

Public Pack

**Pennaeth Gwasanaethau Cwsmeriaid a Chorfforaethol/
Head of Corporate and Customer Services**
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Dyddiad/Date

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26 February 2019

Ken Bickerton

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18001

ken.bickerton@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 the **COUNCIL CHAMBER, GUILDHALL** on **MONDAY, 4 MARCH 2019** at **4.00 pm** for the transaction of the business specified in the Agenda overleaf.

Yours faithfully

Head of Corporate and Customer Services

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*Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.*

*We welcome correspondence in Welsh.
We will respond to any correspondence in Welsh and this will not lead to any delay.*

A G E N D A

1 Apologies for Absence

2 Confirmation of Minutes

To sign as a correct record the Minutes of the meeting held on 4 February 2019.
(Pages 3 - 10)

3 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.

4 Development Control Applications

To consider the report of the Head of Environment and Planning. (Pages 11 - 126)

**5 Tree Preservation Order 282/2018 Wrexham Law Courts & Police
Headquarters, Bodhyfrd, Wrexham**

To consider the report of the Head of Environment and Planning Services. (Pages 127 - 132)

6 Planning Appeal Decisions

To consider the joint report of the Head of Corporate and Customer Services and the Head of Environment and Planning. (Pages 133 - 136)

7 Any other items which the Chair decides are urgent

TO: 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, 4 FEBRUARY 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 R Alun Jenkins and Phil Wynn.

52 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors David Maddocks and Andy Williams.

53 CONFIRMATION OF MINUTES

The Minutes of the meetings held on 7 January 2019 and 18 January 2019 were submitted.

Correction to Minute:

7 January 2019 - Application Code No. P/2018/0560 Land to North and South of Lane Farm, Rossett, Wrexham. The wording 'H%' in the first reason for refusal should read 'H5'.

RESOLVED – That, subject to the above, the Minutes of the meetings held on 7 January 2019 and 18 January 2019 be signed as a correct record.

54 DECLARATIONS OF PERSONAL INTERESTS, IF ANY

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

Agenda Item 4 - Development Control Applications

Councillor Adrienne Jeorrett – Personal and prejudicial – Application Code No. P/2018/0814 knowing the occupiers of a neighbouring dwelling. The Councillor

withdrew from the meeting for this item taking no part in the discussion and voting thereon.

Councillor John Pritchard – Personal but not prejudicial – Application Code No. P/2018/0955 being a Member of Sesswick Community Council. The Councillor stayed in the meeting for this item and took part in the discussion and voting thereon.

Councillor John Pritchard – Personal but not prejudicial – Application Code No. P/2018/0956 being a Member of Sesswick Community Council. The Councillor stayed in the meeting for this item and took part in the discussion and voting thereon.

Councillor John Pritchard – Personal but not prejudicial – Application Code No. P/2018/0957 being a Member of Sesswick Community Council. The Councillor stayed in the meeting for this item and took part in the discussion and voting thereon.

55 DEVELOPMENT CONTROL APPLICATIONS

The Head of Environment and Planning submitted a report (HEP/12/19) for members' consideration of planning applications and 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 at Henblas Square, Henblas Street, Wrexham.

The Local Member (Councillor Marc Jones) commented that the financial viability assessment provided by the applicant had been based upon the market value of similar developments in the locality. The development on site appeared to be well-advanced and reference had been made in the local press that all of the apartments had been sold. In his opinion, the true sale price of the apartments, existing use value and the costs involved in conversion were now known by the applicant and these figures should have been used to compile the assessment. Therefore, he suggested that consideration of the application be deferred to allow the Head of Environment and Planning time to request from the applicant the updated figures so that a revised financial viability assessment could be undertaken.

During consideration of the application several Members referred to the short amount of time that had elapsed since the original application had been considered by the Planning Committee (5 November 2018) and concurred with the views expressed by the Local Member.

RESOLVED – That consideration of the application be DEFERRED to allow the applicant time to provide further information regarding the sale price of the apartments, the existing use value and the costs involved in conversion so that the application could be considered by the Committee on the basis of the

fullest information possible.

Application Code No. P/2018/0788 – Erection of steel framed building extension to shelter cattle over winter at Barn at Burgess Lane, Penley, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19.

Application Code No. P/2018/0796 – Conversion of outbuilding to provide ancillary accommodation to existing dwelling and provision of separate bat roost at Hoseley House, Hoseley Lane, Marford, Wrexham.

During consideration of the application it was suggested that, if Members were minded to grant permission further conditions be included to minimise disturbance to the bats by lighting on site and to retain the proposed development as ancillary to the residential use of the existing dwelling. This was agreed by the Committee.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19 together with the condition and note to applicant as contained within the Addendum Report and the following additions thereto:

Add Condition 5

Prior to the erection of any external lighting, a specification of such lighting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall take into account the principles of bat friendly lighting and the recommendations as detailed in the letter of Cascade Consulting dated 30 September 2015 approved as part of this application. The scheme shall be fully implemented strictly in accordance with the details as may be approved and the lighting shall remain in this condition thereafter.

Reason: Lighting associated with the development has the potential to disturb roosting, foraging and commuting bats which are afforded statutory protection in law. The Council considers it necessary to control the specification of lighting.

Add Condition 6

The building shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Hoseley House, Hoseley Lane, Marford.

Reason: In the interests of highway safety.

Application Code No. P/2018/0814 – Application for variation of Condition No. 3 imposed under Planning Permission P/2016/0411 to vary design on Land off Quarry Road and New Road Brynteg, Wrexham.

(Member declaration of personal interest in relation to this application is set out in Minute 54 above).

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19.

Application Code No. P/2018/0887 – Amended site layout and substitution of house types on Plot Nos. 22 – 33 as previously approved under Code No. P/2005/0613 at Bryn Y Groes, Chester Road, Gresford, Wrexham.

The Planning Lead drew Members attention to written representation submitted by the Local Member (Councillor Andrew Atkinson).

RESOLVED -

- (1) That an Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 be required to secure the setting up of a Management Company for the future maintenance by the applicant of all communal areas including the driveways, parking areas, Public Open Space, hard and soft landscaped areas, trees and planted features and that the Head of Environment and Planning be given delegated authority to approve the final form and content of the obligation.**
- (2) Upon completion of the Section 106 obligation permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19.**
- (3) That, if Section 106 obligation is not completed within 6 months of the date of the Committee resolution, the Head of Environment and Planning be given delegated authority to REFUSE planning permission for the following reason:**

Reason

Lack of appropriate maintenance by the applicant of all communal areas including the parking areas, Public Open Space, hard and soft landscaped areas and planted features.

Application Code No. P/2018/0907 – Removal of existing hedge extension and increase in height to existing wall and installation of roller shutter security doors at The Chapel, Chester Road, Rossett, Wrexham.

During consideration of the report it was suggested that, if Members were minded to grant permission, in the interest of highway safety a further condition be included to ensure that the highway was reinstated to an appropriate standard and that the proposed advisory note be deleted. That was agreed by the Committee.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19 together with the following additional condition thereto:

Delete advisory note and add the following condition:

Add Condition 4

No part of the existing wall shall be demolished until a scheme for the re-instatement of the highway along the full length of the boundary of the site with Chapel Lane has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in full within three months of the erection of the wall hereby granted permission.

Reason: To ensure the highway is reinstated to an appropriate standard in the interests of highway safety.

Application Code No. P/2018/0910 – Erection of 8 No. 15 metre high lighting columns with 16 floodlights (200 Lux LED) to existing all weather pitch at Ysgol Clywedog, Ruthin Road, Wrexham.

The Local Member (Councillor Phil Wynn) indicated his support for the application as, in his opinion, the proposed development would provide a valuable community asset and subject to conditions to control noise and light spillage would not result in any significant disturbance to occupiers of nearby residential properties.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19.

Application Code No. P/2018/0955 - Application for removal of Condition No. 14 of Planning Permission P/2014/0781 to allow the processing in the region of 1,000,000 birds per week at Maelor Foods Ltd, Pickhill Lane, Cross Lanes, Wrexham.

(Member declaration of personal interest in relation to this application is set out in Minute 54 above).

Heather Rowlands (objector) spoke against the application.

Stuart Andrews (representing applicant) spoke in support of the application.

This application was linked to Planning Applications P/2018/0956 and P/0957.

The Local Member (Councillor John Pritchard) drew Members' attention to the planning history of the site and that these applications were identical to the ones which had been refused in October 2018 and were now the subject of an appeal. The conditions had been imposed to protect the amenities of occupiers of nearby properties. He commented upon problems regarding odour control on site and the complaints by residents arising from odour emanating from the current operation. Odour emission had been confirmed by Natural Resources Wales (NRW) and remedial action had still not been completed on site. In his opinion, the proposed intensification of use will significantly increase the risk of further odour and pollution incidents occurring on site. Odour emission from the site will continue to have an adverse impact on residential amenity, the local environment and the local economy,

particularly the tourist industry. Furthermore, the proposal will result in a significant increase in HGV movements to and from the site to the detriment of highway safety at this location. Therefore, he asked that the application be refused.

During consideration of the application several Members were of the opinion that the increase in HGV movements would have a detrimental affect on highway safety and the amenity of the occupiers of nearby properties and recommended that permission be refused. This was agreed by the Committee.

RESOLVED – That permission be REFUSED.

Reason

The proposals would result in a significant increase in HGV movements to the detriment of highway safety and the amenity of the occupiers of nearby properties thus being in conflict with policy GDP1(d) and (f) of the Wrexham Unitary Development Plan.

Application Code No. P/2018/0956 - Application for removal of Condition No. 11 of Planning Permission P/2015/0838 to allow the processing in the region of 1,000,000 birds per week at Maelor Foods Ltd, Pickhill Lane, Cross Lanes, Wrexham.

(Member declaration of personal interest in relation to this application is set out in Minute 54 above).

Heather Rowlands (objector) spoke against the application.
Stuart Andrews (representing applicant) spoke in support of the application.

This application was linked to Planning Applications P/2018/0955 and P/0957.

RESOLVED – That permission be REFUSED.

Reason

The proposals would result in a significant increase in HGV movements to the detriment of highway safety and the amenity of the occupiers of nearby properties thus being in conflict with policy GDP1(d) and (f) of the Wrexham Unitary Plan.

Application Code No. P/2018/0957 - Application for removal of Condition No. 11 of Planning Permission P/2017/0165 to allow the processing in the region of 1,000,000 birds per week at Maelor Foods Ltd, Pickhill Lane, Cross Lanes, Wrexham.

(Member declaration of personal interest in relation to this application is set out in Minute 54 above).

Heather Rowlands (objector) spoke against the application.
Stuart Andrews (representing applicant) spoke in support of the application.

This application was linked to Planning Applications P/2018/0955 and P/0956.

RESOLVED – That permission be REFUSED.

Reason

The proposals would result in a significant increase in HGV movements to the detriment of highway safety and the amenity of the occupiers of nearby properties thus being in conflict with policy GDP1(d) and (f) of the Wrexham Unitary Plan.

Application Code No. P/2018/0982 – Extension to dwelling at 7 Maes Teg, Pen-y-cae, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19.

Application Code No. P/2018/0983 – Conversion of redundant first and second floors of retail unit into 4 self-contained apartments at Private Shop UK, Yorke Street, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19 together with the amended Condition No.2 as contained within the Addendum Report

Application Code No. P/2018/0989 – Application for variation of Condition No. 10 imposed under Appeal Ref APP/H6955/A/13/ 2209711 (Planning Ref P/2012/0830) to allow for deliveries and servicing to take place between 7.00 and 22.00 hrs Monday to Saturday (the proposal seeks to extend the delivery period by 30 minutes in the morning) on Land adjacent to Red Lion Public House, Marford Hill, Marford, Wrexham.

Tom Hallet (representing applicant) spoke in support of the application.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19.

Application Code No. P/2018/1032 – Use of premises for the parking and operation of 1 No. taxi hire vehicle (previously granted under Planning Permission Code No. P/2017/0547) at 53 Coronation Street, Cefn Mawr, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19.

Application Code No. P/2018/1055 – Extension to existing cattery at Ysgubor Ganol, Ty Canol Road, Pen-y-cae, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19.

Application Code No. P/2018/1068 – Erection of garage at Romney, Marford Hill, Marford, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/12/19.

56 WREXHAM TOWN CENTRE CONSERVATION AREA CHARACTER ASSESSMENT AND MANAGEMENT PLAN

The Lead Member for Environment and Planning submitted a report ((HEP/06/190 which enabled consideration to be given to the draft Wrexham Town Centre Conservation Area Character Assessment and Management Plan prior to submission to the Executive Board. Members attention was drawn to the additional information set out in the Addendum report.

RESOLVED – To recommend to the Executive Board that the draft Wrexham Town Centre Conservation Area Character Assessment and Management Plan be approved.

Councillor M G Morris
Chair



REPORT TO:	Planning Committee
REPORT NO.	HEP/13/19
DATE:	4 th March 2019
REPORTING OFFICER:	Head of Environment and Planning
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.

