P/2019/0120 GRANTED 18/04/2019	BRONINGTON AIDED PRIMARY SCHOOL, SCHOOL LANE, BRONINGTON, WHITCHURCH, SY13 3HN	SITING OF MOBILE CLASSROOM (PREVIOUSLY GRANTED UNDER REF NO. P/2013/0874)
PEN P/2019/0128 GRANTED 12/04/2019	LAND ADJACENT TO, HAWTHORN VIEW, PENYCAE, WREXHAM, LL14 2DF	REMOVAL OF CONDITION NO. 8 IMPOSED UNDER PLANNING PERMISSION P/2015/0136 REGARDING DISCHARGE OR CONNECTION TO THE PUBLIC SEWERAGE SYSTEM OF LAND DRAINAGE RUN-OFF AND SURFACE WATER AND THE DRAINAGE OF FOUL AND SURFACE WATER
WRO P/2019/0132 GRANTED 04/04/2019	20, PEN Y BRYN, WREXHAM, LL13 7HY	DISPLAY OF INTERNALLY ILLUMINATED FASCIA SIGN

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ISY P/2019/0135 GRANTED 23/04/2019	PREMIER DECORATIONS, OAK ROAD, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9PQ	APPLICATION FOR VARIATION OF CONDITIONS NOS. 1 AND 4 OF PLANNING PERMISSION P/2014/0058 TO BE AMENDED TO READ AS FOLLOWS:- CONDITION 1 - NO USE OF THE SHOP SUBJECT TO THIS PERMISSION SHALL BE MADE BETWEEN 15TH JANUARY AND 28TH FEBRUARY; BETWEEN 1ST JUNE AND 30TH SEPTEMBER AND BETWEEN 25TH DECEMBER AND 31ST DECEMBER IN ANY CALENDAR YEAR CONDITION 4 - THE PREMISES SHALL NOT BE USED FOR ANY PURPOSE WITHIN CLASS A1 OF THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987 (OR IN ANY PROVISION EQUIVALENT TO THAT CLASS IN ANY STATUTORY INSTRUMENT REVOKING AND RE-ENACTING THAT ORDER WITH OR WITHOUT AMENDMENT) OTHER THAN AS A RETAIL OUTLET FOR THE SALE OF CHRISTMAS AND HALLOWEEN DECORATIONS AND GARDEN FURNITURE / ACCESSORIES / ORNAMENTS / BBQS
ROS P/2019/0138 GRANTED 22/03/2019	2, PIPPIN LANE, ROSSETT, WREXHAM, LL12 0BJ	REAR KITCHEN AND DINING ROOM EXTENSION AND WIDER WINDOW TO SIDE ELEVATION WITHIN KITCHEN
HOL P/2019/0140 WITHDRAWN 21/03/2019	HOME FARM HOUSE, WREXHAM ROAD, HOLT, WREXHAM, LL13 9YU	ALTERATIONS TO OUTBUILDING TO PROVIDE EXTERNAL OFFICE / GARAGE / BATHROOM ON GROUND FLOOR WITH STORAGE SPACE ABOVE TO INCLUDE NEW VELUX WINDOWS AND REPLACEMENT WINDOWS AND DOOR
BRY P/2019/0145 GRANTED 27/03/2019	3, BRYN MELYN, GWALIA ROAD, BRYMBO, WREXHAM, LL11 5BY	TWO-STOREY SIDE EXTENSION
BRN P/2019/0148 GRANTED 22/03/2019	HOLLY COTTAGE, WHITEWELL, WREXHAM, SY13 3AL	TWO-STOREY SIDE EXTENSION AND FRONT PORCH
ROS P/2019/0153 GRANTED 04/04/2019	14 PARK VIEW, CHESTER ROAD, ROSSETT, WREXHAM, LL12 0DH	DEMOLITION OF EXISTING GARAGE AND ERECTION OF NEW SINGLE-STOREY EXTENSION AND GATED ACCESS TO REAR
BRY P/2019/0155 GRANTED 12/04/2019	20, HARWD ROAD, BRYMBO, WREXHAM, LL11 5BP	TWO-STOREY EXTENSION
WRR P/2019/0158 GRANTED 04/04/2019	22, FFORDD ESTYN, , WREXHAM, LL11 2SS	SIDE PORCH EXTENSION
ROS P/2019/0159 GRANTED 12/04/2019	1, GUN STREET, ROSSETT, WREXHAM, LL12 0HR	ERECTION OF TWO-STOREY SIDE EXTENSION TO DWELLING WITH ACCOMMODATION IN THE LOFT AND PROVISION OF INCREASED CAR PARKING

