

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – 7th OCTOBER 2019

APPLICATION NO: P/2019 /0395	LOCATION: 31 HIGH STREET WREXHAM LL13 8HY	DATE RECEIVED: 23/05/2019
COMMUNITY: Offa	DESCRIPTION: REFURBISHMENT OF GROUND FLOOR OFFICE AND CHANGE OF UPPER FLOORS TO 6 NO. FLATS	CASE OFFICER: MR
WARD: Offa	APPLICANT(S) NAME: MR NEIL MOIR	AGENT NAME: CB ARCHITECTURAL DESIGN MR CRAIG BAUGH

This application was reported to committee on 2nd September 2019. Members deferred the application on the basis that they required further information from the developer in respect of how the flats will be accessed by tenants, how bins will be emptied and for Members to be given access to the building in order to conduct a site visit.

The agent has confirmed that access to the flats would be through the gated Overton Arcade and would be by keypad to both entrances (the High Street and Temple Row entrance).

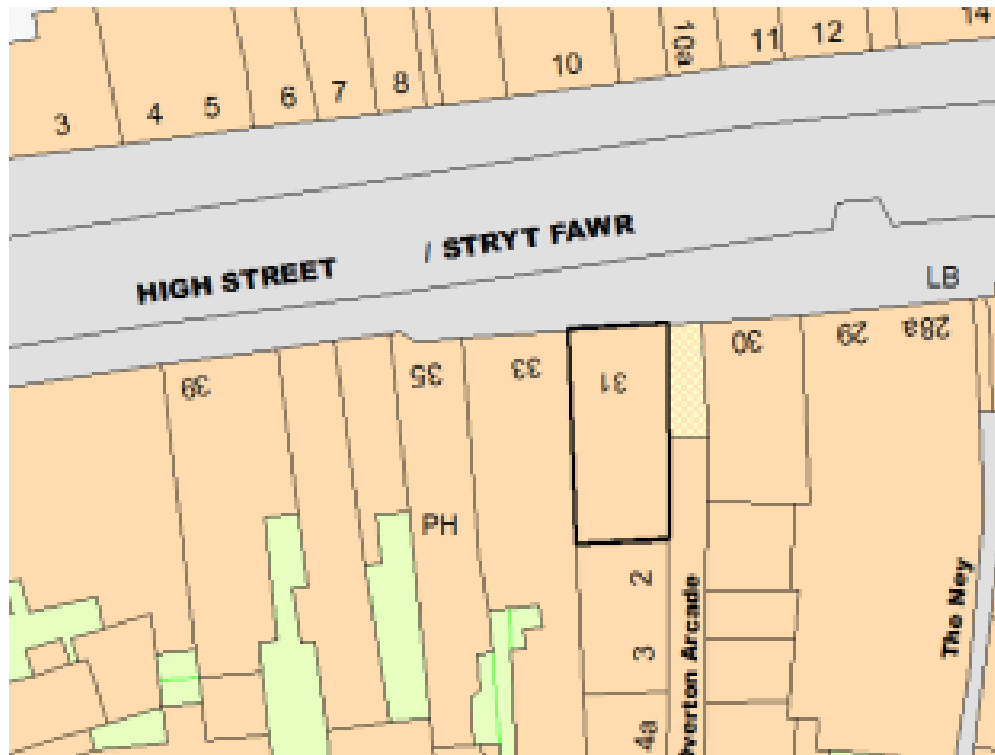
Bins will be put out on collection day from the internal bin store onto Temple Row for emptying.

The applicant has confirmed that a site visit to allow entry inside the building could be undertaken if required.

My original report together with my addendum report to the September Planning Committee is included below.

The recommendation remains unchanged.

SITE



PROPOSAL

The application seeks planning permission for the refurbishment of the ground floor office and change of use of upper floors to 6 no. flats.

The application site is Grade II listed. A Listed Building Consent application under P/2019/0394 runs concurrent with this application.

HISTORY

None relevant.

DEVELOPMENT PLAN

Within Wrexham Town Settlement Limit, Conservation Area and Shopping Area.

UDP policies GDP1, EC6, EC7, EC9, H2, H4, S2, S3 and T8 apply.

LPG 16 – Parking Standards, LPG 21 – Space Around Dwellings.

CONSULTATIONS

Community Council:	Object. Proposals for the front elevation are approved. Windows in the rear should be wooden sash. There is no parking provision. A change in
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	council policy is required for providing parking provision for such developments. Bins should not be left on Overton Arcade but wheeled out onto Temple Row whilst waiting collection. The use of suitable materials must apply.
Local Member:	Notified 28.05.2019.
NRW:	Object to the scheme given further information required to assess the impact of the proposal on bats. Bat Survey has since been submitted and NRW re-consulted and advise that based on the response received on 16/08/2019 that they have no objection.
Highway Authority:	No objection given the sustainable location of the site.
Welsh Water:	No objection subject to a condition to secure foul, surface and land water drainage scheme.
Public Protection:	No objection subject to a condition to secure submission of a Noise Survey to determine noise levels for both day and night for proposed occupants of the flats at upper floor levels.
Press Notice:	Expired 29.06.2019.
Neighbours:	No formal representations received by the Local Planning Authority.