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Community	Code No	Applicant	Recommendation	Pages
CHI	P/2018 /0551	KRONOSPAN LTD MR KEITH BAKER	GRANT	13 – 29
RUA	P/2018 /0577	LEWIS	GRANT	30 – 58
GLY	P/2018 /0832	GARETH MORRIS CONSTRUCTION MR JULIAN MORRIS	GRANT	59 – 72
WRO	P/2018 /0922	MR R CHADWICK	GRANT	73 – 75
LLA	P/2018 /0933	THE ROYAL BRITISH LEGION MR LAURENCE HERRING	GRANT	76 – 93
WRA	P/2018 /0935	MR R THOMAS	GRANT	94 – 99
GRE	P/2018 /0975	MR RICHARD CAREW	REFUSE	100 – 103
CHI	P/2018 /0995	MR T EVANS	GRANT	104 – 106
WRO	P/2018 /1010	AR AND A MORRIS	GRANT	107 – 112
CHI	P/2019 /0002	MR RICK ESHELBY	GRANT	113 – 115
CHI	P/2019 /0016	WREXHAM COUNTY BOROUGH COUNCIL	GRANT	116 - 118

Total Number of Planning Applications Included in Report – 11

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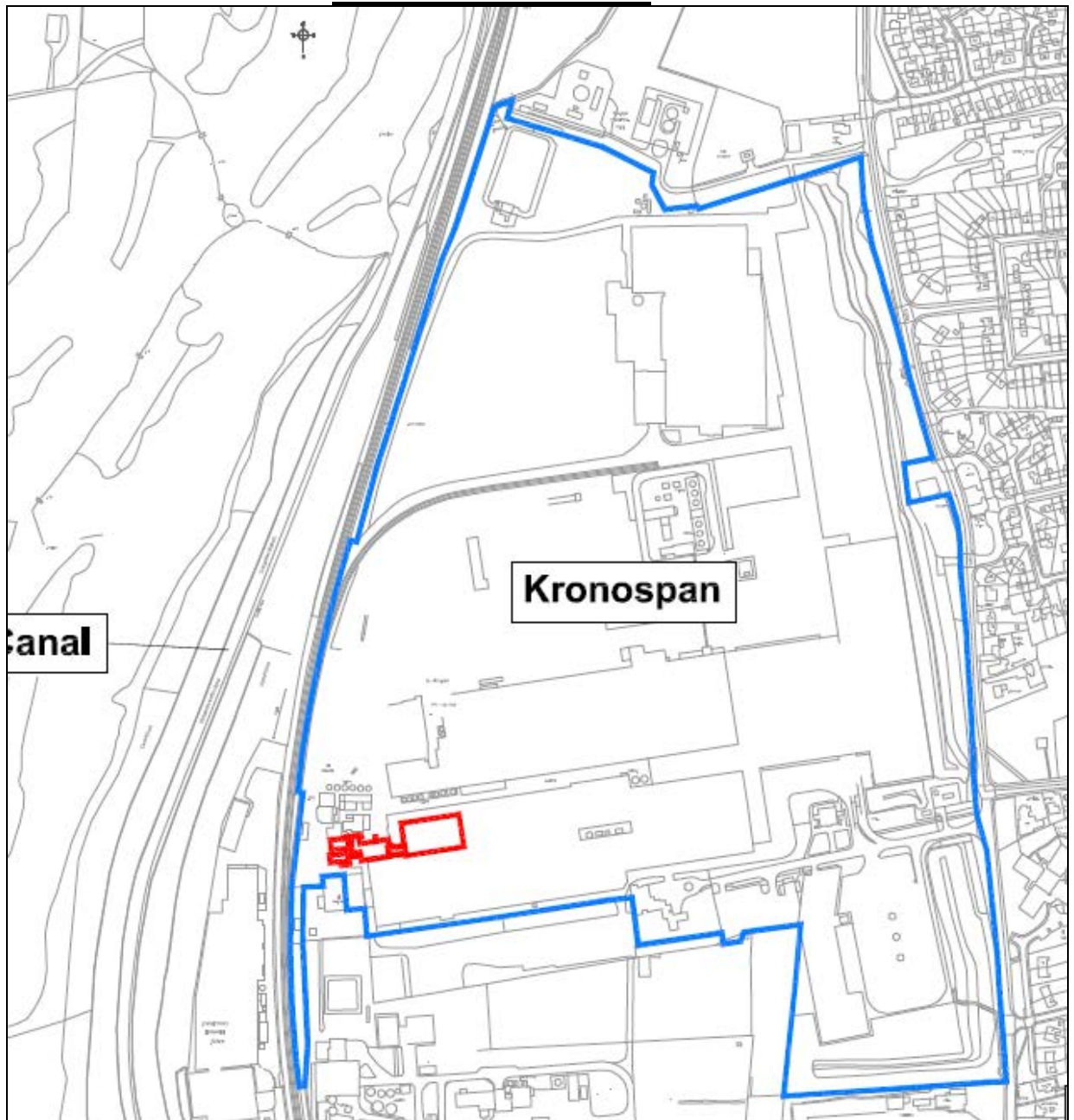
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APPLICATION NO: P/2018 /0551	LOCATION: KRONOSPAN LTD HOLYHEAD ROAD CHIRK WREXHAM LL14 5NT	DATE RECEIVED: 04/07/2018
COMMUNITY: Chirk	DESCRIPTION: PLANNING APPLICATION FOR THE DEVELOPMENT OF AN ORIENTATED STRAND BOARD PRODUCTION FACILITY	CASE OFFICER: KH
WARD: Chirk South	APPLICANT(S) NAME: MR KEITH BAKER KRONOSPAN LTD	AGENT NAME: AXIS MR ANDREW RUSSELL

THE SITE

The location is within the existing Kronospan manufacturing site. The Kronospan site is located on land adjacent to Holyhead Road (B5070) Chirk and covers a total area of approximately 40 hectares.

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PROPOSAL

The proposed development comprises the development of an OSB production facility. The location of the proposed development within the site has been dictated by process requirements relating to the structure. The height of the OSB blending building and press hall extension are required in order for the material to be fed by gravity into the blender and on to the forming and press line.

The proposed development comprises 2 main components:-

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- A new OSB blending building where the material would be mixed with resin and wax, and
- The vertical extension of the existing press hall to accommodate a new OSB forming line, noting that the existing building within the footprint would be reconstructed to facilitate the vertical extension.

A new quadrating material screener and new sifters would be used to screen the flaked chip for fines and to group by size to ensure the correct sized chip would be used for each layer of board, surface layer or core layer. Chain conveyors would be provided to transfer material from the chip screening equipment to the blending station into the forming station.

The proposed vertical extension is 54m in length, 30.6m wide and provides an additional circa 27,264.63 volume to the existing press hall. The existing building has a maximum height of 11.5m with the building rising to 28m.

The proposed OSB blending building would be located to the west of the press hall and would be 34.6m in length, 23m wide and 33.2m in height. It sits amongst buildings and plant of similar or larger structures. The proposed final colour of the development would be conditioned for further approval.

HISTORY (Most Recent)

P/2017/0700	Development of a Raw Board Store. Refused 06.11.2017. Allowed on Appeal 22.05.2018
P/2017/0416	Replacement of existing wood chip preparation facility to include a building to house new wood chip preparation equipment, development of a new wood chip dryer and assorted sifting, grading and transfer system and demolition of existing structures to facilitate the development. Granted 31.07.2017.
P/2016/0534	Proposed extension to store medium density fibreboard. Refused 05.09.2016.
P/2016/0442	MDF wash water pre-heater. Granted 23.01.2017.
P/2016/0336	Extension to house a new melamine facing (MF) press, following the demolition / re-location of the existing MF departments ventilation system, hydraulic oil and diesel storage tanks, a vehicle filling station, garage service building and other associated infrastructure. Allowed on Appeal 04.05.2017.

DEVELOPMENT PLAN

Within settlement for Chirk. Policies PS1, PS2, GDP1, EC5 and EC7 of the Wrexham UDP refer.

Consideration is also required of the following documents:-

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- Planning Policy Wales (Edition 8, January 2016) and TAN 12 Design (2014)
- Pontcysyllte Aqueduct and Canal World Heritage Site, Local Planning Guidance Note 22 (adopted June 2012).

CONSULTATIONS

Community Council:

Members of Chirk Town Council have recently visited Kronospan. It was a very dangerous site and only having one access is one of the root causes. It seems madness that the operation of this size the number of HGV movements alone must require at least one additional road access point. The present arrangement is not adequate and increasing HGVs by 33% if this application is approved is clearly irresponsible. The B5070 from where all vehicles access the site is a school route and safety and higher concentrations of noise are putting residents at greater risks. The Community Council have seen what happens when the weighbridge malfunctions – queueing HGVs on the B5070 where road users take huge risks in efforts to pass. There is an immediate need for an additional road access to the Kronospan site. Additional houses in the area would add to traffic congestion.

Councillors make a strong appeal for independent monitors of levels of pollution and real time readings should be accessible by any resident via phone app or electronic display. The Community Council and residents have a miss-trust in the current arrangements.

Noise levels are also of great concern and adding a new production line will make matters worse. Sleep is already disturbed as Kronospan operates 24 hours. The Community Council recommends REFUSAL.

Local Member:

Makes the following comments:-

- Increase in the cumulative noise and already a daily / nightly basis causing a public nuisance that Public Protection and the permit cannot control.
- About 200 extra lorries a day – a third extra on top of what is already going on to the site. Roads are getting blocked and vehicles diverted to Gledrid Lorry Park until there is room in the factory. The condition of the road is deteriorating and costing the Council significant expenditure

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- Water table issues – Concerned that with the number of bore holes on the site will it impact on water pressure.
- Formaldehyde Levels – Who is going to monitor this, with no monitoring equipment in the village at present and relying on Kronospan to monitor. One was set up near the school but no results were made public.
- A planning condition is required to have independent monitoring of formaldehyde and all other chemicals in the atmosphere in Chirk. Suggests The Infants' School, Rhos-y-Waun opposite the Co-op, Lodgevale Park, Chapel Lane.
- Does application mean an increase in dust levels which are out of control at the moment?
- The application came before Chirk Town Council in about 1995 but did not proceed any further for whatever reason.

Public Protection:

The proposed development is subject to a Part A(i) substantial variation with Natural Resources Wales. The varied Permit will contain conditions to control emissions to air, land and water.

The NVC Noise Report demonstrates that the development will not result in any increase of noise at noise sensitive receptors subject to the implementation of Best Available Techniques (BAT) to control noise.

Highways:

The existing access on to the B5070 will continue to be utilised with visibility splays concurrent with Welsh Government recommended standards of 2.4m x 43m. Total increase is HGV movements to the site equates to approximately 24% over a 24 hours period and a similar 24% over the 7.00 am to 7.00 pm period.

Whilst the Transport Assessment has assessed the operational junction capacity at the Kronospan site access, it concludes there is no problem in theory with minimal associated impacts on queueing. However, there is clear photographic evidence of HGVs queueing at the site access and HGVs parked up on the pavements along the B5070 waiting to access the site. Whilst the theory indicates the junction is acceptable in practice there can be queueing at the access. The addition of a further 182 HGVs in 24 hours period is likely to exacerbate existing traffic issues at the site access.

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However Highways have subsequently indicated that the introduction of a further weighbridge would improve the situation and together with the site management scheme would significantly reduce the instances of queuing on the public highway.

Welsh Government (Department for Economy and Infrastructure): The Welsh Government as Highway Authority for the A5 Trunk Road does not issue a direction in respect of this application. Note to applicant required – Any further development of the site will require a Transport Statement and Capacity Assessment of the A5 / B5070 Whitehurst and the A5 / A483 Halton roundabouts.

Natural Resources Wales: No objection.

Air Quality Assessment – NRW note the Air Quality Assessment for OSB (March 2018). Part 11.3.5 states correctly that the screening distance for road traffic assessment is 200m and Chirk Castle SSSI is further away and does not need to be assessed. It does however, assess the cumulative impact on the River Dee SSSI. Part 11.3.4 indicates that the greatest contribution from road traffic on the River Dee SSSI is 0.5%. In part 11.3.5 the highest contribution from the operation is 20.2%, so the combined total is below 1% of the NO_x critical level. Part 11.3.3 indicates that the total NO_x is below 70% of the critical level so the combined total of NO_x is not likely to be significant on the designated features of the SSSIs. All that is for mean NO_x for road traffic.

With regards daily mean NO_x part 11.4.4 indicates that the road traffic and the process contributions from the development are below 10% of the daily critical level for NO_x. This is not going to be significant.

Above comments are without prejudice to the permit application and NRW reserve the right to alter their opinions if new information becomes available.

Notes to applicant regarding contamination, pollution and prevention.

Canal and River Trust in Wales: The proposed building would be sited within the main cluster of buildings at Kronospan. With no increase in height over and above the existing development. Based upon the provided viewpoints, the installation would not be visible from the Llangollen canal and as such would have a minimal impact on the canal corridor. Based on the information available no further comments to make.

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- CPAT: Whilst the proposed development will have no direct impact on any recorded archaeology, the new structure may have a visual impact on the buffer zone of the Pontcysyllte Aqueduct and Canal World Heritage Site and the nearby Pontcysyllte Aqueduct and Canal Scheduled Monument (SM De 175). CADW are the primary consultee in this case and must be consulted with the regard to any setting impacts that have been identified.
- CADW: No objections to the impact on the proposed development on the Scheduled Monument, World Heritage Site and Registered Historic Parks and Gardens listed in their assessment. Consideration is required of National Policy in Planning Policy Wales and relevant TANS. Chapter 6 – The Historic Environment, TAN 24 The Historic Environment.
- Assessment: Scheduled Monument and World Heritage Site. The application area is in clear proximity to the Scheduled Monument – Pontcysyllte Aqueduct and Canal. However, in the immediate vicinity the canal passes through a tunnel and deep embankment which means most views are blocked. If the proposal will be visible it will be seen as part of the existing complex and plumes of steam viewed as part of the existing processes. Impact will be slight. The proposal is within the buffer zone of the World Heritage Site. The proposed building will be erected within the Kronospan site which existed when the WHS was in incorporated. Whilst it will provide additional large buildings they will not greatly increase the visual impact of the complex. The proposed development will only have a slight, but not significant, impact on the Outstanding Universal Value of the World Heritage Site.
- Registered Park and Garden – Chirk Castle: Buildings have the potential to be visible from the Garden's eastern slopes as it overlooks the factory complex. Although setting includes the open views beyond the boundary of the park, the proposal will not interrupt significant designed views to the east and north east. Where visible the structures would be seen in combination with other pre-existing elements of the factory. As this already acts to compromise the wider setting of the park any cumulative effect of the proposal on setting are unlikely to have any more than an additional minor adverse impact, which would not be considered significant.