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LLA P/2019/0161 GRANTED 04/04/2019	8 RHODFAR GARN, LLAY, WREXHAM, LL12 0UL	SINGLE-STOREY REAR EXTENSION AND CONVERSION OF EXISTING GARAGE
OVE P/2019/0167 GRANTED 11/04/2019	3, HIGH STREET, OVERTON, WREXHAM, LL13 0DT	APPLICATION FOR LISTED BUILDING CONSENT TO REPAINT EXTERNAL JOINERY IN 'CALKE GREEN' AND INSTALLATION OF NEW DOOR FURNITURE TO THE FRONT DOOR
WRO P/2019/0169 GRANTED 08/04/2019	84, RUABON ROAD, WREXHAM, LL13 7PH	INSTALLATION OF REPLACEMENT FRONT DOOR (IN RETROSPECT)
GRE P/2019/0172 GRANTED 18/04/2019	4, WILLOW DRIVE, MARFORD, WREXHAM, LL12 8XS	SINGLE STOREY EXTENSION TO FORM DINING AREA, SHOWER / WC
BAN P/2019/0173 GRANTED 11/04/2019	MILLBROOK HOUSE, OVERTON ROAD, BANGOR ON DEE, WREXHAM, LL13 0BY	TWO-STOREY REAR EXTENSION (TO REPLACE EXISTING CONSERVATORY), SINGLE-STOREY LEAN TO SIDE EXTENSION AND GENERAL RE- MODELLING
ROS P/2019/0174 GRANTED 01/04/2019	COXWOOD FARM COTTAGE, COX LANE, ROSSETT, WREXHAM, LL12 0BG	DEMOLITION OF OUTBUILDING AND ERECTION OF TWO-STOREY SIDE AND REAR EXTENSION
WRO P/2019/0176 GRANTED 18/04/2019	VISION EXPRESS, 30 HOPE STREET, WREXHAM, LL11 1BD	APPLICATION FOR CONSENT TO DISPLAY 1 NO. EXTERNALLY ILLUMINATED FASCIA SIGN AND 1 NO. EXTERNALLY ILLUMINATED PROJECTING SIGN
BRY P/2019/0177 GRANTED 18/04/2019	BRYN Y GWYNT, WESLEY ROAD, BWLCHGWYN, WREXHAM, LL11 5UY	REAR EXTENSION
BRY P/2019/0178 GRANTED 04/04/2019	1, MILESTONE COURT, BWLCHGWYN, WREXHAM, LL11 5BJ	FIRST FLOOR EXTENSION
BRY P/2019/0181 GRANTED 04/04/2019	GRAIG Y CORN, RUTHIN ROAD, BWLCHGWYN, WREXHAM, LL11 5UR	CONVERSION OF EXISTING ATTACHED SIDE GARAGE WITH FIRST FLOOR EXTENSION ABOVE, FIRST FLOOR REAR EXTENSION, AND ONE AND TWO STOREY FRONT EXTENSIONS
PEN P/2019/0182 GRANTED 01/04/2019	THE BEECHES, CHURCH STREET, PENYCAE, WREXHAM, LL14 2RL	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2018/0606: CONDITION 3 - SUBMISSION OF SAMPLES OF ALL EXTERNAL FACING AND ROOFING MATERIALS CONDITION 8 - SUBMISSION OF A SCHEME FOR THE COMPREHENSIVE AND INTEGRATED DRAINAGE OF THE SITE

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WRO P/2019/0190 GRANTED 11/04/2019	25, Ffordd Ystrad, Wrexham, LL13 7QQ	DEMOLITION OF EXISTING CONSERVATORY AND CONSTRUCTION OF REAR EXTENSION TO PROVIDE ENLARGED KITCHEN AND SUN ROOM
CEI P/2019/0191 GRANTED 12/04/2019	MEGIN, LLANARMON DYFFRYN CEIRIOG, LLANGOLLEN, WREXHAM, LL20 7LB	ERECTION OF REPLACEMENT SHED / WORKSHOP ON EXISTING CONCRETE BASE (FOR GENERAL HOME DIY PURPOSES) (IN RETROSPECT)
WRR P/2019/0193 GRANTED 01/04/2019	PLAS COCH RETAIL PARK, PLAS COCH, WREXHAM, LL11 2BA	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2018/0384: CONDITION 5 SUBMISSION OF A SERVICE DELIVERY PLAN CONDITION 7 SUBMISSION OF FULL DETAILS OF A HARD AND SOFT LANDSCAPING SCHEME CONDITION 10 SUBMISSION OF DETAILS OF A QUALIFIED ARCHAEOLOGICAL CONTRACTOR CONDITION 11 SUBMISSION OF REPORT RESULTING FROM THE WATCHING BRIEF
MIN P/2019/0198 GRANTED 11/04/2019	LLYSFRYN FARM, Ffordd Eisteddfod, Gwynfryn, Wrexham, LL11 5AQ	DEMOLITION OF EXISTING PORCH AND ERECTION OF TWO-STOREY EXTENSION
BRO P/2019/0200 GRANTED 23/04/2019	FFRWD FARM, FFRWD, CEFN Y BEDD, WREXHAM, LL12 9TG,	APPLICATION FOR A NON-MATERIAL AMENDMENT TO CONDITION NO.17 OF PLANNING PERMISSION REF P/2016/0993 TO ALLOW OCCUPATION OF BARN A WITHOUT IMPLEMENTING THE BAT LOFT IN BARN B
WRC P/2019/0202 GRANTED 04/04/2019	BUS SHELTER, ST GEORGES CRESCENT, WREXHAM, LL13 8DB	DISPLAY OF INTERNALLY ILLUMINATED ADVERTISING UNIT FORMING INTEGRAL PART OF BUS SHELTER
LLA P/2019/0207 APPROVED 21/03/2019	MOTTRAM GARDENS, LAND SOUTH OF THE MINERS WELFARE INSTITUTE, LLAY NEW ROAD, LLAY, WREXHAM, LL12 0TH	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2018/0231- CONDITION 2 - SAMPLES OF ALL EXTERNAL FACING AND ROOFING MATERIALS
WRA P/2019/0208 GRANTED 18/04/2019	11 KENDAL WAY, WREXHAM, LL12 8AF	SINGLE-STOREY EXTENSIONS TO FRONT AND SIDE / REAR
LLA P/2019/0214 GRANTED 18/04/2019	3 BRYN ALYN BARNs, PONT Y CAPEL LANE, GRESFORD, WREXHAM, LL12 8RY	LISTED BUILDING CONSENT SINGLE-STOREY REAR EXTENSION
LLA P/2019/0215 GRANTED 18/04/2019	3 BRYN ALYN BARNs, PONT Y CAPEL LANE, GRESFORD, WREXHAM, LL12 8RY	SINGLE-STOREY REAR EXTENSION