SPECIAL CONSIDERATIONS

Principle of development: The application site lies within Wrexham Town Settlement Limit as identified on Policy Map 2 INSET 1.

Policy H2 states that residential development on unannotated land within settlement limits will be permitted subject to compliance with Policy GDP1.

The building is currently vacant and the proposal would involve provision of 4 x 1 bed flats and 2 x 2 bed flats at first and second floor levels.

This is considered to be an efficient use of the building, encouraging people into sustainable town centre accommodation within walking distance of public transport, employment opportunities, public open space and services and facilities.

Refurbishment of the ground floor office is considered to be acceptable.

There is a policy presumption in favour of the development.

Design and Layout: No external changes proposed to the front of the building, along High Street.

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It is proposed to re-roof the building therefore samples would be required of any replacement slates and ridge tiles.

A specification for replacement sky lights would be required and secured by condition.

Conservation Officer raises no objection and on this basis the proposal is not considered would adversely impact on the character and appearance of the Conservation Area and would comply with UDP Policy EC7.

Residential Amenity: The proposal is considered capable of accommodating the number of flats proposed without resulting in any adverse impacts to residential amenities, having regard to overshadowing, overlooking and overbearing between each proposed flat.

Site constraints would result in no private amenity space being provided as part of the proposal, however the sites town centre location is within walking distance of Bellevue Park and the POS in front of the Guild Hall.

The lack of on-site amenity space is not uncommon for town centre accommodation and on the basis that existing POS is easily accessible from the application site, it is not considered that this would warrant refusal of planning permission.

Adequate space would be provided at the rear of the ground floor of the building for bin storage.

The use of the first and second floors of the building as class C3 is considered to result in improved natural surveillance of High Street.

Public Protection raises no objection subject to a condition to secure submission of a Noise Survey to ensure any day/evening impacts to first and second floor flats is acceptable.

Highway Safety: No parking provision proposed as part of this application. Highway Authority raises no objection given the sites sustainable location.

Ecology: NRW originally objected to the application given further bat surveys were required to be submitted.

The further bat surveys have been carried out and submitted to NRW who advise they no longer object to the application given no evidence of bats found to be present on site.

CONCLUSION

The principle of development is considered to be acceptable and a development of the type proposed is considered could sit comfortably in this

location without detriment to visual or residential amenities. The proposal would comply with UDP Policies GDP1, H2, EC7, EC9 and T8.

ADDENDUM REPORT PUBLISHED 2nd SEPTEMBER 2019

Pages 85 – 89 **WRO P/2019/0395**
31 High Street, Wrexham

Representations

Additional information submitted by the applicant on 30/08/2019 in relation to bin storage for neighbouring properties and proposed bin storage put forward as part of this proposal.

Consultations

Local Member – Supports the comments made by the Community Council who raise concerns with the proposal. Use of Upvc windows is inappropriate in a significant building in an important location at the heart of the Town Centre Conservation Area.

Retention of commercial use on ground floor and the conversion of the upper floors into residential accommodation to bring back life into the Town Centre are in keeping with the principles of the Town Centre Master Plan however there are a number of aspects associated with the proposal in addition to the use of unacceptable materials which need to be referred to in the refusal.

1. Over-intensive development providing poor quality residential accommodation and amenity. Spacing standards are below those set out in the Council's guidance, inadequate natural light entering some of the flats, conversion of the building into two flats would be preferable.
2. Lack of parking provision. There should be a requirement for developers in the town centre to make permanent arrangements for the provision of off-street parking spaces for residents or alternatively there needs to be a requirement for a S.106 Agreement to support the Council in providing and maintaining car parks.
3. Refuse storage is accessed from the Overton Arcade which is gated and locked outside business hours. Access from the flats to this area is through the Fire Escapes shown on the plans which must be unacceptable.

Observations

Conservation/Listed Building

As specified in the Officer Report, the proposal involves replacement and insertion of 2 no. sky lights and 2 no. windows.

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The Conservation Officer has stated that a specification for the roof lights will be required. Condition 3 specifying that these shall be 'conservation type' only is considered addresses this matter.

One of the windows to be replaced is already uPVC and the Conservation Officer states that whilst it would be preferable to replace with timber sash, the replacement style proposed is a better style than the existing.