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- National Trust: Object to the proposed scheme on cumulative landscape harm. National Trust would welcome further discussions on the implementation of the Landscape Strategy together with partner organisations in the World Heritage Site and AONB.
- AONB: Whilst it will be seen from higher ground it will be seen in the context of the larger Kronospan Complex. Colour of the cladding is important.
- Neighbours: 29 letters of objection on the following ground:-
- Noise is excessive and this application will exacerbate noise levels day and nights with additional vehicle movements
 - Additional air-borne dust
 - Smell of wood-chip
 - No monitoring of formaldehyde or acrid chemicals and should be monitored at the Infant School, Chapel Lane corner and Lodgevale Park opposite the Co-op
 - Cumulative impact of the development
 - Emissions to air will increase including NOx and formaldehyde emissions
 - Containerised engine to be brought on site in the event gas engines not available. Vent via stack will result in further discharges into the atmosphere
 - Kronospan will need to submit to NRW a proposed programme of monitoring
 - Health and Safety issues generally
 - Increased manufacture of formaldehyde
 - Additional vehicle movements and indiscriminate parking at access on the main road
 - Site not suitable for additional development
 - Impact on heritage assets
 - Scale of the buildings
 - Fires on site which causes concern and the possibility of a major incident
 - Concern regarding the use of resin
 - Increased use of the formalin plant
 - Application is not to improve the environmental impact but increasing the industrial footprint
 - Movements of HGV'S would increase on the main road through the village and whilst railsidings would reduce traffic a large number of HGV'S
 - Would still use the road through Chirk.
 - Difficult to get out of the drive at certain times of the day
 - Noise, dust and diesel fumes are a problem

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- Last 12 months very noisy with upgrading and demolition of buildings. Whilst this has ceased, further increases in production brings with it further concerns.
- Concerned that additional new residential development in the area would result in a further increase in vehicle movements.

SPECIAL CONSIDERATIONS / ISSUES

The Site and its Context: The proposed development comprises the vertical extension of the existing press hall building and provision of a new OSB (Oriented Strand Board) blending building. The location is within the existing Kronospan manufacturing site. The Kronospan site is located on land adjacent to Holyhead Road (B5070) Chirk and covers a total area of approximately 40 hectares.

The vertical extension would be located within the footprint of the existing press hall, in the south western corner of the site and would include the reconstruction of the existing building within the footprint of the development to facilitate the vertical extension. The OSB building would be located to the west of the existing press hall building and would be connected to it by a conveyor.

A number of industrial process facilities are located in the west portion of the site and these facilities are used to process, sort and dry the raw wood materials used in the manufacture of MDF / particle board and include a number of tall structures including stacks that emit clean process emissions to the atmosphere. The tallest structure is the combined heat and power biomass plant stack 70m in height.

A number of process buildings are also located in the northern half of the site including a saw mill, formalin plant and the secondary facility Kronoplus which produces laminate flooring and worktops.

The western boundary of the Kronospan site is formed by the Shrewsbury to Chester Railway. Improved railway sidings have been constructed within the site to enable and increased volume of timber to be brought to the site.

The eastern boundary of the site is formed by Holyhead Road (B5070). The main residential area of Chirk is located to the east of the site with properties lining the majority of the eastern side of the Road. Chirk Town Centre is located to the south east.

Highways: The site has an existing access on to the B5070 Holyhead Road a classified highway subject to a 30 mph speed limit. Visibility at the existing access is concurrent with Welsh Government recommended standard of 2.4m x 43m in both directions.

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The transport assessment submitted with the application has assessed current traffic generation at the existing site. This demonstrates that there are currently 752 HGV movements out of the site over each 24 hour period, 556 of these movements occur between 7.00 am and 7.00 pm an average of 47 movements per hour or 1 HGV every 47 seconds.

The total anticipated increase in HGV movements at the site equates to approximately 24% over a 24 hour period and a similar 24% increase over the 7.00 am to 7.00 pm period.

The Transport Assessment has assessed the operational junction capacity at the Kronospan site access. It concludes there is no problem in theory with minimal associated impacts on queueing. In principle, Highways are satisfied with visibility in both directions and no concerns raised in capacity on the adjoining highways. Similarly the Welsh Government (Department for Economy and Infrastructure) has raised no directive in relation to the impact on the trunk road.

On the basis of Highway concerns relating to photographs of HGVs on occasion queueing at the site access and parked along the highway waiting to access the site, the issue has been raised with the applicant who has accepted there have been occasions where queueing has occurred.

The concerns raised by Highways are site management issues and not directly related to the suitability of the access or adjoining highway. This has primarily been due to problems with the weighbridge and in order to eradicate this Kronospan have submitted a Site Transportation Management Plan. The Plan identifies an overspill area within the site for HGVs to enter and wait within the site to eliminate occasional queueing on the highway. In addition further measures are proposed to control the movements of vehicles to the factory at source. More significantly the applicants have accepted the need for a further weighbridge which would alleviate the pressure on the existing. Highways have indicated that they are satisfied the additional weighbridge in addition to the measures proposed in the site management plan will address concerns in relation to queuing on the adjoining highway. This will form a condition of any permission granted.

Highways have also raised concerns regarding restrictions on the Chester to Shrewsbury rail line and bringing logs by rail. Kronospan have provided additional information to clarify the situation and it is Kronospan's intention to import wood required for the OSB production by rail as this assists with production efficiency and this remains their position. This therefore continues to be their position and the central scenario on which the Transport Assessment is based.

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In 2017 the Government confirmed the wish to accelerate the shift from road to rail and improve the capacity and capability of the rail network for freight and this has been reconfirmed this month as the preferred strategy. On this basis the current agreement with Transport for Wales, Kronospan are developing their business to increase greater importation by rail.

The uplift in volume by rail into Kronospan is clearly achievable within the construction phase of the OSB line and takes into consideration the on-going restrictions on the local rail network.

Environmental Effects of the Proposed Development

Noise: A detailed noise assessment is provided with the application. The assessment has been undertaken in accordance with appropriate standards and guidance and the approach agreed with the Wrexham County Borough Council Environmental Health Officer with regards to the assessment of noise impacts from previous development at this site.

The assessment was undertaken to inform and guide the design of the development such that any likely impact on existing dwellings is minimised. Existing background noise monitoring data has been used along with contemporary site specific monitoring to determine the baseline noise conditions at nearby residential receptors.

Observations at the nearest residential receptors indicate that noise from local and distant road traffic and noise from the existing industrial activities form the general noise climate at the nearest receptors.

The proposed development would sit alongside an existing particle board press hall and would generate similar reverberant sound pressure levels within the building to the existing operations. Predicted contributory noise levels from the proposed development are between 25 dB and 37 dB LAeq during daytime and and night time periods at the nearest sensitive receptors.

The background sound levels at night time (i.e. lowest likely) for comparison vary between 40 dB and 60 dB LA90 with residential LAeq levels typically between 43 dB and 60 dB. As such it can be concluded that the proposed development would not result in any increase in existing residual sound levels.

The cumulative effect has also been considered and takes into consideration development undertaken at the site since 2011 which comprises:-

- Development granted planning permission and developed
- Development successfully appealed and will be developed
- Development that has been submitted but not yet permitted (at the time of completing the noise assessment in April 2018)

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Results indicate that the cumulative effect of all new plant consented since 2011 is at least 10 dB below the baseline residual noise and would therefore not cause any increase in residual levels. The cumulative noise level from consented development is also at least 7 dB below base-ground sound levels.

Air Quality: A detailed Air Quality Assessment accompanies the application. The potential environmental effects of the air emissions from the Proposed

Development (in terms of both process and traffic emissions) on human health and ecological receptors have been assessed using detailed dispersion modelling. The results of the modelling have been assessed against relevant air quality objectives and guidance identified from national legislation and National Resources Wales (NRW) / Environment Agency (EA) Guidance Documents.

A range of scenarios have been modelled and reported within Appendix E of the submitted information. Furthermore a series of conservative assumptions have been used in the modelling, the significance of impact associated with the cumulative impact with the consented development.

Public Protection considers the findings of the Air Quality Assessment acceptable.

An assessment of the impacts on ecological receptors in the surrounding landscape has also been undertaken. The assessment has considered designated sites up to 10 km from the proposed development. The assessment has concluded that all identified ecological receptors the emissions from the proposed development are not considered to result in significant effects.

Cultural Heritage Appraisal: A comprehensive Heritage Appraisal accompanies the application identifying assets with the potential to be affected by the proposed development which includes the Pontcysyllte Aqueduct and Canal World Heritage Site and Buffer zone, Scheduled Monuments and Listed Buildings, Chirk Castle and the Historic Park and Listed Buildings, Brinkinallt (Historic Park and Listed Buildings) Whitehurst (Historic Gardens and Listed Buildings) Chirk Conservation Area, Scheduled Monument and Listed Buildings, Offa's Dyke and Historic A5 Monuments.

The report concludes that the construction and operation of the proposed OSB facility would have no impact on the heritage significance of the Local Cultural heritage resource. The statutory consultees have generally concurred with the assessment with no objections from the Canal and River Trust Wales, CPAT, CADW and the Joint Committee following consultation with the AONB Partnership Landscape and Built Environment Working Group.

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The National Trust has objected to the proposal on the grounds of the cumulative impact. However, with the approval of the Landscape Strategy the proposed additional planting will hopefully reduce the impact of the complex from key viewpoints.

Site Management Plan: Kronospan have recently submitted a Site Traffic Management Plan which was developed in 2017 to overcome periodic issues with queues of HGVs turning right into the site. It provides structure to the organisation of incoming vehicles during the Vision 2020 construction, when it was recognised that the works being undertaken and the site were resulting in issues in vehicle logistic challenges within the site. The issues identified included occasional queuing on the B5070, stemming from a number of reasons including:-

- The re-routing of on-site traffic to avoid designated construction areas and construction storage areas
- Relocation of log-yard reception and
- Increased deliveries of brought-in-board and space limitations whilst the Chirk site is restructured

Under normal operating conditions traffic flow is self-managing and well within capacity. This is a function of a well-managed material ordering system, efficient on-site management of traffic (post weighbridge) and provision of a substantial and well organised vehicle holding area within (prior to passing the weighbridge).

As described within the Transport Assessment for the OSB facility the factory has historically operated with HGV levels higher than that predicted once the OSB facility is developed. The efficient HGV logistics system employed at the site during normal operations ensured HGVs did not queue on the B5070. As such on completion of Vision 2020 restructuring works it is anticipated that any HGV management issues will subside even after taking into account the additional vehicle flows associated with the OSB facility.

Nonetheless it is proposed that the mechanisms that have been employed by Kronospan during the recent period of temporary site disruption are integrated into the site operational management system to ensure that any future congestion issues are adequately managed.

On this basis it is proposed that this Kronospan HGV Operational Management Plan becomes a formal operational procedure for the site.

Facilities: There are a number of locations across the site which are used for the temporary holding of incoming HGVs prior to loading or unloading products. These areas are illustrated on Drawing Number 7000/578

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- Lorry Park at entrance with 83 spaces
- 3 marked entrance lanes prior to weighbridge with 18 HGV capacity, segregating vehicles by category
- Log yard – 35 spaces for incoming Timber deliveries
- Product collection – 22 spaces on front and back loading areas plus 5 at Kronoplus
- Standing Trailer Park can be extended to include further 20 spaces

In total this enables 183 HGVs to be held on site, accounting for over a third of the total anticipated daily In-Bound HGVs.

An HGV Marshal is assigned as required to direct incoming HGVs to the relevant holding area. This has been the principal method employed to avoid queueing on the B5070 and has been deemed to be very successful with no traffic queueing complaints received since its implementation.

Part of the HGV Marshal's role is to ensure the above areas remain available. The HGV Marshal reports any transgressions to the Logistics Manager to ensure that sufficient space is made available to manage anticipated vehicle numbers to the site each day.

Monitoring: To ensure that sufficient HGV parking is available a number of Monitoring and Management methods are employed to ensure that:-

- i) Sufficient space is made available for vehicles and
 - ii) That deliveries are planned
- Sales to ensure a realistic loading list is planned for the following day
 - Timber buying to ensure the phasing of deliveries is planned to avoid potential site congestion
 - Weighbridge Operator to monitor flow of HGVs in and out of the site and alert Despatch and Log Yard of any build up to allow contingency plans to be put in place, such as delay of vehicle dispatch from supply companies
 - Logyard Marshals to direct and monitor progress of Timber Delivery vehicles and alert Logyard Manager of any build up to allow contingency plans to be put in place e.g. direction of vehicles to the additional contingency holding areas (listed above)

Actions to be Taken: During periods of high demand or when a traffic build up has been identified (e.g. less than 5 spaces become available in Lorry Park) a nominated Marshal or Marshals are deployed at strategic points on site to control phased movement of vehicles (Lorry Park at Entrance, Front and Back Loading area, other areas as necessary)

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- Advise transport suppliers of the best 'off-peak' times to arrive on site for fast turn around
- Ensure both weighbridges are manned at peak times with 1 In Bridge Operator and 1 Out Bridge Operator to ensure prompt processing
- Keep spare load cells (for weighbridge) as a stock item so that the Maintenance Contractor has the ability to quickly restore weighbridge operation for most faults
- Hire temporary weighbridge for placement on Lorry Park if identified fault is not resolvable
- Stack incoming Timber delivery vehicles alongside rail sidings to alleviate potential issues with product collection vehicles
- In the event that there is an identified cause for potential vehicle congestion e.g. extended weighbridge breakdown or temporary closure at contingency vehicle stocking area, then the Despatch and Goods Inward would liaise with suppliers to allocate specific time slots for collections and deliveries such as eventually is deemed very unlikely following implementation of the other contingency methods outlined above.