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LLA P/2019/0216 GRANTED 18/04/2019	16, WILLOW DRIVE, LLAY, WREXHAM, LL12 0UA	PROPOSED FIRST FLOOR EXTENSION WITH SINGLE-STOREY FRONT AND REAR EXTENSIONS
HOL P/2019/0217 WITHDRAWN 17/04/2019	FORMER ROC OFFICE, UNIT 1 BORRAS ROAD, BORRAS, WREXHAM, LL13 9TW	CHANGE OF USE TO DOG DAYCARE AND HOLISTIC THERAPY CENTRE
GRE P/2019/0219 GRANTED 12/04/2019	TETHERS END, VILLAGE WALKS, MARFORD, WREXHAM, LL12 8SZ	SINGLE-STOREY LINK EXTENSION BETWEEN MAIN HOUSE AND EXISTING ANNEX AND NEW GARAGE EXTENSION
RUA P/2019/0221 APPROVED 23/04/2019	BUILDINGS AT, HIGH STREET, RUABON, WREXHAM, LL14 6BL	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2018/0478 : CONDITION 3 - SUBMISSION OF A PHASED SITE INVESTIGATION OF THE NATURE AND EXTENT OF CONTAMINATION
LGC P/2019/0224 REFUSED 12/04/2019	PANDY OUTCROP, PANDY WOOD, HAFOD Y GARREG, GLYN CEIRIOG, WREXHAM, LL20 7PD	APPLICATION FOR PRIOR NOTIFICATION OF AGRICULTURAL FORESTRY DEVELOPMENT - PROPOSED BUILDING FOR USE AS LOG, PLANT AND EQUIPMENT STORE
GLY P/2019/0225 GRANTED 10/04/2019	LLANGWRYD UCHAF, LLWYNMAWR, LLANGOLLEN, WREXHAM, LL20 7BD	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER LISTED BUILDING CONSENT P/2018/0559: - CONDITION 2 - DETAILS OF THE STONE TO BE USED ON THE RETAINING WALL - CONDITION 3 - DETAILS OF THE NEW RETAINING WALL COPING AND RAILING
WRO P/2019/0226 GRANTED 16/04/2019	GARTHWYN, 82 BEECHLEY ROAD, WREXHAM, LL13 7BA	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER APPEAL REF - APP/H6955/A/18/3217151 (PLANNING REF - P/2018/0772) - CONDITION 10 - SUBMISSION OF SCHEME FOR USE OF EXISTING GARAGE FOR HOUSEHOLD REFUSE, RECYCLING BIN STORAGE AND SECURE CYCLE PARKING FACILITIES CONDITION 12 - SUBMISSION OF DETAILS OF TREE PROTECTION FENCING AND GROUND PROTECTION MEASURES CONDITION 14 - SUBMISSION OF SCHEME OF PAVEMENT CROSSING TO THE SITE CONDITION 15 - SUBMISSION OF SCHEME DETAILING THE CONSTRUCTION OF: I) DETAILED LAYOUT, DESIGN, DRAINAGE AND NEW ACCESS II) THE RELOCATION OF THE EXISTING STREET LIGHTING COLUMN

