

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY– 22 JUNE 2020

APPLICATION NO:
P/2020 /0091

LOCATION:
PISTYLL Y GARTH GARTH GLYN
CEIRIOG WREXHAM
LL20 7ND

DATE RECEIVED:
07/02/2020

COMMUNITY:
Llansantffraid Glyn
Ceiriog

DESCRIPTION:
CONSTRUCTION OF CAR PARKING
SPACE (IN RETROSPECT)

CASE OFFICER:
SJG

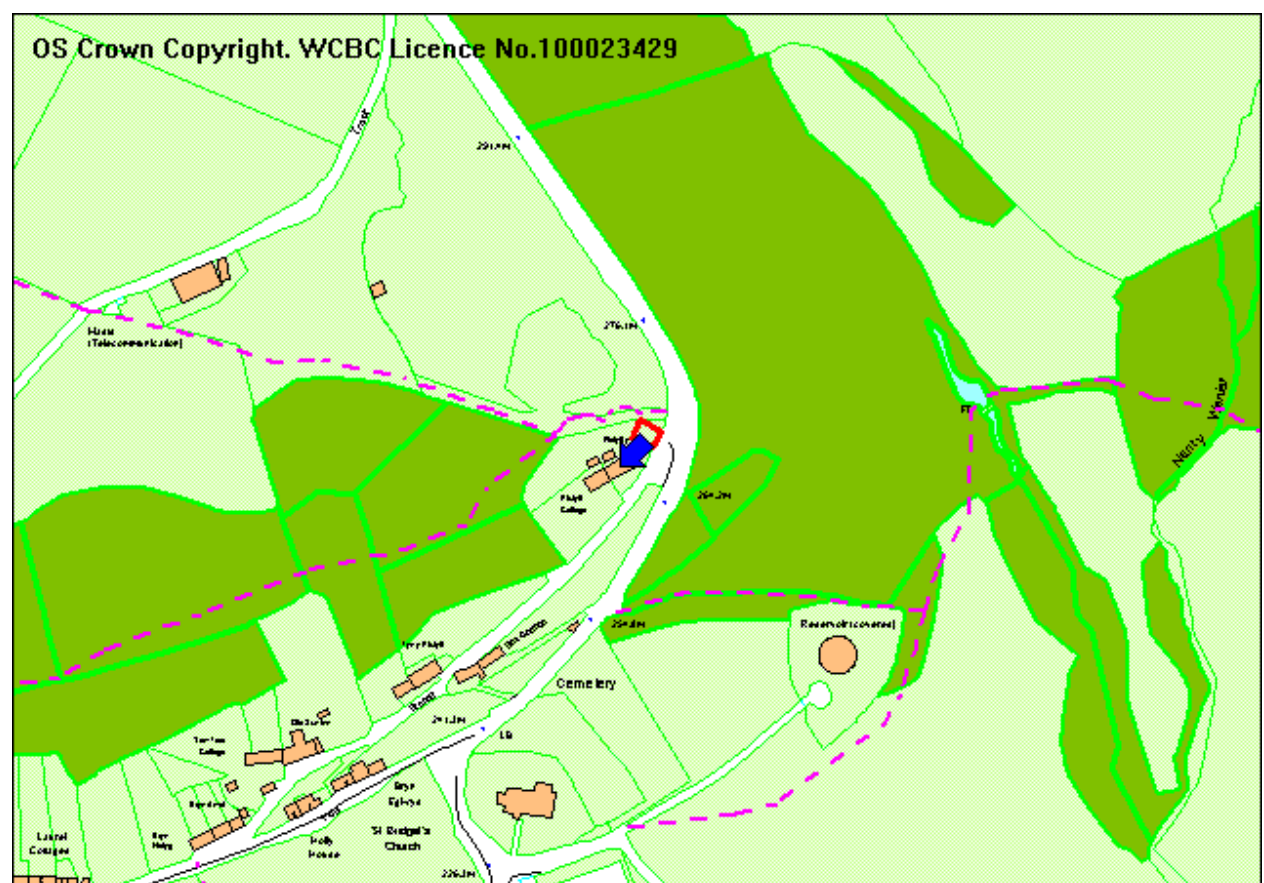
WARD:
Ceiriog Valley

APPLICANT(S) NAME:
MR CHRISTOPHER BEXHELL

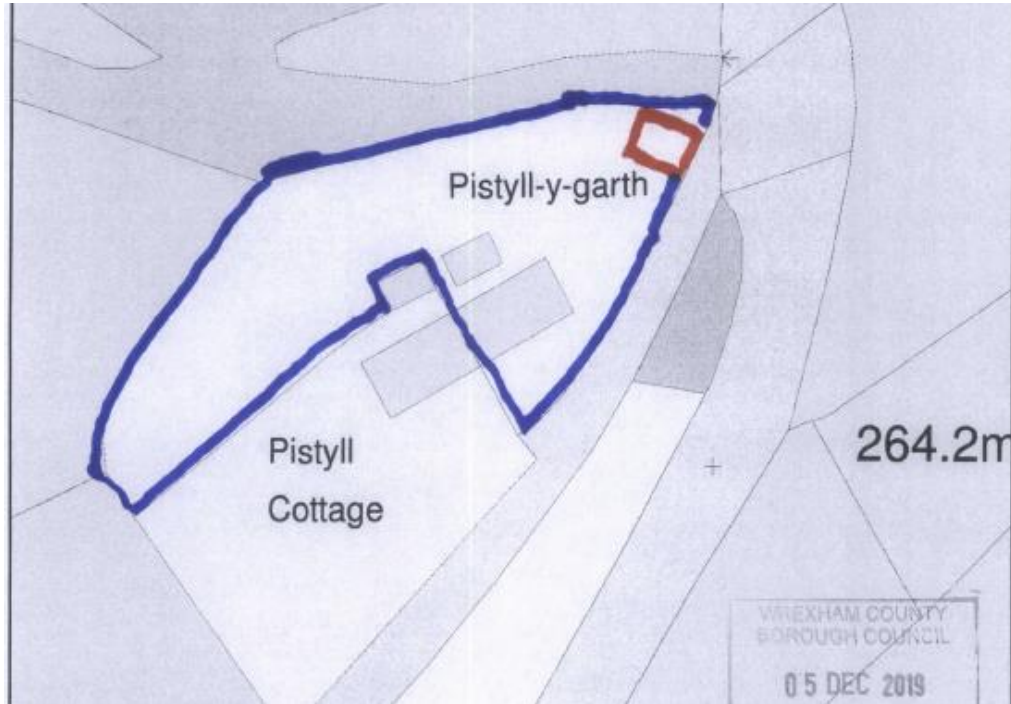
AGENT NAME:
MR CHRISTOPHER
BEXHELL

THE SITE

The property is on elevated ground north of Glyn Ceiriog Church, on the west side of the Class III road. The site is on the north side of the dwelling and is excavated into the embankment adjoining a public footpath.



REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY– 6th APRIL 2020



PROPOSAL

The application is to retain the parking area and also proposes remedial works as recommended by a structural engineer. The tree stump to the south side of the access has been cut down since the previous application was considered.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY– 6th APRIL 2020



HISTORY

P/2019/0895 Construction of car parking space (in retrospect) Refused on highway grounds 3/2/2020

DEVELOPMENT PLAN

The site is located outside the settlement limits and within a Special Landscape Area. It adjoins a wildlife site.