Conclusion: The Council's Public Protection team have assessed the potential environmental impacts on the environment in terms of noise, dust, with NRW commenting on the Air Quality Assessment for OSB in terms of the River Dee SSSI with NOx not likely to be significant. The impact on the Cultural Heritage Assets have been fully assessed and I do not consider that the impact will be to the detriment of assets generally although I am aware that The National Trust has raised concerns regarding the cumulative impact of the development. The approved Landscape Strategy should in future years help minimise the impact.

The development forms part of an on-going development programme to ensure the long-term viability of the manufacturing facility and deliver environmental improvements. The Company is seeking to modernise and enhance the site. Plans seek to modernise and enhance the site and enable the Company to reduce its environmental impact, improve operational efficiency and offer new business and revenue streams

Highways have however, raised concerns regarding the increase in vehicle movements and increased number of vehicles waiting to enter the site which will increase highway danger on Holyhead Road. The concerns raised by Highways are site management issues and have been raised with the applicant and the submission of a Site Transportation Management Plan will help eliminate any occasional queueing on the adjacent highway.

Kronospan have provided additional information to help alleviate concerns to prevent vehicles queueing on the Holyhead Road. A traffic management plan is in place to deal with a flood of lorries arriving at the site together and the potential opening of both weighbridges for incoming traffic. Under normal circumstances there is a need to have an incoming and outgoing weighbridge

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as vehicles have to be weighed in and weighed out of the facility. During normal operations there is no requirement for two weighbridges to accommodate the flow of incoming lorries. When there is a risk of a build-up of incoming vehicles then the Traffic Management Plan allows for both

weighbridges to accept incoming vehicles as a priority. The Management Plan will continue to be monitored to ensure the effectiveness of the implementation of the Traffic Management Plan.

To refuse the application on highway grounds would be difficult to sustain. The continued use of the rail sidings will continue to be the central scenario on which the Transport Assessment is based.

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. 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.
3. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday and 8.00 to 14.00 on a Saturday and at no time on a Sunday or a Bank Holiday.
4. Notwithstanding the approved plans details of the colour of the proposed cladding shall be submitted to and approved in writing by the Local Planning Authority. Works shall only be carried out strictly in accordance with the details as approved and retained thereafter unless otherwise agreed in writing with the Local Planning Authority.
5. The proposed works shall be carried out in accordance with the Noise Impact Assessment (dated 12th June 2018) including the noise mitigation measures.
6. The Site Traffic Management Document shall be implemented in accordance with the details and procedures at all times.
7. Prior to first use of the development hereby approved details of a new weighbridge, to provide a minimum of 3 on site, at the vehicular access to the site from Holyhead Road, shall be submitted to and approved in writing by the Local Planning Authority. The new weighbridge shall be implemented in strict accordance with the details as are approved prior to first use of the development and thereafter permanently retained.

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REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
3. In the interests of nearby residential amenity.
4. In the interests of the general visual amenities of the area.
5. In the interests of nearby residential amenity.
6. To ensure HGVs do not have to queue on the adjoining highway.
7. To accommodate the additional volume of traffic.

NOTE(S) TO APPLICANT

See advice from Natural Resources Wales and Wales and West Utilities and attached to this decision notice.

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APPLICATION NO:
P/2018 /0577

LOCATION:
CINDERS FARM CINDERS RUABON
WREXHAM
LL14 6HN

DATE RECEIVED:
12/07/2018

COMMUNITY:
Ruabon

DESCRIPTION:
ERECTION OF FOUR
AGRICULTURAL BUILDINGS FOR
REARING LIVESTOCK (POULTRY),
ANCILLARY BUILDINGS AND PLANT,
ASSOCIATED INFRASTRUCTURE,
LANDSCAPING AND ACCESS
ARRANGEMENTS

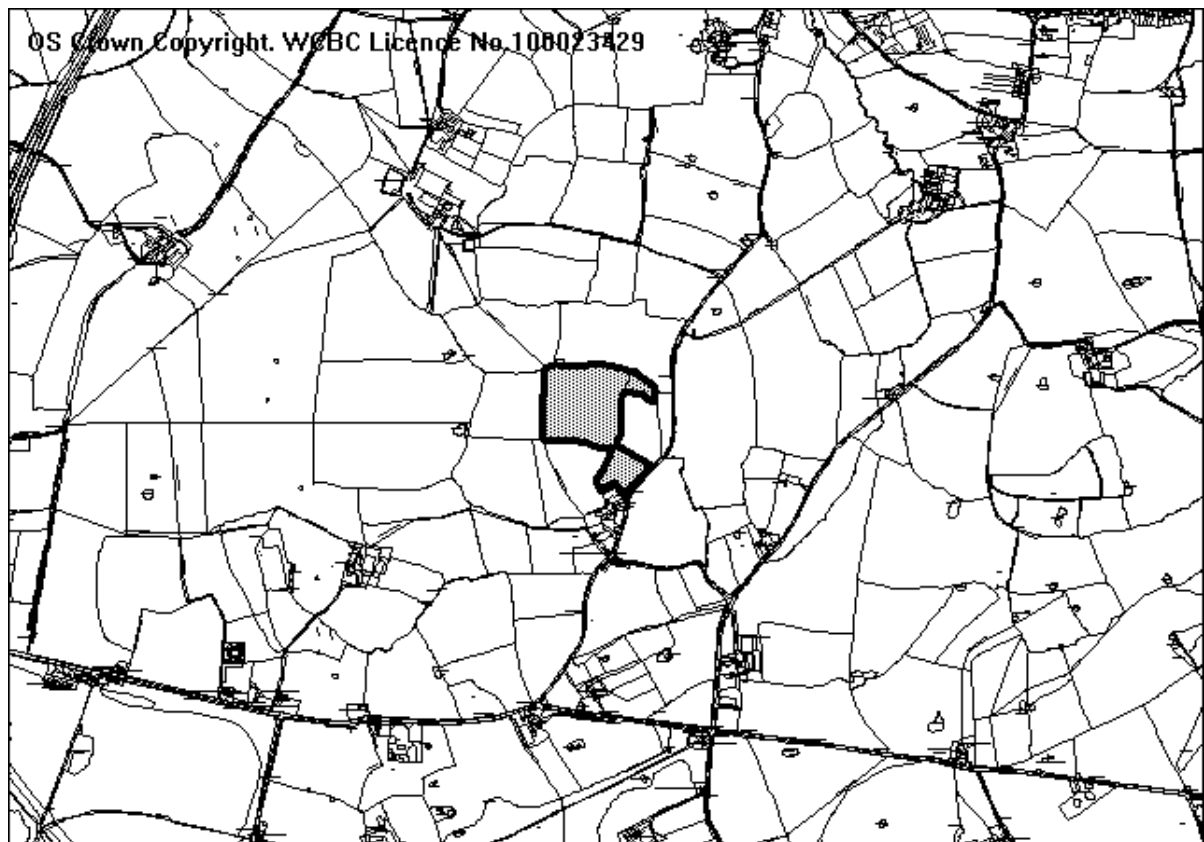
CASE OFFICER:
PF

WARD:
Ruabon

AGENT NAME:
INDIGO PLANNING
LIMITED
MR GUY MAXFIELD

APPLICANT(S) NAME:
LEWIS

THE SITE



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PROPOSAL

The proposed development is a poultry rearing complex and will be for the rearing of broiler chickens for poultry meat for retail and wholesale and restaurant trade. The proposed development is comprised of the following elements:

- 4 poultry (livestock) buildings each measuring 110.2m long x 24.7m wide, 2.5m high to the eaves and 6m high to the ridge;
- 8 feed bins which will have a diameter of 3.4m and be 8.6m high;
- Biomass building measuring 35m long x 24.9m wide, 7m high to the eaves and 10.6m high to the ridge,
- Gatehouse,
- Water tank,
- Ancillary generator, ancillary power distribution building and substation,
- Hardstanding, access track and new site access, and
- Two surface water attenuation ponds.

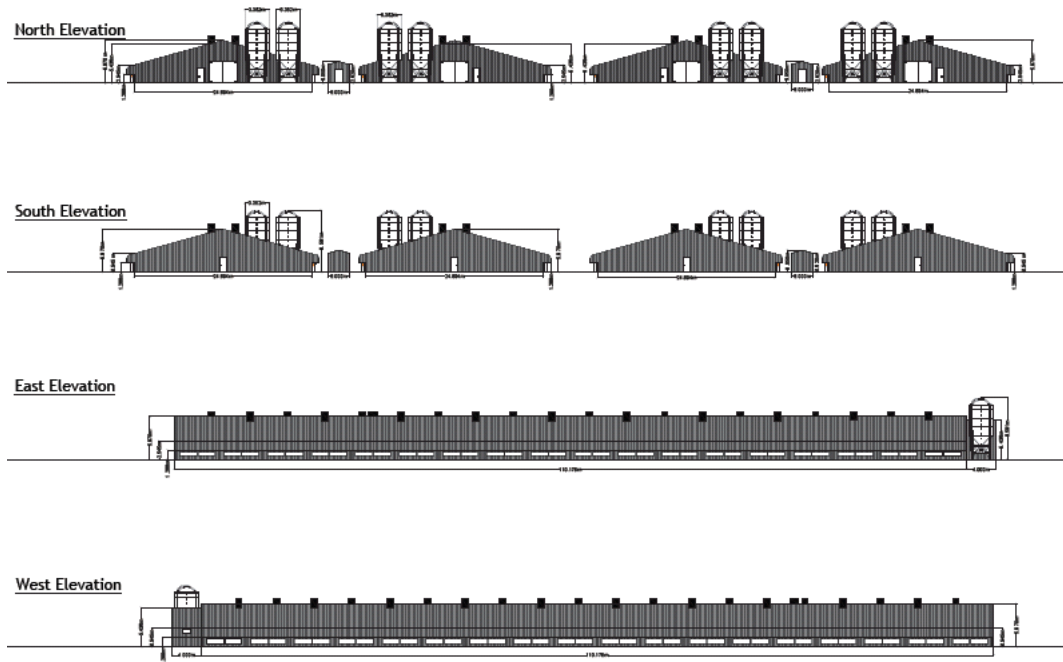
The proposed site layout plan and elevations are included below.

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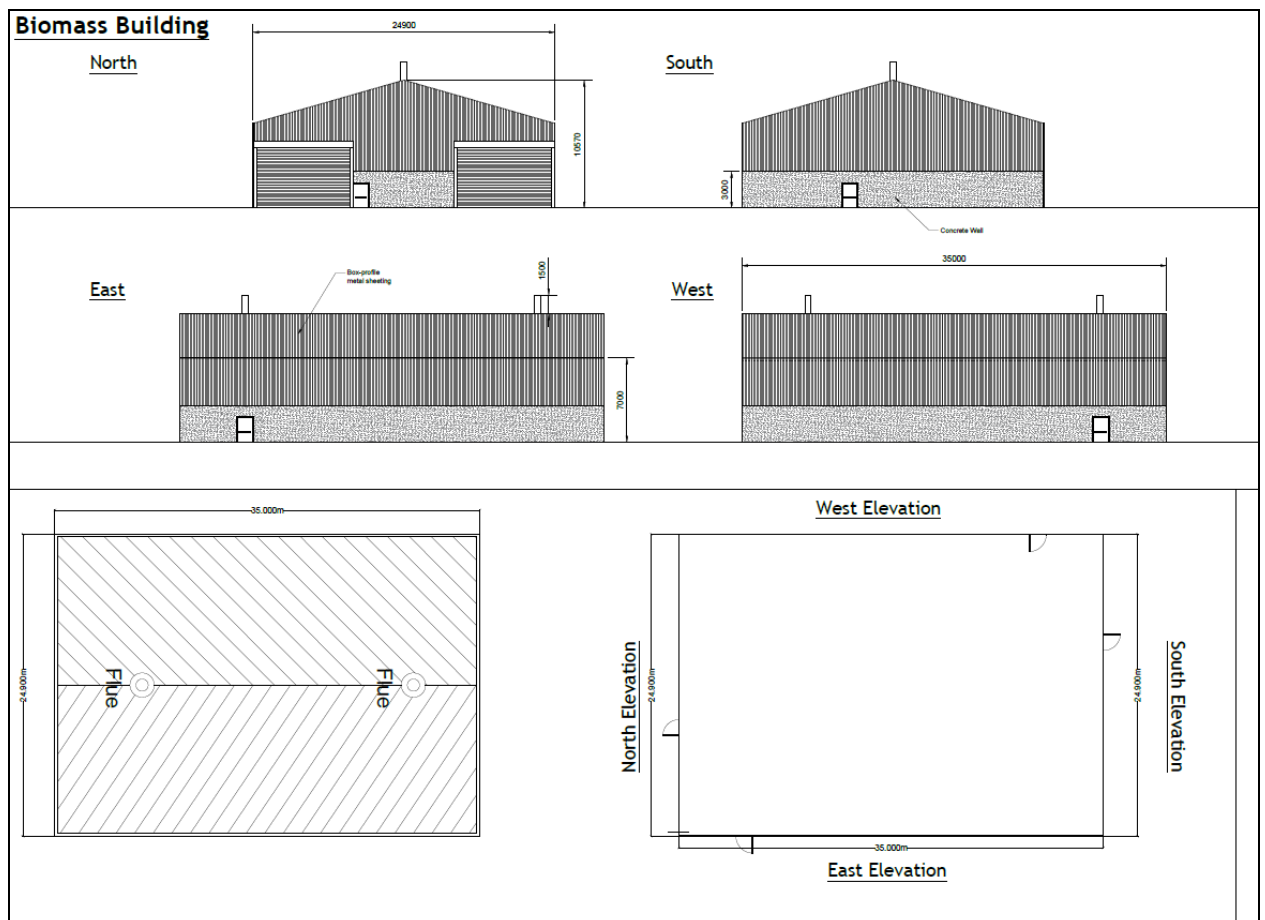


Site layout

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Poultry unit elevations



Biomass floor plans and elevations

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HISTORY

None.