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
7th MAY 2019

HOL P/2019/0227 GRANTED 16/04/2019	LABURNUM COTTAGE, FROG LANE, HOLT, WREXHAM, LL13 9HJ	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2006/1418 TO RENDER FRONT OF HOUSE AND RIDGE LINE TO GABLES
GRE P/2019/0251 GRANTED 16/04/2019	BRYN Y GROES, CHESTER ROAD, GRESFORD, WREXHAM, LL12 8UA	APPLICATION FOR NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2018/0118 TO PROVIDE FOR AN ADDITIONAL PARKING SPACE FOR THE SOLE USE OF PLOT NO. 17
BRN P/2019/0261 GRANTED 15/04/2019	WOODLANDS FARM, CONERY LANE, BRONINGTON, WHITCHURCH, SY13 3EZ	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2018/0572 FOR MINOR ALTERATIONS TO THE LOCATION OF THE KILN AND A FLUE 600MM HIGH ON THE BUILDING
RHO P/2019/0277 GRANTED 16/04/2019	TREALAU, PRINCES ROAD, RHOSLLANERCHRUGOG, WREXHAM, LL14 1AB	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2015/0879 CONDITION 2 - SUBMISSION OF SAMPLES OF ALL EXTERNAL FACING AND ROOFING MATERIALS
GRE P/2019/0285 GRANTED 16/04/2019	BRYN Y GROES, CHESTER ROAD, GRESFORD, WREXHAM, LL12 8UQ	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION REFERENCE NO. P/2018/0118: CONDITION 14 - SUBMISSION OF FULL DETAILS OF A HARD AND SOFT LANDSCAPING SCHEME TOGETHER WITH A FIVE YEAR MAINTENANCE PLAN AND TIMESCALES FOR IMPLEMENTATION IN ORDER TO DISCHARGE CONDITION NO. 14 CONDITION 16 - SUBMISSION OF A SCHEME OF TREE PLANTING WITHIN THE 'HOME ZONE' IN ORDER TO DISCHARGE CONDITION NO. 16
ESC P/2019/0305 GRANTED 18/04/2019	FAIRFIELD, HENRY STREET, RHOSTYLLLEN, WREXHAM, LL14 4DA	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2018/0972 TO ALLOW ROOFING MATERIAL TO BE AMENDED TO KINGSPAN COMPOSITE ROOF PANEL IN MERLIN GREY COLOUR



REPORT TO:	Planning Committee
REPORT NO.	COPR/16/19
DATE:	7 May 2019
REPORTING OFFICER:	Chief Officer Planning & Regulatory
CONTACT OFFICER:	Jon Brewin (Tel 298763)
SUBJECT:	Tree Preservation Order 289/2018 St Anne's Roman Catholic Primary School, Prince Charles Road, Wrexham
WARD:	Queensway

PURPOSE OF THE REPORT

For the Planning Committee to consider written representations made in respect of Tree Preservation Order (TPO) WCBC 289/2018 – 'St Anne's Roman Catholic Primary School, Prince Charles Road, Wrexham' and to determine whether or not to confirm the TPO and make permanent with or without modification.

INFORMATION

- 1 The objective of the TPO is to protect a cohesive group of trees providing significant amenity value and a substantial contribution to the character of the community, street scene and school grounds. Consisting of five individual specimens, the TPO was initially made and served to protect the trees from any inappropriate management or felling operations being undertaken without sufficient evidence or due consideration towards the combined values of the group identified as 'G1'.
- 2 The 5 No poplar trees (G1) are implicated as the causal agent of ground disturbance which has occurred within and beneath the hard surface play area used by children and staff of the school. Radial surface root activity from a number of trees within the group has displaced the tarmac in a number of

locations across a section of the adjacent hard surface area creating a potential trip hazard situation for the school.

- 3 Under Objective 3(6) within the Council's agreed '*Tree & Woodland Strategy 2016-2026*', the Council states the requirement to protect trees and woodlands through the implementation and use of Local Planning Policy, Tree Preservation Orders and Planning Conditions where amenity is a consideration or the trees are under threat.
- 4 '*Objective 4*' of the agreed Strategy states '*Manage the risks to people, property and infrastructure from trees ensuring they are as low as reasonably practicable, taking into account best practice, legal implications and the costs of undertaking action in relation to the benefits that trees provide*'.



Figure 1: Location plan indicating the position of the high amenity trees within the school boundary and adjacent to Prince Charles Road.

- 5 The situation regarding the five trees was brought to the attention of Planning Services following contact by the Headteacher of the school with an enquiry regarding the legal status of the trees prior to proposing their removal in order to address the issue of ground disturbance and to facilitate repairs. The trees were due for felling and removal on 29 October 2018.
- 6 The Arboricultural Officer (Planning Services) undertook a site visit to the school and completed a Tree Evaluation Method for Preservation Orders (TEMPO) on 18 October 2018. The TEMPO process provided a guidance score of 19 out of 25 indicating that a TPO was defensible. The subsequent Tree Preservation Order WCB 289/2018 was made and served to all 'interested parties' on 22 October 2018.

Written Representations

- 7 One written letter of support was received by the Council within the 28 day allocated timeframe. The support for the TPO and the protection of the trees was provided by the Clerk of Caia Park Community Council.

One written objection was received by the Council from the St Anne's RC Primary School within the 28 day allocated timeframe. The main points of the objection are summarised below along with the Officer's response to the main points raised.

Objection 1: Received from the Headteacher of St Anne's Roman Catholic Primary School.

- The trees were to be removed as an adjacent section of the playground is to be repaired due to 'severe damage'. The surface of the playground does not allow the children to play safely and a number of netball matches and after-school activities have been cancelled.
- The school states that the children have a need and a right to an appropriate safe play area in which to play, socialise and compete. The TPO prevents this.
- Tree roots are allegedly interfering with school drainage systems and affecting the structural condition of the school.
- The school re-iterates the fact of it being an environmentally friendly school with 'Green Flag' award status and whilst being reluctant to fell the trees has every intention of replacing the trees in a more appropriate area.