Window WS10 specified in the submitted Window and Door Schedule is timber and it would not be acceptable to replace this with a Upvc alternative. Condition 4 specifies that a detailed specification of this window shall be submitted to and approved in writing by the Local Planning Authority, prior to its installation. This is considered to address this matter.

Overdevelopment/Spacing Standards

The proposal makes efficient use of the upper floors of a building in a town centre location, providing 1 and 2 bed accommodation, in line with the principles of sustainable development.

It is not uncommon for flats in town centre locations to suffer from restricted levels of natural day light and some overlooking into neighbouring properties, particularly those in upper floors given the constrained nature of the site.

Whilst there would be a shortfall in the guidance between the side windows serving Flats 1 and 4 and their proximity to the facing wall of the neighbouring property to the east, these windows are already existing and as already mentioned, given the constrained nature of town centre buildings, a restriction in the amount of natural day light entering some town centre flats is to be expected.

Furthermore, there are 2 no. windows serving the main living accommodation within Flat 1 which is inevitably a better situation than if the Flat was served by 1 no. window only.

The main living area and bedroom serving Flat 4 are also each served by separate windows.

The rear windows serving Flats 3 and 5 have a relatively open outlook which is considered to be appropriate in the context of any overbearing impacts.

The submitted Proposed Floor Plan show the rear wall of No 31 (where Flats 1 and 4 are located) is blank.

I am unaware of any direct overlooking impacts which would occur between habitable windows serving the proposed flats and any habitable windows serving residential accommodation in the upper floors of neighbouring properties to the east of the site.

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A search on the Council's mapping system appears to indicate that there is no planning history for the change the use of any of the upper floors in the neighbouring buildings to residential accommodation.

It should also be noted that to reduce the number of apartments could potentially involve a significant reconfiguration and alteration to the internal layout of the property, given the proposed retention of the original staircase.

Any significant alteration to the original internal layout of the building may have a subsequent impact on whether the proposed works would be acceptable to the listed building and a balance must be struck between achieving acceptable impacts to residential amenities of occupiers and ensuring the special architectural and historic interest of the building is not adversely impacted upon.

The proposal would utilise vacant upper floors of a town centre location by providing 1 and 2 bed flats, which it is reasonable to assume would be relatively affordable and within walking distance of key services and facilities.

On the basis of the above, I am satisfied that the proposal broadly achieves a balance between provision of town centre housing and impacts to residential amenities of proposed occupants, whilst respecting the architectural and historic interest of this Grade II listed building. The proposal would comply with UDP Policies GDP1, EC7 and EC9.

Lack of parking provision

The site is in a highly sustainable town centre location, the Highway Authority raises no objection. The Council has no policy which requires contributions from developers to facilitate improvements/initiatives towards parking provision for residential development in town centre.

Refuse storage

Any access to refuse storage is a Building Regulations matter.

Recommendation

Remains unchanged.

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.

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2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 1:1250 Local Plan, Window / Door Schedule (Ref: 811/S(2)07A) 1:50 Proposed Floor Plans Rev D, Dwg No. 811/A(2)01 and as contained within the application documentation.
3. 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, 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.
4. All roof lights hereby approved shall be 'conservation type' only fitted flush with the adjoining roof surface.
5. Prior to installation, details of the specification for the window labelled WS10 as outline on the submitted Window / Door Schedule (Ref: 811/S (2) 01A), shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
6. Prior to their use on the development samples of all 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.
7. No new pipework, extracts, meter boxes, flues, vents or ductwork shall be fixed to or formed through the external walls or roofs of the building until their exact position, type, number and finish has been submitted to and approved in writing by the Local Planning Authority. Works shall only be carried out in strict accordance with such details as approved.
8. No works to any timbers shall take place until a timber condition survey has been undertaken and a report of the findings etc. submitted to and approved in writing by the Local Planning Authority. The report shall include the extent, type and methodology of any repairs and/or replacement. Works shall only be carried out in strict accordance with the details as are 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 protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan. The development site is in close proximity to sensitive noise outputs and the developer is therefore required to carry out a noise survey in connection with condition no. 3 in order to determine noise levels for both day (0700 - 2300 hours) and night (2300 - 0700 hours) having regard to Planning Guidance (Wales), Technical Advice Note (TAN) 11 - Noise. The report of the noise survey findings shall include:

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- a) Noise levels arising from day/night time activities in the vicinity of the proposed development site and the impact upon the proposed accommodation, and
 - b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the future occupants of the proposed accommodation hereby approved.
- 4. 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.
 - 5. In the interest of safeguarding the architectural and historic interest of this Listed Building.
 - 6. 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.
 - 7. To ensure the development is carried out in a manner that reflects the existing character and appearance of the Listed Building in accordance with Policies GDP1 and EC9 of the Wrexham Unitary Development Plan.
 - 8. To ensure the works reflect the character and appearance of the building in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
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