PLANNING POLICY

The site is located outside any defined settlement limit with the Wrexham Unitary Development Plan. Policies PS2, GDP1, EC3, EC4, EC6, EC13 and T8 are relevant. Guidance is also contained in Local Planning Guidance Notes 16 – Parking Standards and 17 – Trees and Development.

Relevant national planning policy and guidance can be found in Planning Policy Wales (Edition 10) and accompanying Technical Advice Note 5 – Nature Conservation and Planning, 6 – Planning for Sustainable Rural Communities, 12 – Design and 18 - Transport.

CONSULTATIONS

Community Council:

Objects for the following reasons:

- The local highway network is not designed for such volumes of traffic. The lane is very narrow and is already eroding;
- The council see a problem when the road is being maintained and lorries will have to find an alternative route;
- The amount and type of traffic will have a detrimental impact upon the area;
- Stranded HGVs will be a common occurrence;
- The proposal will cause detriment to ramblers, horse riders and runners;
- It is said that the wider Ruabon area will benefit from the development but only 2 jobs will be created.
- The telecoms in the area are old and unreliable and will disrupt important services in the locality;
- The application is misleading as it refers to 4 crop cycles but this was not fully explained;
- The spreading of chicken waste has been linked to botulism; and
- Some vehicles may access the A539 to get a 'run up' vicarage Hill as existing HGVs do now.

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Adj.Community Councils:	Erbistock & Eyton – Objects on the following grounds: • There is inadequate road access for large lorries on a daily basis to Cinders Farm via Gyfelia. Lorries are likely to use the B5426 instead of the A483/A539 as there is no slip road on the A483; • The proposal will result in a large amount of unprocessed chicken waste which may affect properties in the community. The levels of manure spreading seem higher than would normally be allowed.
	Marchwiel notified 13.07.2018
Local Member:	Notified 13.07.2018
Adj. Local Members:	Cllrs J. Lowe and J. Pritchard notified 13.07.2018
Site notices:	Three notices posted. Expired 13.08.2018
Press notice:	Expired 18.08.2018
Public Protection:	The development will require a Part A (1) permit from NRW. This permit will include conditions to control both odour and noise. Standard conditions should be imposed through the planning process to protect local amenity with regards noise and hours of working.
Highways:	No objection subject to the provision of the mitigation measures proposed in the application submission and the addition of further mitigation measures for: - Vehicle Activated Signs; - Provision of additional car length passing place.
WCBC Lead Local Flood Authority Officer (LLFA):	Satisfied that the FCA and Drainage Strategy within Environmental Statement has demonstrated that a suitably sustainable development can be achieved when considering flood risk. A condition requiring comprehensive and integrated drainage of the site should be imposed.
WCBC Parks & Rights Of Way:	The proposed ground modelling to the west of the sheds runs fairly close to Ruabon footpath 91. If planning permission is granted, no works should be carried that affect footpath 91 either temporarily or

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NRW: permanently, without consulting with the Rights of Way section first.
No objection subject to planning conditions:

Protected species

- The proposal is unlikely to have a detrimental impact upon the favourable conservation status of Great Crested Newts (GCN), however a detailed Reasonable Avoidance Measures Scheme (RAMS) should be provided.
- Other species protected by European and domestic legislation are not considered to at risk of harm.
- An Biosecurity Risk Assessment and Ecological Compliance audit should be provided.

Drainage

- NRW are generally satisfied with the drainage plan submitted with the ES.

Manure

- NRW are satisfied with the Manure Management and Contingency Plan provided within the submission.

Flood Risk

- The contents of the FCA are generally commensurate to the scale and nature of the development proposals. We are generally supportive of the proposed flood risk mitigation measures set out in the FCA.
- The surface water runoff element of the FCA has not been reviewed. An assessment should be carried out by the LLFA officer (see above).

Air Quality

- The proposed development has been modelled in relation to nearby protected sites (SSSIs and SACs). The assessments conclude that there will be no adverse impact upon these sites.

Welsh Water:

No objections.

- WW wishes to make the applicant aware that the site falls within the DCWW Drinking Water Catchment known as 'Chester Poulton River Dee' protected under Article 7 of the Water Framework Directive. The view expressed is based on the information provided within the Environmental Statement.

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- The applicant intends to utilise an alternative drainage system to the mains. The applicant should seek advice from NRW/Local Building Regulations regarding this element.
- Cadw (Parks & Gardens): No objection. The Historic Environment and Archaeological sections of the ES have been assessed.
- Seven scheduled monuments and four registered historic parks and gardens fall within a 3km buffer of the site. only DE154 Wat's Dyke: Section extending from Black Brook Bridge to Pentre-Clawdd and DE155 Wat's Dyke: Section extending from Pentre-Clawdd to Wynnstay Park fall within a visual envelope of the proposal.
 - Further it is concluded that the proposal does not fall within any significant views in relation to either scheduled monument and that damage caused to the settings of the scheduled monuments by the proposal will be very slight.
 - Cadw concurs with these conclusions.
- CPAT: The area has been adequately surveyed. Whilst interference was encountered, historic mapping and recent aerial imagery has not revealed any significant archaeology. There are no further archaeological requirements at this site.
- Ramblers: This is near footpaths Ruabon 91 and Ruabon 95 which should not be diverted or blocked by the development, nor during its construction.
- Neighbouring occupiers: 33 neighbouring occupiers notified. 65 objections received summarised as follows:

Landscape

- The site is in an area of unspoilt fields with beautiful views;
- There is a lack of proposed planting to the rear of the sheds which leaves this part of the site open;
- The proposed landscape planting will take time to establish and being deciduous the buildings will be visible in winter;

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- Allowing such a use would discourage existing residents or prospective purchasers from investing in the Wynnstay estate to live and will ultimately devalue property on the estate;
- The proposal will have a detrimental impact upon the setting of Wynnstay historic park and garden and Park Eyton Lodge – Planning Policy Wales affords protection for historic assets;
- The landscape visual impact will change from a rural setting to an industrial setting;
- The scale and form of the development will be alien to the prevailing character of the area;
- The site has long range visibility when viewed from most directions and will be detrimental;
- The visual impacts outweigh the perceived employment benefits and there is no justification that the development could not be located in a less sensitive location;
- The spreading of manure in the registered park and garden has not been properly assessed in regard to the impact upon its character;
- The proposal will have a negative impact upon the Pontcysyllte World Heritage Site;
- The economic benefits of the development do not outweigh the harm to the landscape;

Ecology

- The area is important for wildlife. Whilst studies were carried out, nobody has visited local residents to find out what wildlife is in the area;
- Unmentioned species in the report are known to frequent the area including the application site;
- The site is located in close proximity to known great crested newt populations;
- Monitoring of the site should be carried out by the local authority and the applicant;

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- The deposition of waste material from the development may detrimentally affect soil and water conditions;
- Flooding events will cause chicken manure to flow into nearby streams;
- The manure spreading will have an impact upon the setting of the registered park and garden;

Highways

- There would be an adverse increase in traffic movements ;
- The existing lanes are narrow and quiet;
- Passing tractors and lorries would cause nuisance, pollution and damage to the lanes which are in a poor state of repair;
- The road is used daily by walkers, dog walkers, horse riders, runners and cyclists which are not mentioned in the submitted documentation;
- The installation of two passing places is a 'token effort' and would not benefit all road users;
- The traffic monitoring device has been placed in an inappropriate location;
- An established horse riding route would need to be changed;
- The intensification of a nearby agricultural site at a much lesser extent has caused the condition of the highway to degrade;
- There is no mention of 4 interlinked crop cycles which could have a bearing on the stated level of traffic movements;
- The proposed new entrance from Ciders Lane to the A539 will not prevent a likely serious fatal accident as vehicles travelling from Ruabon will still have to come round the bend and will not see HGVs leaving the site;
- The A539 is a recognised motorcycling route and there are often motorcycles exceeding the speed limit along this route;
- The likely vehicles movements will cause detriment on the wider highway network and the impact upon nearby schools should be considered;

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- Neighbouring lanes are likely to be impacted by misguided Sat-Nav systems;
- The grass verges will be destroyed by heavy vehicles accessing the site;
- The B5426 end of Cinders Lanes is unsuitable for HGV movements;
- Gaining access to the wider Wynnstay Estate to dispose chicken waste will cause harm to those on the estate;
- The lanes are used to their capacity by existing farmers harvesting;
- The main A539 is currently subject to local police monitoring due to excessive speeds;
- Who will pay for the lane damage as a result of the HGV movements?;
- There is no indication that the applicant controls land subject to proposed junction improvements;
- No consultation was carried out between the applicant and the local highway authority at pre-application stage contrary to planning legislation – no input was made between the pre-application stage and the final planning application submission.

Nuisance

- Poultry farms are smelly and destructive to the environment;
- Passing HGVs and tractors would cause noise and vibration to nearby residents at all times of the day;
- There is no vermin control in the area – there are concerns that this will increase occurrences of vermin
- The odour from the proposed development may mean that the nearby residential occupiers will be unable to use their gardens.
- The odour mapping presented is not a true representation given known meteorological data;

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- The villages of Eyton and Erbistock are down wind of the proposed development;
- Recent storage of treated human waste (for soil treatment) had caused nuisance to the nearby occupiers.
- Vibration from increased passing HGVs at all times of the day will cause disturbance to those in the nearby properties;
- The ammonia release is likely to be detrimental to the neighbouring occupiers;
- Dust emissions from the general day to day operation of the unit and the cleaning out and transportation process will cause detriment to the neighbouring occupiers by way of nuisance and health concerns;
- The deposition of chicken waste on local farm land will be detrimental to nearby residents, including those of prospective new dwellings, and will determine what crops are grown on land forevermore;
- Broilers manure is stronger than laying hens;
- The location of the sheds may have a detrimental impact upon cattle farmers because of disease from poultry;
- The site is located close to a watercourse and it would be detrimental to the drinking water catchment;
- Stockpiling of chicken manure off site may be a problem for neighbouring occupiers;
- Light pollution;
- The noise assessment provided is based on broad assumptions, it does not take into account the actual circumstances on site such as access tracks being made from crushed building material;
- The additional vehicle movements will increase diesel emissions in the area;
- There will be an increased level of vermin;
- There will be increased level of pollution from the biomass boiler operations;
- There is a discrepancy in the odour report which describes residential properties as

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a Medium Sensitivity Receptor and has based the assessment on this but a table describes residential occupiers as High Sensitivity Receptor;

- Wind data contradicts the odour dispersion patterning in the submitted report;
- There is no control over the moving of waste products to spread on neighbouring fields;
- There is no safe disposal of contaminated water going to the underground storage tank;

Animal welfare

- The animals are cramped and lead miserable lives;
- There is no mention in the documentation regarding the emergency procedures in relation to fire or other emergency;
- The facility will house generators and LPG powered heaters producing chemicals harmful to animal health;

Other matters

- There is a discrepancy in the documentation in relation to the number of employees and the benefits to the local economy and employment opportunities;
- The development will have an adverse impact upon property values;
- As the birds are housed inside, there is no need for the development to be sited in a rural area and should be located on an industrial estate;
- Cinders Farm is not a working farm and hasn't been worked for 30 years;
- The estate are selling green belt land for building taking a lot of land out of food production;
- There is a clash between this proposed development and proposal to dispose of manure and planning permission for supermarket, café and 319 houses on the edge of Ruabon village – clearly the two cannot occur;
- Factory farms have no place in 21st century society;

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- I there a need to increase productivity?
Can the need not be met by existing producers?
- Not all people affected by the development have been notified;
- A small residential development in Cinders Lane has already been refused because of impact upon infrastructure;
- The method of animal management is cruel and inhumane – the council should be clear that they don't support this way of intensive farming;
- A total of 22 feedback forms relating to the pre-application consultation were returned. This is not enough to be a meaningful sample – no changes were made to the design of the scheme following the comments received to this process;
- The refusal of the scheme in Sarn should automatically mean refusal of this scheme;
- An individual's rights under Article 8 of the Humans Rights Act should be considered;
- The scheme as presented is not the same as shown in the pre-application consultation document;
- A local on-call medical professional will be hindered;
- The site is divorced from Cinders Farm and can no way be described as visually or functionally linked; it has not been demonstrated that the development has to be sited on the land;

SPECIAL CONSIDERATIONS

Procedural matters:

Environmental Impact Assessment

The proposal has been designed to accommodate up to 225,000. In accordance with Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 any planning application for over 85,000 boiler chickens must be accompanied by an Environmental Impact Assessment in the form of an Environmental Statement (ES). I am satisfied that the ES, both in its form and content, provide sufficient information to

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assess the application. For the benefit of Members, the ES provides a detailed assessment of the following matters:

- Transport (highways)
- Noise
- Air Quality
- Heritage Assets
- Archaeology
- Landscape & Visual Impact
- Ecology
- Flooding and Drainage

Environmental permit (EP)

The applicant has already secured an Environmental Permit from NRW for the purposes of operating a poultry rearing place for up to 225,000 birds and the operation of a biomass boiler for site heating purposes. The EP process requires the operator to take all appropriate preventative measure against pollution particularly through the application of Best Available Techniques (BAT). It defines pollution as any emission as a result of human activity which may be harmful to human health or the quality of the environment, cause offense to human sense, result in damage to property or impair amenities or other uses of the environment.

Environmental legislation and regulation would address unacceptable environmental impacts associated with the permitted operation. Whilst these are also matters relevant to land use planning, Planning Policy Wales ('PPW') is clear that "...*The aim should be to maintain the principle of non-duplication, wherever possible, even where powers and duties resulting from other legislation may also be the concern of local authorities*". The proposed development would be significant in scale, but the nature of the operations are well understood and not complex. Consequently, there is no reason to doubt the ability of parallel environmental regulation to prevent or address impacts from the appeal scheme, and the degree of separation between the proposal and residential development supports this conclusion.

The impact of off site pollution sources is a matter for the planning application process.