7 Officer Response

- a) The purpose of the TPO is to protect trees of amenity value in accordance with section 198 of the *Town & Country Planning Act 1990*. The amenity value of the trees has not been questioned by the school, however in this case the main issue to be discussed is more of one of expediency.
- b) The trees themselves are inspected by the Council on a regular cyclical basis and an e-mail between the Senior Tree Officer and WCBC Building Surveyor on 21 January 2019 states that the trees are free of defects and that the Council has no plans to fell the trees. A more recent inspection by the Council has again found no justification to support the removal of the trees.
- c) The ground disturbance adjacent to the trees is apparent and the increase in damage would appear to have been on-going over the course of a number of years.

- d) Since the TPO was served a couple of meetings have taken place during which the Council stated its position, listened to the concerns of the school and provided practical guidance as to what steps the school should be taking in order to advance the issue. One meeting took place between the Arboricultural Officer (Planning Services), the Headteacher and two governors with a second meeting undertaken with WCBC Housing and Economy and an independent, specialist surfacing contractor.
- e) To maintain a level of consistency and transparency in adhering to the TPO system, the Council recommends all owners, applicants and agents to follow an evidence-based process in support of any subsequent application. Only upon the submission of the appropriate level of evidence will the Council consider granting consent for the proposed works.
- f) It should be noted that the Council does not dispute the allegation that the trees may be exerting a level of influence upon the hard surface which may subsequently raise health and safety concerns however, for trees of such significant value the Council seeks to ensure that all solutions are investigated and discussed. To date, the Council has received no applications from the school for work on the trees and is not aware of any evidence being provided by the school indicating that options are being explored or that any site investigations have been undertaken.

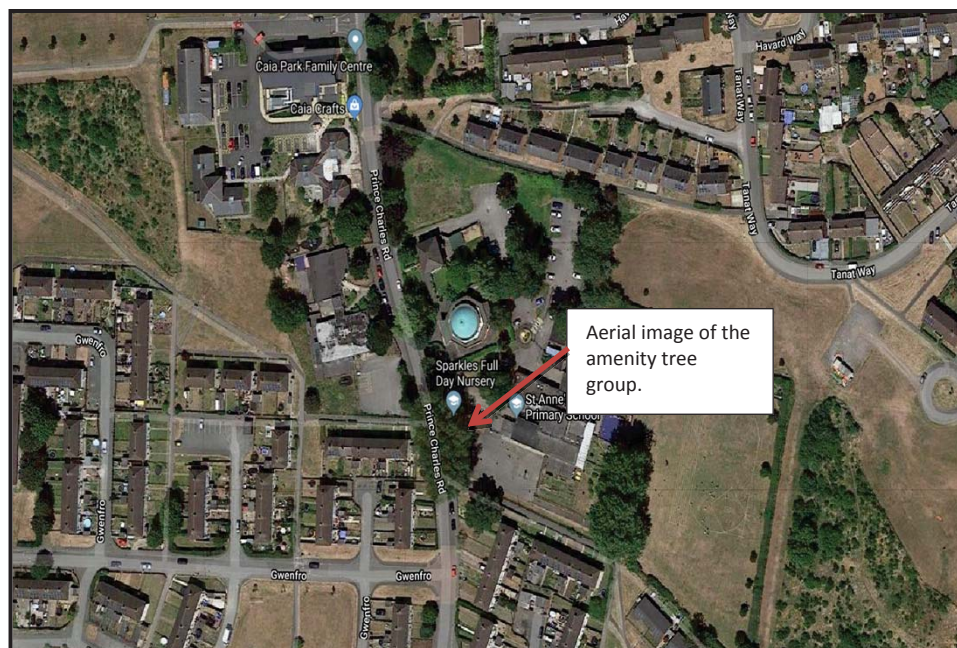


Figure 2: Aerial image indicating the sparse, low level 'canopy cover' and overall reduced tree coverage in the residential area with potential health and environmental implications for the immediate school and community.

- g) Financial limitations are always a significant consideration when seeking to achieve an acceptable resolution to this and similar tree

related issues and therefore, to assist in the decision-making process, the Council undertook an industry recognised evaluation of the trees in an attempt to provide an indicative financial value of the group simply to provide a comparison guide to be weighed against repair costs to the playground hard surface area.

- h) The system used is titled CAVAT and stands for 'Capital Asset Valuation of Amenity for Trees' and is a method for assigning a monetary value to the amenity valuation of publicly owned trees. Developed by Christopher Neilan of the London Tree Officers' Association (LTOA) and agreed by members of the insurance industry (Aviva, Halifax, Lloyds, Zurich) under the Joint Mitigation Protocol agreement 2008, the system was initially created in direct response to assist with the determination and mitigation of vegetation related subsidence damage in the London boroughs.



Figure 3: Photograph taken from Prince Charles Road indicating the presence and amenity afforded by the group of trees.

- i) Each of the five trees subject to the TPO was evaluated with an individual monetary figure afforded to each specimen. The evaluation

for the individual trees ranged from between £8,299 – £23,241 with a cumulative monetary value for the group of **£70,315**. Please be advised that CAVAT is used in this instance to simply provide an indicative figure of the capital asset value of the trees as a group.