The following policies are relevant: GDP1 General Development Objectives
PS2 Environmental Impacts EC5 Special Landscape Areas EC6 Biodiversity conservation

CONSULTATIONS

Llansantffraid Glyn Ceiriog CC:	No objections
Local Member:	Notified 9/12/2019
Highways:	No objections
Rights of way:	No objections subject to comments and a suggested condition
Site notice	Expired 10/3/2020.
Neighbours:	Eight objections received:
	1. Destruction of a known habitat and a probably a colony of slow worms

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY– 6th APRIL 2020

2. No backfilling has been carried out to avoid trapping of slow works
3. Contrary to Wrexham Biodiversity Action Plan
4. Undermining of a public footpath
5. Development is detrimental to the appearance of the area
6. Dangerous manoeuvring onto highway
7. Adequate parking already provided
8. Trees have been removed
9. Structure should be built in reinforced block and faced with local stone

SPECIAL CONSIDERATIONS

Visual amenity The work has been carried out and with additional planting it is considered that it would not be out of place with regard to the existing shed and the location in this sensitive area.

Highway safety: The highway authority advises that the site is at a junction of an unclassified and a classified highway leading up from Church Hill. The junction suffers from poor visibility due to the road alignment and gradients.

The highways officer has met the applicant and has agreed that it is possible to access the site without reversing onto Church Hill. In addition the height of the tree stump has been reduced, which improves visibility. He advises that there is very limited parking space and the only other option would be to leave the vehicle on the highway.

As the highway reason for refusal has now been addressed there are no highway objections to the application.

Ecology: No objections are raised, however for aesthetic reasons and to provide a biodiversity enhancement the structure should be planted with native climbers such as ivy (*Hedera helix*) and honeysuckle (*Lonicera periclymenum*).

There is a strong slowworm population around the site. The main risk would have been during construction, and we would have normally have insisted on hand searches prior to the vegetation clearance. As additional engineering work is proposed, a condition requiring a pre-commencement hand search by a qualified ecologist would be appropriate. Also planting with climbers will enable the structure to provide some sort of habitat as mitigation and have the added benefit reducing the visual impact of the structure.

Public right of way: the rights of way officer does not raise an objection but asks that the applicant should take responsibility for the future maintenance of the excavated bank. This is not a matter that can be controlled under planning legislation but the scheme has been examined from a structural

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY– 6th APRIL 2020

stability point of view and found to be acceptable with the additional posts proposed.

Stability: The existing arrangement is not adequate to provide support to the retained ground around the parking area. The Engineer is proposing to increase the number of timber posts significantly which will all need to be socketed into the ground and tied across the width of the area at their upper ends. The council's engineer advises that the proposed modifications are satisfactory.

Conclusion: The specific reason for refusal of the previous application has now been addressed. The proposal is considered to be acceptable subject to appropriate conditions.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) received 7/2/2020 and as contained within the application documentation.
2. Within 3 months of the date of this permission the proposed structural works set out in the report BR 07567-001 issue 1 dated November 2019 shall be carried out and thereafter retained.
3. Within three months of the date of this permission, full details of a hard and soft landscaping scheme together with a timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.
4. The landscaping scheme submitted and approved in connection with condition no. 3 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
5. The landscaping scheme as carried out in connection with condition no. 4 shall be retained for a minimum of 5 years. Within this timescale, any 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 of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.
6. Within 3 months of the date of this permission a short-term Ecological Management Plan and Ecological Method Statement, shall be submitted to and approved in writing by the Local Planning Authority. This information shall demonstrate how existing features of ecological / wildlife interest will be protected, identify any areas of compensation and demonstrate management in the short-term. The recommendations as approved shall be fully implemented in accordance with timescales to be agreed in writing before any further part of the development commences on site.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY– 6th APRIL 2020

REASON(S)

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

Your attention is drawn to Highway Supplementary Notes - Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm

You are advised to contact the Council's Biodiversity Officer at The Planning Department, Lord Street, Wrexham on Tel: 01978 298762.

The development is adjacent to a public right of way and the applicant should ensure that the footway is not interfered with. Further guidance can be obtained by contacting the Council's Rights of Way Officer on 01978 792761.