Pre-application consultation

The proposal is defined as major development in accordance with the Town and Country Planning (Development Management Procedure) Order (Wales) 2012. The developer was required to carry out a period of consultation 28 days prior to the submission of this application with immediate adjoining land owners, ward Members and Community Councils and statutory consultees allowing site of a draft planning application. A Pre-Application Consultation report (PAC) accompanied the application and whilst the planning application as submitted differs from that forming part of the consultation, I am satisfied that the PAC justifies the final form of the formal application submission.

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It has been noted that the local highway authority (WCBC) were not included as part of this process. Whilst they are a statutory consultee and should have formed part of that process, I am satisfied that the highway authority has now had sufficient opportunity to consider the proposed development and it would not be prudent to invalidate the planning application or delay its determination on this basis.

Category of development

Representations have suggested that the proposed development is more akin to an industrial use rather than agricultural. The definition of agriculture for the purposes of planning is provided at part 336 of the Town and Country Planning Act 1990 and includes ...keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land)... I am satisfied that the buildings are proposed to house livestock and therefore the use is agricultural rather than industrial.

Policy: By specifying a preference for new buildings to form part of an established farm complex, the overall objective of policy EC3 is to prevent isolated development that harms the rural landscape. Nevertheless the policy does recognise that isolated development may be justified in appropriate circumstances. Furthermore an overly strict interpretation of the policy would prevent any new farm businesses being established and/or prevent significant limitations on the ability of existing farm businesses to diversify. Policy EC3 does not distinguish between types of agricultural use.

The proposed development is located north of the small group of buildings known as Cinders Farm. The poultry units being in a separate field parcel some 150m from this existing range. Immediately to the north east of Cinders Farm is the proposed access and biomass heating building.

There is nothing within the application documentation such as a blue line on the location plan to suggest that the applicant has any control over the Cinders Farm complex. I have received written confirmation that the applicant controls this land. Whilst the reasoned justification associated with policy EC3 suggests that new agricultural buildings should form part of or be adjacent to an existing farm complex, it does not stipulate that it should be within the same ownership of as part of a cooperative. I am satisfied that the proposed development is located in reasonable proximity to an existing farm complex given its scale. Any degree of separation must be considered in light of the length of the buildings and the need to respect existing field boundaries and landscaping features. This landscaping issue is discussed in more detail later in the report.

The isolated position of new poultry rearing enterprises in respect of the location principles of policy EC3 has been subject of interpretation in recent appeals in the County Borough. A new poultry rearing unit was allowed in Cross Lanes (LPA ref P/2016/0533 and PINS ref: APP/H6955/A/17/3167412 refer). In this example, although the scale of the development was significantly

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smaller, the use was considered to be acceptable on the basis that it was a new enterprise responding to changes in farming practice and market forces.

As the development was not considered to have a detrimental impact upon the wider landscape it was considered compliant with policy EC3.

I am also satisfied that the type of agricultural use represents a special circumstance where it is not necessarily possible to site on or adjacent to an existing farmstead. The nature of the operation is generally not compliant with established farms and cannot always be located adjacent to them because of scale. In principle I am satisfied that the proposal accords with policy EC3. The development is required to accord with the council's general development principles laid out in policy GDP1 – these issues are discussed later in the report.

Economic benefits: The applicant's submissions indicate that the proposed development will require a full time worker and a part time worker. Whilst this level of employment is relatively low in comparison to the scale of the development, the indirect employment opportunities could amount to around 43 FTE employees through opportunities in relation to the construction phase, back-up manpower during the flock rotation cycle (cleaning, stock delivery and removal), feed and fuel production and delivery and ongoing site monitoring and maintenance.

Welsh Government TAN 6 is clear that *...Planning authorities should support diversification of the rural economy as a way to provide local employment opportunities, increase local economic prosperity and minimise the need to travel for employment. The Development plan should facilitate diversification of the rural economy by accommodating the needs of both traditional rural industries and new enterprises, whilst minimising impacts upon the local community and the environment.*

I am satisfied that the economic benefits of the proposed development are commensurate to the type of development proposed and weight can be given to this issue in the decision making process.

Landscape:

Visual impact

A detailed Landscape and Visual Impact Assessment (LVIA) forms part of the ES. The site is located in a gently undulating landscape with rising ground to the west and south west. The immediate locality is characterised by well defined field boundaries of mature native hedgerows and mature field boundary trees. The proposed buildings would be located relatively close to Cinders Farm and the nearby group of dwellings. This effectively removes any immediate appearance of isolation when viewed from a wider distance. There are also other well established farmsteads, including large livestock and storage buildings dotted around the landscape, particularly when viewed from

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the site in a northerly direction. There is a complex network of public rights of way which generally track existing field boundaries.

The LVIA has been carried out to accepted guidelines and standards. It has assessed views of the development from the nearby roads, public rights of ways and the nearby private dwellings. The impact upon the visual amenity has been identified as between moderate adverse to negligible. However, the proposal does include significant levels of additional landscaping including gentle banking of the ground levels to the western elevation and northern boundary, a significant amount of new native hedgerow in various positions as well as new woodland planting in key positions at the north of the site and by the proposed site entrance. On this basis it is accepted that the effects on visual amenity will reduce over time to negligible as this landscaping takes effect and the low height of the structures will assimilate the mass of the development into the landscape.

Historic landscape

The applicant's ES includes a detailed assessment of the historic landscape within a 3km buffer of the site in relation to listed buildings, Scheduled Ancient Monuments (SAM) and registered parks and gardens.

Cadw are a consultee in relation to SAMs and parks and gardens. They are satisfied that the setting of the only features within the visual envelope of the site will not be harmed, the impact being deemed 'very slight' (DE154 Wat's Dyke: Section extending from Black Brook Bridge to Pentre-Clawdd and DE155 Wat's Dyke: Section extending from Pentre-Clawdd to Wynnstay Park).

The impact upon the setting of the nearest listed building, Lower Moreton Farmhouse (Grade II) is considered acceptable. This is the only listed building with indivisibility of the proposed development site but due to its elevation and the nature of existing boundary vegetation, it is screened from wider views in the landscape. The farm house also sits in a modern farm complex which forms its own setting. Mitigation measures such as controlling facing materials and the imposition of a lighting strategy will assist in reducing the impact of the development upon designated features.

CPAT are satisfied with the nature of the archaeological investigations and current records available. There are no archaeological features which are likely to be harmed by the development.

In summary, the land is not subject to any local or national planning policy designation, impact upon heritage and archaeological features are deemed negligible. I therefore consider that the proposal will not have an adverse impact upon the immediate local or wider landscape character.

Pollution: Members are reminded that the proposed development benefits from an Environment Permit (EP) issued by NRW to control on site pollution sources in accordance with Best Available Techniques in the interests of

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human health and the environment. The LPA should not duplicate existing legislative controls and the fact that a permit has now been issued should be given significant weight in determining impact upon neighboring residential occupiers.

Nevertheless, the EP does consider issues which are relevant material planning considerations and there are likely to be limited impacts which are not considered the through the EP process i.e. off-site impacts through traffic movements and manure spreading.

The proposed livestock buildings will be 225m from the curtilage of the nearest dwelling (excluding Cinders Farm). Cinders Cottages are a pair of semi-detached properties immediately to the south. The EP process has declared that the impact of the proposed development upon the nearby residential properties is acceptable in terms of odour, dust and ammonia emissions and noise if BAT procedures are followed.

Odour and dust

The applicant has submitted detailed dispersion modelling of the impact of odour from the facility based on the proposed means of ventilation and an odour management plan (OMP) due to the presence of sensitive receptors within 400m of the site. This includes twice daily olfactory (smell) checks of the site. NRW have conditioned as part of the EP that the OMP is followed and that there be no odour at the site boundary likely to cause pollution outside the site as perceived by an NRW officer. The same principles apply to the assessment of potential nuisance from dust and ammonia as well as potential airborne pollutants from the biomass boilers which are to be housed within 140m of the nearest dwellings.

I am satisfied that the impact of onsite operations is unlikely to prove harmful to the amenity of the occupiers of dwellings in the locality as a result of odour and dust.

Noise

BAT procedures have been conditioned to include a noise management plan. This includes the regular maintenance of ventilation fans at the end of flock cycles and the fitting of silencers to feed delivery lorries. I am content that the operations are unlikely to prove harmful to the amenity of the occupiers of dwellings in the locality as a result of noise.

Ground water pollution

The method of surface and foul water disposal, including wash down water is deemed acceptable. Surface water will be attenuated on site in a soakaway and wash down water will be kept in a sealed tank and then spread on operator controlled land. The EP includes conditions that require periodic monitoring for soil and groundwater. The operations are unlikely to prove harmful to the amenity of the occupiers of dwellings in the locality as a result of noise.

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Manure storage and disposal

The application is accompanied by a Manure Management Plan proportionate to the number of birds intended. The onsite movement of manure will be considered by the EP process. However, its movement off the site and the implications of doing so may have an impact upon the amenity of surrounding occupiers.

Manure movement is an established agricultural practice. It is commonplace in other livestock farming and there are no reasons in planning terms why poultry manure movement should not be permitted. The applicant has access to a significant amount of land amounting to 302.45ha which excludes 'no spread areas' such as near watercourses, ditches, boreholes, steep slopes or protected species sites. Best practice measures for manure spreading are covered in the WG Codes for Good Agricultural Practice and are limited to a certain amount of manure per hectare in a year. Manure will be taken from the site in covered vehicles, stored on fields in dense packed heaps and spread when required. In order to maximise the value of the manure, it would be worked into the ground within 24 hours of its application subject to favourable conditions permitting.

Whilst the spreading of manure offsite would not necessarily be covered by the EP, it does relate to the disposal of waste originating from the on site process. The EP includes a condition relating to waste produced by the activities. Waste disposal is to be undertaken in a manner which minimises its impact on the environment and requires regular reviews to waste disposal practices.

Reference has been made to the perceived spread of botulism as a result of manure spreading. There is always a bio-security risk in the disposal of livestock bi-products. I have no reason to believe that the safe operation of the rearing unit in accordance with industry standards would not be sufficient to reduce this risk to off-site human health, including the spread of botulism.

On this basis, I have no evidence before me to suggest that the manure management of the proposed development cannot be adequately dealt with. Other legislative processes including EP, nitrate vulnerable zones and good practice measures are in place to ensure that manure spreading is not detrimental to the environment or nearby receptors. If for any reason, as a result of environmental changes or land availability, the applicant decided to move manure disposal to other land holdings this would be perfectly justifiable in accordance with best practice measures. I therefore do not consider there to be any reason to object to the methods of manure disposal.

Amenity of nearby occupiers: The visual impact of the development upon the landscape is discussed earlier in this report.

The nearest building to the nearby group of dwellings is the biomass building (140m). This is located to the north of Cinders Farm and is in effect masked by this existing range of buildings. The low overall height of the poultry buildings

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and the distance will mean that, whilst there are likely to be glimpses of the buildings, the overall impact will not be detrimental to those occupiers by way of loss of daylight, privacy or overbearingness. Loss of views over private land is not a material planning consideration.

In terms of noise and odour, these matters are addressed in the previous section of my report. I am satisfied that given the degree of separation between the site and nearest properties alongside adequate proposals to manage manure and odour, the development is unlikely to have an unacceptable impact upon residential amenity.

Traffic noise: Traffic generation is discussed in more detail below, however in summary the development will generate a total of 174 vehicular movements over a 48 day cycle, although on 27 days out of that cycle it is anticipated there will be no vehicular movements at all to/from the site. The highest number of vehicular movements is expected to be on days 36, 37, 42, 43 and 44. Movements are likely to take place between 2am and 7am in the morning in relation to bird depopulation (note: noise pollution by on site movements are controlled by EP).

The proposed traffic routing to the site will take traffic off the A539 and will return via the same route. The highway between the site and the main A539 is a typical narrow country road and passes a limited number of dwellings.

In general terms I do not consider the level of traffic associated with the development as being likely to generate significant noise or disturbance given the comparatively low number of movements per day on average.

Whilst acknowledging that the development will give rise to a number movements during the early hours of the morning, the number of movements (typically 2 per hour) will be low. I consider the risk of significant noise being low, particularly as I would anticipate that the majority of vehicles serving the site will approach from/leave towards the south in order to gain access to the A539.

Highways: A new access to the development site is proposed off Cinders Lane and would serve the entire complex. The applicant has indicated that vehicles will approach and leave the site from Cinders Lane to the south and directly onto the A539. Other than for perhaps manure removal activities I do not anticipate other planned vehicle movements to approach the site other than from the A539.

The proposal also makes provision for off-site highway improvements, either within the adopted highway or within land that the applicant controls. These equate to the provision of two new passing places along Cinders Lane, visibility improvements at the junction of Cinders Lane onto the A539 and the amendment of the western junction arm to allow for the simultaneous passage of HGVs at this junction.

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Highways have confirmed that adequate visibility splays are proposed at the new access point onto Cinders Lane. Swept path details also confirm that vehicles can safely enter/leave the new access. Sufficient space is provided within the site for vehicles to park, load/unload and turn.

A traffic survey carried was out in July 2017 and identified an average of 61 daily traffic movements along Cinders Lane, including an average of 1.4 HGV movements.

The proposed development will operate on a 48 day cycle with an anticipated 174 vehicular movements over that cycle. The majority of those movements will be HGVs. Overall flock cycle traffic movements will vary, with the majority of those movements being towards the closing stages with bird collection and manure removal. Bird collection is split over day time and night time hours. This is the busiest period in terms of traffic movements with 40 movements over the flock cycle period. On 27 days out of the flock cycle there will be no movements. For 86% of the cycle there will be two vehicles or less visiting the site each day.