- j) Whilst the multiple values and services provided to communities by our trees, both nationally and locally is now well documented, it is worth referencing our own WCBC Tree & Woodland Strategy for the following significant point of consideration:

Research clearly shows that having access to green space and urban trees for all socio-economic groups reduces the incidence rate of circulatory disease and all-cause mortality. This research also highlighted that for low to middle income populations, having access to green space significantly reduces mortality rates from these conditions (O'Brien, L et al, 2010). Having access to urban green environments reduces health problem incidences and in the case of people on lower incomes, health problems are substantially reduced (Mitchell & Popham, 2008).

The Queensway ward within Wrexham has 9% Urban Tree Canopy Cover. Queensway is the ninth most deprived ward in Wales according to the 2011 Welsh Index of Multiple Deprivation. All of Caia Park's eight deprived wards show urban tree canopy cover levels well below the Wrexham town figure, with ward-level tree canopy cover ranging from 4% to 9% (Fryer, D, 2014).

It should be a priority to increase urban tree canopy cover in the most deprived wards where canopy cover is well below the national average and where there is an absence of amenity and street trees.

- k) The above text emphasises both the increased long-term importance of retaining G1 and the insufficient justification to remove the trees simply based upon financial consideration alone. Whilst the concerns for the safety of the children of St Anne's is paramount and not to be belittled, it is clear from the above text that the physical development of the children and their long-term health and well-being, as well as that of other community members, is dependent upon and intrinsically connected to the surrounding natural resources which enhance and improve their lives now and into the future.
- l) Aside from the above benefits to the children and the community in the form of improved air quality and reduced airborne pollutants, the trees provide other essential environmental services to the school in the form of storm-water management, reduced anti-social behaviour, valued shading in the playground and cooling of localised air temperatures around the school during potential hot summers and heatwaves.

- m) Concerns expressed in the objection regarding the influences of the trees upon the school's drainage system will require the support of investigative results including an assessment of the overall condition and efficiency of the system and the extent of any alleged root incursion from the group. The Council will be able to respond appropriately to any such evidence and application through the Town Country Planning Act 1990 application process.
- n) The school proposes mitigation for any trees removed and, providing suitable evidence and justification for the removal of the trees is provided, such mitigation will be a planning condition attached to any consent issued. However, research provided (Barrell 2017) indicates that premature felling of a mature tree prevents approximately 75% of the benefits the tree could provide from being realised. Trees planted and felled before achieving maturity may have only provided up to 25% of their potential benefits to the urban community. Therefore, replacement planting for the loss of mature trees such as G1 could take up to six - eight decades before any noticeable semblance of actual mitigation is achieved.

Summary

- 9 The combined amenity, environmental and capital asset values alone provided by the trees as a collective unit is significant. Their amenity value provides a 'sense of place' and local identity, enhancing the aesthetics and character of the street scene. The environmental benefits of the trees serve the children, the school and the local community, improving the health and well-being of residents and reducing the risks of respiratory related illness and premature death particularly noted to affect both the young and elderly.

The school seeks to remove the trees on the justification that felling and removing the trees is the only financially viable option available. No evidence has been provided to support the proposal of felling and no evidence has been provided regarding any exploration of alternative solutions. The school playground is still being used by children.

With the services and benefits that such trees provide to the community (and school) so well researched and documented, it is essential that as a Council we take every step necessary to protect such trees and to ensure that every alternative option, engineering solution or acceptable compromise is explored and to ensure that the fate of such high amenity trees is no longer determined on financial or budget constraints alone.

To re-iterate objective 4 of WCBC 'Tree & Woodland Strategy:

'Manage the risks to people, property and infrastructure from trees ensuring they are as low as reasonably practicable, taking into account best practice, legal implications and the costs of undertaking action in relation to the benefits that trees provide'.

RECOMMENDATION

It is the Officer's considered opinion that Tree Preservation Order 289/2018 'St Anne's Roman Catholic Primary School, Prince Charles Road, Wrexham' should be confirmed without modification.

BACKGROUND PAPERS

Objection 1: St Anne's RC primary School.

Support 1: Caia Community Council

TEMPO 'Assessment of amenity for trees'

CAVAT (x5) Capital asset valuation of amenity trees



REPORT TO:	Planning Committee
REPORT NO.	COPR/17/19
DATE:	7 May 2019
REPORTING OFFICER:	Chief Officer Planning & Regulatory
CONTACT OFFICER:	Jon Brewin (Tel 298763)
SUBJECT:	Tree Preservation Order 286/2018 Land South of Penley Hall Site, Penley, Wrexham
WARD:	Maelor South

PURPOSE OF THE REPORT

For the Planning Committee to consider written representations made in respect of Tree Preservation Order (TPO) WCBC 286 / 2018 – 'Land south of Penley Hall site, Penley, Wrexham' and to determine whether or not to confirm the TPO and make permanent with or without modification.

INFORMATION

- 1 The objective of the TPO is to protect a number of trees within the site boundary which may be considered to be at risk from inappropriate management or premature felling. The trees in question comprise of one linear group, identified within the TPO as 'G1', consisting accordingly of 8 No silver birch and 1 No oak tree all located to the south-western boundary, with a small unmanaged copse area to the north-east boundary and identified within the TPO as woodland 'W1'.
- 2 Under Objective 3(6) within the Council's agreed '*Tree & Woodland Strategy 2016-2026*', the Council states the requirement to protect trees and woodlands through the implementation and use of Local Planning Policy, Tree Preservation Orders and Planning Conditions where amenity is a consideration or the trees are under threat.