The main issue for consideration is the impact of these anticipated traffic movements on the safety of Cinders Lane and the junction on to the A539. All parties acknowledge that in the current form Cinders Lane is narrow and visibility splays on to the A539 are substandard. Para 3.14 of TAN18 is relevant as a starting point. It states that *'...local authorities should adopt a positive approach to development associated with farm diversification in rural areas, irrespective of whether farms are served by public transport (PPW paragraph 7.3.3). This type of small scale economic development is attached to existing farm businesses that are often situated in relative rural isolation. It is important that a realistic assessment of the transport impacts is made, with a view to reconciling traffic issues with the benefits of encouraging diversification. In the majority of cases, it is expected that any transport problems should be capable of being resolved by appropriate minor junction or other highway modifications'*.

Highways do not object to the proposal subject to all the mitigation measures put forward being implemented. On top of the mitigation measures indicated above, they have sought an additional car's length passing place and the provision of two Vehicle Activated Signs (VAS) either side of the junction. Details have been provided by the applicant and these mitigation measures can be secured by planning condition.

I am of the opinion that the proposed development will make sufficient improvements to the existing highway network that would not only allow for the safe passage of anticipated vehicles but also result in betterment for existing highway users along the lane. This is particularly the case in relation to the significant improvement in visibility splays at the A539 junction which will improve from 120m to 147m to the west and 30m to 107m to the east. The junction alignment will also allow for the simultaneous passage of HGVs at the

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junction removing the possibility of HGVs causing congestion the main carriageway.

Along Cinders Lane, the passing places are designed at double length to allow for HGVs to adequately pull in clear of the running carriageway. These improvements are significant given the short stretch between the A539 and the proposed site access. For a distance of approximately 650m there will be 5 passing opportunities. Whilst Highways are concerned that there is a lack of direct intervisibility between these passing places, the scale of HGV vehicles means that they are likely to be seen above hedge lines. Any occurrences of private cars meeting a HGV is likely to be extremely limited and where this does occur it would be no different to any other typical situation encountered.

In terms of the condition of Cinders Lane and the proposed visibility splays, the frequency of anticipated vehicle movements and baseline traffic data (explained earlier in this section) must be given significant weight in determining the acceptability of the proposal on highway safety grounds. Across a significant proportion of a year (205 days), the development will not generate any traffic movements and where there are traffic movements, these are anticipated and planned movements interlinked with EP permit compliance and animal welfare standards. It is unlikely that there will instances where development related traffic will meet on Cinders Lane. The frequency of vehicles turning at the junction will not be significantly increased and the improvements proposed will result in betterment to allow this additional traffic to safely turning into the site.

I have considered the proposal and the nature of the concerns raised in representations. I do not consider that there is sufficient evidence before the council to suggest that the proposal would be detrimental to highway safety. TAN18 reminds LPAs to take a *positive approach* to rural diversification. I consider that a *realistic assessment of the transport impact* has been made to *reconcile traffic issues*. The applicant has made significant allowances to improve the current highways situation, and has made a commitment to impose the additional mitigation measures required by Highways. All of which would not occur were planning permission not granted. On this basis I am satisfied the proposal is acceptable in this regard.

Ecology and trees: The site lies in an ecologically sensitive location and has been fully assessed as part of the ES. Whilst the immediate site comprises arable fields and species poor semi – improved neutral grassland, the wider pond scape is known to support populations of great crested newt (GCN). Various trees around the site and connecting hedgerows are known to support roosting and foraging bats and nesting birds as well as connecting foraging routes for GCN.

The proposed development incorporates significant elements of ecological mitigation including avoidance measures. Hedgerow loss would be kept to a minimum, rough grassland promoted and the introduction of Reasonable

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Avoidance Measures (RAMS) with regards GCN. The proposal also includes for the translocation of hedgerows where visibility splays and passing bays are to be provided along Cinders Lane and the junction.

The assessment and proposed works are deemed acceptable to NRW and the council Ecologist. Further submissions are required by condition in relation to GCN avoidance and mitigation, bio-security risk assessment and an ecological compliance audit.

I am satisfied that the proposed development will not have an adverse impact upon protected species or their long term habitat. The proposal accords with the requirements of TAN5 and policy GDP1.

There are no arboricultural concerns or objections with this proposal. The layout presents a negligible risk to existing individual trees and any loss of hedgerow is more than adequately mitigated for within the proposed landscaping / planting scheme.

Other matters:

Property value

It is established that the impact of the development proposals upon property values is not a material planning consideration and cannot form part of the determination.

Animal Welfare

A number of representations have been received expressing concern/objection to the development on animal welfare grounds. This is not a material planning consideration and it would be unreasonable to withhold planning permission on the grounds of these concerns. Animal welfare standards are regulated via other, non-planning controls that the operators of the site will need to adhere to.

Drainage

The site is located in Zone A as defined by TAN15. There is no known evidence of fluvial flooding and there is little or no risk from such an event. There are two unnamed watercourses where any flood event may be minimal. The design has reacted to this by not placing the footprints of the building near these watercourses.

Attenuation ponds are proposed associated with the poultry building and the biomass building. This will allow the increased runoff from the buildings and hardstanding to be discharged from the site at the pre-existing greenfield runoff rate. Further drainage detail will be required by condition as recommended by the council's LLFA officer.

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Other similar developments

Members may be aware of the recent appeal decision dated 07.02.2019 to allow a proposed poultry installation on land adjacent to Mulsford Farm. Two buildings were proposed, each measuring approximately 108.2 metres by 24.38 metres with an eaves height of 2.9 metres and ridge height of 5.58 metres. The buildings would each be capable of housing some 50,000 birds and would be supplemented by four feed silos and associated works. This would represent a development of the same character in terms of building scale, albeit on a smaller in scale.

The Planning Committee resolved to refuse that application contrary to officer recommendation, concluding that the development would have an adverse impact upon the Special Landscape Area contrary to policies GDP1 and EC5 of the Wrexham UDP.

There a clear parallels between the application before Members now and the Mulsford Farm site. The Inspector concluded that although the building was some 500 metres from the farm complex, its position next to an isolated grain store and being viewed in the context of the nearby farmstead meant that it did not appear isolated and complied with policy EC3. The scheme before Members now is closer to the existing farmstead than the Mulsford case.

The Inspector also concluded that the buildings, although agricultural in character, would take on a utilitarian and functional appearance. However they would be similar in appearance to other buildings in the locality. The buildings are designed with a low profile and the Inspector was satisfied this element minimised their visual impact. Existing mature vegetation was proposed to be supplemented including gapping up of existing hedgerows. In this regard, the Inspector concluded that the development would assimilate into the existing landscape without causing detriment to the SLA or the wider landscape character.

Whilst all sites should be considered on their own merits, I am satisfied that there are significant similarities between the two cases that must be considered in the determination of this application. The case now before members is not an SLA, therefore the landscape has less of a special character. The buildings are of the same design, albeit there is additional floor area. Cumulatively, I do not consider that the difference in mass of the scheme or the landscape characteristics of the site now before Members is so great that a different conclusion should be made.

Conclusion: I am satisfied that the applicant has demonstrated that this is an appropriate site for the proposed development. Whilst the footprint of the building is quite substantial it will not be unduly prominent within or result in significant harm to the appearance of the immediate vicinity or to the wider landscape.

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The applicants have proposed measures to manage on site pollution which will be overseen via the Environmental Permit regime. I am therefore satisfied that adequate provisions are in place to ensure the development does give rise to harmful pollution or harmful impacts upon residential amenity.

Finally subject to the implementation of appropriate conditions I am satisfied the development will not harm statutorily protected species or sites.

In light of the above the development accords with the relevant UDP and national planning 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:
GM-MZ228-191 - Location Plan
GM-MZ228-181 - Site Layout
GM-MZ228-201 (A) - Livestock rearing house elevations
GM-MZ228-201 (B) - Livestock rearing house floor plan
GM-MZ228-201 (C) - Livestock rearing house roof plan
GM-MZ228-202 - Biomass Building Elevations
GM-MZ228-203 - Gatehouse Elevations
GM-MZ228-204 - Water Tank & Gas Tanks
Q9222653-KNI-205 - Generator elevations and plan
Q9222653-KNI-206 - Energy Dist. Building elevations and plans
GM-MZ228-207 - Substation Elevations and Floor Plans
GM-MZ228-301 - Site Sections
1484.04 - Landscape/Biodiversity Proposals
1484.06 Rev A - Off-site hedgerows
and as contained within the application documentation.
3. The development hereby approved shall only be used for the purpose of a poultry rearing unit and shall not be used to house any more than 225,000 birds in total.
4. Prior to their first use on the development hereby approved a detailed specification of all facing materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details as may be approved.
5. With the exception of the hedge translocation works as detailed on approved plan 1484.06 Rev A - Off-site hedgerows, soft landscaping shall be carried out in strict accordance with the details shown on drawing nos. 1484.04 - Landscape/Biodiversity Proposals during the first planting season (November to March) and seeding season (April to September) following the first use of

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the development and thereafter managed and maintained in accordance with the Landscape Management and Maintenance details specified on that drawing.

6. The soft landscaping carried out in accordance with the details shown on drawing 1484.04 - Landscape/Biodiversity Proposals shall be permanently retained throughout the lifetime of the development. Any planting or seeding becoming severely damaged or seriously diseased, is in poor physiological condition and/or is removed within the first 5 years shall be replaced during the next available planting or seeding season by trees, hedgerow or grass species of the same specification as those originally planted.

7. Hedge translocation works as detailed on approved plan 1484.06 Rev A - Off-site hedgerows shall be carried out prior to the first use of the development hereby approved in accordance with a detailed methodology, management and maintenance regime which has first been submitted to and approved in writing by the local planning authority. The scheme as approved and implemented shall be retained for the lifetime of the development.

8. 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 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; and
- e) Details of all proposed tree works, including felling and pruning.

9. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of great crested newt mitigation, compensatory measures and management regime. The approved scheme shall make provision for a compliance audit and report and its submission to and approval in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme of great crested newt mitigation and compensatory measures and management regime.

10. Development shall not commence until a scheme of Reasonable Avoidance Measures (RAMs) in respect of great crested newts has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter only take place in strict accordance with the RAMs scheme as approved.

11. No development shall take place until there has been submitted to and approved in writing by the local planning authority a Biosecurity Risk

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Assessment that shall include measures to address invasive non-native species. Development shall be carried out in accordance with the approved Biosecurity Risk Assessment and its measures shall be retained thereafter.

12. No external lighting shall be installed on the buildings hereby permitted until full details of the light fittings, to include the location of all external lights and all cowls/shielding have been submitted to and approved in writing by the Local Planning Authority. No lighting shall thereafter be installed on the buildings or on any part of the site other than in strict accordance with the details as approved.

13. Prior to first use of the development hereby approved the vehicular access shall be laid out in accordance with the details contained in drawing no. SK21685-05 Rev A and shall provide visibility splays of 2.4 metres x 43 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction above the level of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

14. 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 across the access within 20 metres of the highway boundary under Class A, of Schedule 2 Part 2.

15. The proposed works to the private drive, internal access, parking and turning areas shall be satisfactorily completed and laid out in accordance with the approved drawing no. GM-MZ228-181 - Site Layout prior to the poultry units first being brought into operation. The approved parking and turning areas shall thereafter be maintained at all times for that purpose.

16. All highways works as shown on drawing nos. SK21685-08 Rev A, SK21685-09 Rev A, SK21685-10 Rev A and SK21685-11 Rev A, SK21685-20 in relation junction improvements, passing places and visibility splays on the A539 and Cinders Lane shall be implemented prior to the first use of the development and shall be retained in this condition thereafter.

17. 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. In accordance with the submitted Flood Consequence Assessment & Drainage Strategy (Cinders Farm, Ruabon Environmental Statement - Volume II: Main Report Appendix 11.1), any scheme must demonstrate compliance with the latest Sustainable Drainage Systems (SuDS) Standards for Wales. 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

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adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

18. Prior to the first use of the development hereby approved, junction warning Vehicle Operated Signs (VAS) shall be erected to the east and west of the junction of Cinders Lane and the A539 junction in accordance with detail which has been submitted to and approved in writing by the local planning authority. The signage shall be installed in accordance with the approved scheme and retained for the lifetime of the development.