- 3 Following a Tree Evaluation Method for Preservation Orders (TEMPO) an assessment was undertaken on the trees with guidance scores of 20/25 for G1 and 16/25 for W1, both scores indicating that a TPO would be defensible under the terms of the evaluation process. Subsequently, the TPO was made and served to all 'interested parties' on 16 October 2018. Laminated site notices were posted on one vehicular entrance and one pedestrian entrance into the site.

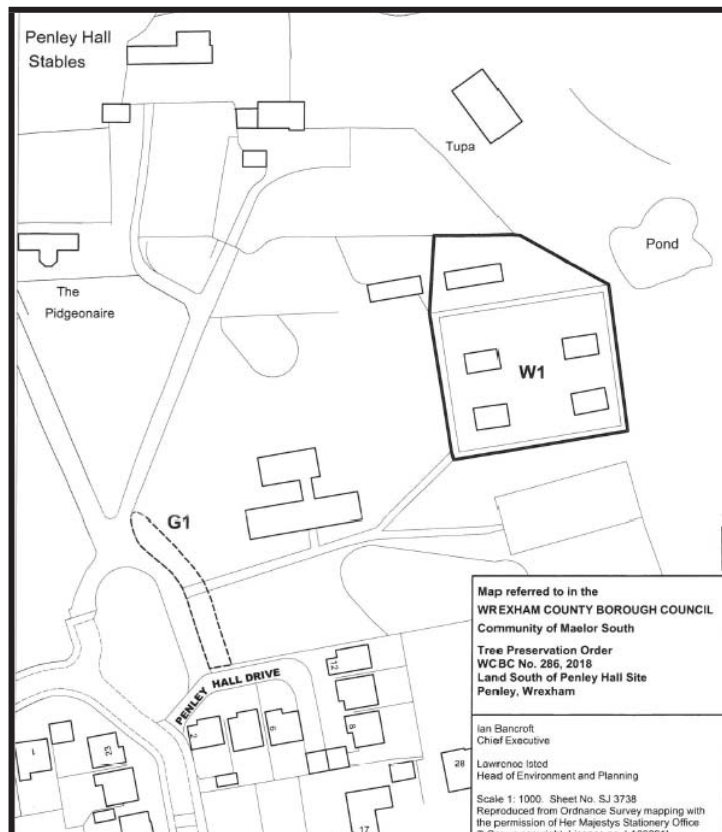


Figure 1: Location plan taken from the actual TPO document itself indicating the positions of the amenity trees G1 and W1 within the site boundary (the map is cropped in size for formatting purposes).

- 4 The reason for the making of the TPO was to protect a selected number of the trees which were found remaining on site following the previous felling of a number of unprotected trees which were located to the south-west interior of the site. Secondly, a further consideration in the making of the Order was to raise the profile of the identified remaining trees as a material consideration in any existing or subsequent development proposals for the site.

Written Representations

- 5 One written letter of objection was received by the Council from the owners of the site and the objection was received within an extended objection period offered by the Council beyond the minimal 28 day allocated timeframe. The main points of the submitted objection referred separately to aspects of the woodland W1, the group G1 and the actual serving of the

TPO. The main points are summarised below along with the Officer's response to the main points raised.

Objection to W1:

- W1 should not be classified as a 'woodland' and the trees are not managed for timber.
- The trees have no individual merit.
- A number of trees within the woodland are diseased and many have failed at the root plate.
- The trees are within a residential garden and there maybe associated health and safety concerns.
- W1 is not an important landscape feature and has little biodiversity value.

Objection to G1:

- Two of the birch trees have no long-term viability and their removal would favour the development of the oak.

Objection to the serving of the TPO:

- The objection claims that sections of the Order were incomplete and not received during the initial 28 day timeframe.
- The TPO appears to be direct response to the outline planning application.
- The common seal on the TPO has no printed name to confirm the signatory.
- The seal reference number on the model order and the accompanying map does not match the TPO number.

Officer Response

- 6 The importance of protecting W1 and G1 was highlighted following the felling of a number of mature trees during the summer of 2018; the felling included a linear planting of maturing birch. The following aerial images provide a 'before/after' comparison to show the extent of the woodland and an impression of the trees removed.

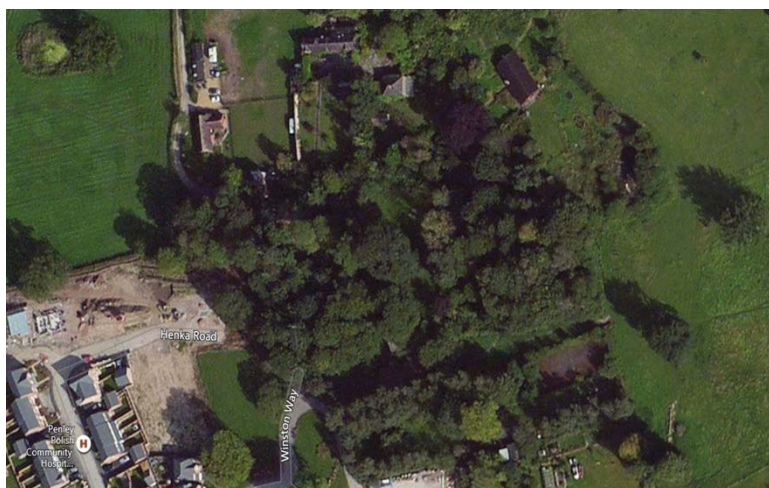


Figure 2: Aerial image indicating the tree coverage on site prior to the summer of 2018.



Figure 3: Aerial image indicating tree loss at the time the TPO was made and served later in the year in October 2018.

It is clear from the above two photographs that a significant proportion of unprotected trees were removed to ground level leaving behind protected trees subject to a previous TPO (WMBC 20/1985) and G1 and W1 which became subject to the new Tree Preservation Order 286/2018 on 16 October 2018. There was no communication between either the landowner or contractor and the Council prior to the felling of trees and therefore we have no information as to why the trees were removed.

An outline planning application for the residential development of nine dwellings was registered with the Council on 17 September 2018 (P/2018/0771). Consent was later refused on 9 November 2018 and the refusal is summarised as follows:

1. The site is outside the settlement limit and did not satisfy the criteria of policy H5 of the WUDP.
 2. The proposed removal of a significant level of canopy cover was contrary to EC4, EC5 of the UDP, Local Planning Guidance note 17 'Trees and Development and WCBC *Tree & Woodland Strategy*'.
 3. Lack of ecological information.
 4. Unsatisfactory vehicular and pedestrian access to the site.
- With acknowledgment to the first objection relating to W1, the officer would like to offer the following response:
 1. *The Town & Country Planning Act 1990* does not define a 'woodland'. The only categorisations available for use within the TPO process are 'Individual trees', 'Groups', 'Woodlands' or 'Areas'. It was considered in this case more accurate and appropriate to use the 'woodland' category to protect this collection of trees with the justification that through appropriate management, planting or natural regeneration the woodland had

increasing potential for amenity and biodiversity to enhance that which it now currently provides.

2. Concerns regarding the structural and physiological condition of the trees within the woodland and the risk presented by any such trees to existing or future residents may be addressed through the TPO application process in accordance with the *Town & Country Planning Act 1990*. It should be stated that a significant proportion of this woodland was proposed for removal within outline planning application P/2018/0771 in order to accommodate residential development.
- With acknowledgment to the second objection relating to G1, the officer would like to offer the following response:
 1. The collective value of these trees provide a singular feature appropriate for classification within the TPO 'group' categorisation; The two species within the group, birch and oak have two different and distinct life expectancies with the birch achieving on average up to 75 – 95 years and the oak, 300 – 500 years with variations on life expectancy for both dependent upon factors such as site conditions, pest and diseases and management practices. Therefore this officer sees no justification to remove two of the birch trees to favour the inevitable succession of the adjacent oak. It should be noted that the two birch trees in question provided a constraint to the proposed access for P/2018/0771.
 - With acknowledgment to the third point of objection regarding the serving of the Order, the officer would like to offer the following response:
 1. Whilst the owners were unfortunately omitted from the interested parties advised accordingly of the TPO, the Council addressed it's legal requirements by placing laminated advisory notices on the entrances into the site. The owners of the site were afforded an extension to the minimum 28 day consultation process in order to allow time for them to register any objections.
 2. The objection claims that the TPO served was incomplete. This claim is believed to refer to the laminated site notices placed on the boundary of the site which simply advises the owner and other interested parties of the presence of the TPO. A site map will often accompany the laminated notice. The notice is not a copy of the TPO model order, a copy of the Model Order was provided to the owners immediately following the subsequent communication between both parties.
 3. The Department for Communities and Local Government provided guidelines for the serving and confirmation of a TPO. The guidance document '*Tree Preservation Orders: A Guide to the*

Law and Good Practice’ simply states that the Model Order should be signed and dated (section 3.20(7)). Therefore, the Council are satisfied that the signing of the Order was correct.

4. The seal reference number refers to the identification of a legal document as raised by the Council. The seal reference number does not reflect or replicate the reference number allocated to the TPO model order

Summary

- 7 Tree Preservation Order 286/2018 ensures the protection, appropriate management and full consideration of the trees as a material consideration to any subsequent site development or management proposals. The trees do provide a level of amenity to both the adjacent new housing development and to users accessing the surrounding countryside. Any future development which may be integrated within the site and receive planning consent will likely raise the amenity value of the trees even further.

Details within the objection received may be addressed and determined by the Council through either planning development applications or the Tree Preservation Order ‘application for work’ process.

Without Tree Preservation Order 286/2018 both G1 and W1 are considered to be at risk from premature felling or inappropriate management.

RECOMMENDATION

It is the Officer’s considered opinion that Tree Preservation Order 286/2018 ‘Land south of Penley Hall site, Penley, Wrexham’ should be confirmed without modification.

BACKGROUND PAPERS

Objection 1: Mr K R Barker & Mrs T H Wilson
TEMPO ‘Assessment of amenity for trees’