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. Use restriction
 4. In the interests of the visual amenity of the area and to ensure that the development accords with policy GDP1.
 5. In the interests of the visual amenity of the area and to ensure that the development accords with policy GDP1.
 6. In the interests of the visual amenity of the area and to ensure that the development accords with policy GDP1.
 7. In order to ensure that the development makes a positive contribution to the locality in accordance with policy GDP1.
 8. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
 9. In order that the development makes provision for species which are protected by statute and in the interests of their habitat.
 10. In order that the development makes provision for species which are protected by statute and in the interests of their habitat.
 11. In order that the development makes provision for species which are protected by statute and in the interests of their habitat.
 12. In order that the development makes provision for species which are protected by statute and in the interests of their habitat.
 13. In the interests of highway safety and compliance with policy GDP1.
 14. In the interests of highway safety and compliance with policy GDP1.
 15. To ensure the formation and construction of a satisfactory access and parking facilities in the interests of highway safety in accordance with policies GDP1 and T8.
 16. In or order to ensure that the development provides for a safe means of access to the site in the interests of policy GDP1.
 17. To ensure satisfactory drainage of the site and to avoid flooding in accordance with policy EC13.
 18. In the interests of highway safety.
-

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APPLICATION NO:
P/2018 /0832

LOCATION:
LAND TO THE REAR OF SEION
CHAPEL PONTFADOG
LLANGOLLEN
LL20 7AS

DATE RECEIVED:
01/10/2018

COMMUNITY:
Glyntrian

CASE OFFICER:
SEH

WARD:
Ceiriog Valley

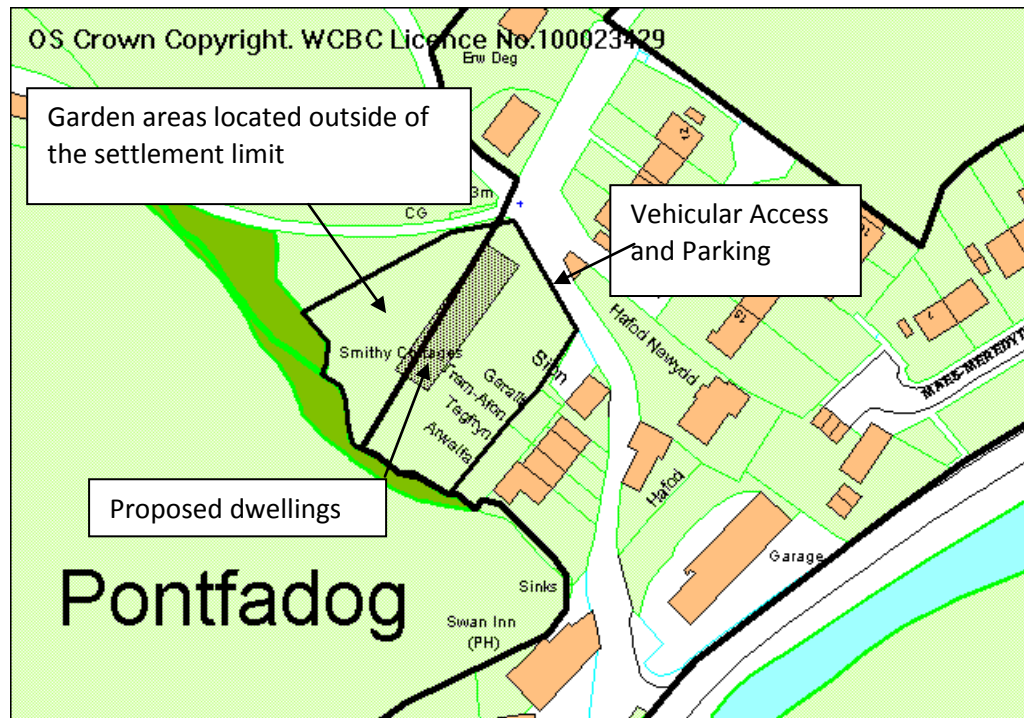
DESCRIPTION:
RESIDENTIAL DEVELOPMENT FOR
6 NO. DWELLINGS AND
ASSOCIATED NEW VEHICULAR
ACCESS

AGENT NAME:
MR GARETH EDWARDS
DPA LTD

APPLICANT(S) NAME:
MR JULIAN MORRIS GARETH
MORRIS CONSTRUCTION

THE SITE

This greenfield site lies largely within the settlement limit of Pontfadog to the east of Smithy Cottages and Sion Chapel.



PROPOSAL

As above

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RELEVANT HISTORY

P/2018/0436 Residential Development (6 No. Affordable Houses) and New Access – Withdrawn on 24/07/2018

DEVELOPMENT PLAN

Partially outside of settlement limit and partially within Special Landscape Area (SLA), SAC buffer and SSSI. Policies PS1, PS2, PS3, PS4, GDP1, GDP2, EC4, H2, H5, EC5, EC6, EC13, T8 and T9 of the Wrexham UDP are applicable. Local Planning Guidance Note (LPGN) Nos. 16 – Parking Standards, 17 – Trees and Development, 21 – Space around Dwellings, 27 - Contributions to Schools and 32 – Biodiversity and Development are also relevant.

CONSULTATIONS

Community Council: Following the Council meeting, Councillors want to reiterate their objections to this planned development in Pontfadog which were made at the time of the first planning application. It appears there has been no change in the plans apart from the proposed access. Even with these minor changes, access to and from the development still remains hazardous and a serious problem. Councillors want to point out there is a double bend at this point, together with a road junction and 2 dwelling access roads. Parking from the row of 3 Terraced houses and The Swan pub further exacerbate this situation. We would like the Wrexham County Borough Council to take these comments from Glyntraian Community Council into consideration when reviewing this planning application and reject it as being unsuitable for the cramped location in this small village.

Original Comments:

The application identifies the properties being proposed as being "Affordable". What is the significance of this? Is there any indication that the properties might be targeted at people in the near vicinity who would benefit from such affordable housing or might they merely go to the highest bidder from wherever they are from? Is there any indication that the properties would be used primarily as principle accommodation or is there a risk that they may be employed as holiday homes or lets? Is it certain that the sewage system directly alongside the properties is capable of dealing with

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	the product from six family homes? Will the limited capacity of the local water treatment plant be overstretched by the addition of this input? Will the access to the property be of sufficient size to allow for turning of vehicles into and out of the estate? In addition, the lane from The Swan pub is far too narrow to take additional traffic. Has the impact of the water runoff into the stream been quantified? Have all risks to property and infrastructure downstream been evaluated? Any materials used in construction should be in keeping with the adjacent existing properties, especially as the new development is in such a prominent position. It is imperative that these issues are fully addressed before planning permission can be considered. Re-notified 14/02/2019
Local Member:	Re-notified 14/02/2019
Highways:	No objections subject to conditions (see Special Considerations below).
Public Protection:	Recommends conditions regarding construction noise and dust etc.
Flood Officer:	Recommends drainage conditions.
NRW:	No objections subject to a condition to limit any potential pollution risks.
Welsh Water:	Having assessed the proposal, we note the developer proposes to dispose of foul flows via the public sewerage system and discharge surface water run-off into a sustainable drainage system and existing watercourse. Welsh Water considers these drainage arrangements to be acceptable in principle and recommend drainage conditions for the avoidance of doubt.
Education:	No contributions required.
Site Notice:	Expired 25/10/2018
Neighbours:	7 representations received expressing the following concerns: • I saw the survey of car speeds being carried out at 3 pm. To gain a true picture, there needs to be a more in depth approach when people are driving to and from work, and at weekends when a lot of motor cycles etc. use the lane. An hour or so on a Tuesday afternoon is just not realistic. Also, they are making no reference as to how narrow the road is in front of Smithy Cottages (less than 10 feet), and the dangers in winter of ice on this lane for both motorists and pedestrians (there is no foot path for the entire distance from the proposed development to the

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main road by the Swan pub). The developer is catering for increased traffic- but is making no allowance for pedestrians.

- I am concerned about the increase in traffic this development would bring to Penybryn Hill, which is a very narrow minor road that is already constantly used, not only by domestic motor vehicles (some of which use it as a short cut to Llangollen) but by large commercial vehicles and agricultural vehicles (tractors trailers etc.) coming and going from nearby farms. The hill is so narrow that it is impossible for vehicles travelling in opposite directions to pass each other and therefore when vehicles meet (which frequently happens) the vehicle travelling up from the main road is usually required to reverse down the hill back to the main road to enable to other vehicle to pass. This can be difficult and obviously causes congestion if there are more than 2 vehicles involved. To add to the problem, there is also a sharp bend halfway up Penybryn Hill, which makes it extremely difficult to see oncoming traffic. I am therefore very concerned about the increased traffic that this development would inevitably bring to an already busy and very narrow minor road. Also, Penybryn Hill is already very difficult for pedestrians. There is only a very short narrow pavement on one side of the hill outside Smithy Cottages which ends at Seion Chapel. There are no other pedestrian facilities on Penybryn Hill which definitely raises safety issues for pedestrians (I myself have had to stop and move very close to the wall to allow traffic to pass,) this can be difficult, especially if accompanied by small children, especially with the sharp bend at Seion Chapel, which makes it impossible for pedestrians to see oncoming traffic. Obviously the proposed development would increase both traffic and pedestrians and therefore exacerbate an already difficult situation.
- There is no opportunity to widen the road in front of Smithy Cottages;
- The highway authority has previously commented that the road is too narrow to serve the additional dwellings and there would be a lack of visibility from the site. I believe this is still an issue;

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- The bus service is extremely limited;
- The drains may not have capacity for the extra outflow from the development;
- Increase in surface water run off will cause flooding;
- There are few employment opportunities locally;
- The site lies outside of the settlement limit in greenbelt;
- The development will overlook Smithy Cottages;
- There are many power cuts locally;
- The development will be a blight on the Village as is not in keeping with the area;
- Flood risk – rainfall flows down Penybryn hill and floods gardens;
- Loss of view;
- The proposed tree planting will cause a loss of light to the rear of the adjacent existing properties.

Re-notified 14/02/2019

SPECIAL CONSIDERATIONS/ ISSUES

Background: The proposed housing, together with vehicular access, driveway and parking area, are all within the defined settlement, and is therefore acceptable in principle subject to compliance with UDP Policy GDP1. The associated gardens are located outside of the defined settlement limit and within SLA. The main issues to consider relate to the impact of the development upon highway safety, residential amenity and upon the character and appearance of the area.

Design and Residential Amenity: The site is considered large enough to accommodate the 6 no. dwellings proposed together with outdoor space of adequate size, in accordance with LPGN No.21 'Space around Dwellings'. The dwellings are of traditional design and materials of construction common to the area, and are consistent with the existing surrounding built development. The scale and design of the houses respects the local vernacular and semi-rural character of the locality. The proposed site layout demonstrates that it is possible to achieve a functional development that sits comfortably in its landscape setting which can be satisfactorily mitigated in landscape terms and make a positive contribution to the character and appearance of the area (see figure 1 and 2 below)

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There would be no issues of overlooking or loss of light to the existing nearby dwellings. A separation distance of 22 metres between the existing and proposed dwellings would be required on flat ground. In this case however there is a difference in land levels of 3 metres and the separation distance should therefore be increased to 28 metres. The site layout has been designed to exceed the separation distances recommended in LPGN No.21,

taking into account the sloping nature of the site, and a 30 metre distance has been provided (see figure 3 below).

The occupiers of the proposed dwellings will enjoy private outdoor spaces and habitable rooms which will also have the benefit of a good level of natural daylight in the interests of the residential amenities of the future occupiers of the development. The proposal therefore accords with UDP Policies GDP1, H2 and PS2.



Figure 1. Site layout

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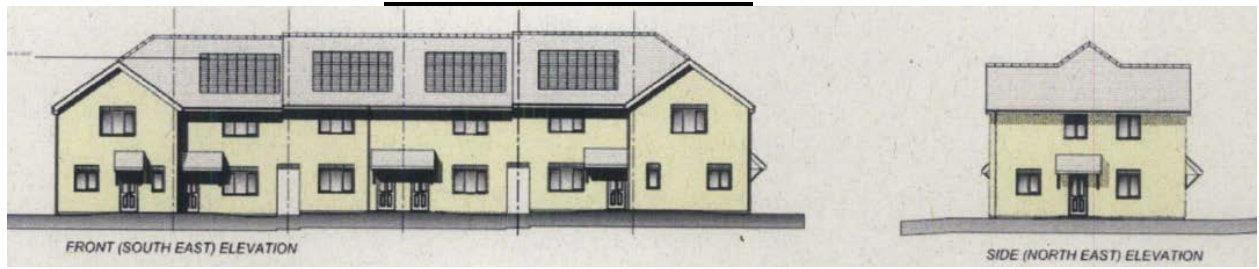


Figure 2. Elevations

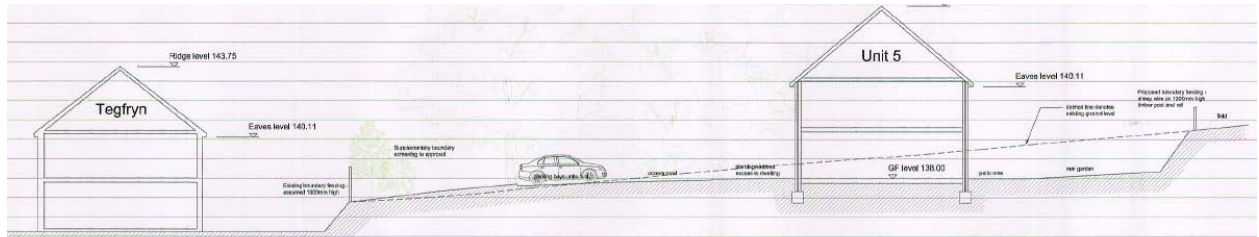


Figure 3. Cross Section

SLA: Policy EC5 requires development in SLAs to conform to a high standard of design and landscaping, and to pay special attention to minimising its visual impact both from nearby and distant viewpoints. As already mentioned, it is only the garden areas of the properties that will extend into the SLA which will be largely soft landscaped with the exception of the usual domestic features such as garden sheds etc. In order to properly control this, permitted development rights will be removed (by planning condition).

A condition will be attached to the permission in respect of planting and boundary treatments to ensure that the proposal protects the nearby views into the site. With regards to distant viewpoints, the site is already well screened from the west by the bank of trees, with built development to the south and east of the site. The main view of the site is from the north, looking down from much higher ground. The site is largely screened by the topography of the land and a suitable planting scheme will help to soften the development and break up sightlines from this direction. The backdrop to this development is existing houses, adjacent to which the proposed dwellings will sit comfortably and in context with the settlement of Pontfadog.

Trees: Following discussions with the Applicant in respect of the impact upon the tree along the western boundary of the site, the Council's arboricultural officer has confirmed that the only concern with the site layout is with the close proximity of proposed Plot No. 6 to tree EI4 and tree As5. There may be conflict with the occupiers of this plot, increasing the requirement of excessive or repetitive pruning or even complete removal of the trees to avoid over shading and over dominance. It is important therefore that the future management and cyclical pruning of the trees is properly controlled. As such, there are no objections to the scheme subject to the submission of Management Plan which has been undertaken by a qualified arborist and includes details relating to specifications for pruning work to facilitate

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development, timings of re-inspections and subsequent data sharing with the council etc. This will be secured by way of planning condition.

Highways: The proposed development site is located on a classified road subject to a 20 mph speed limit. The road is narrow and does not permit the simultaneous passage of vehicles. There is a small element of footway, but this is just 1 metre wide.

A speed survey has been carried out which revealed actual speeds of 17 metres from the south and 16 metres from the north. Once adjusted to take account of wet conditions, WG guidelines recommend visibility splays of 17 and 16 meters respectively. The site layout plan demonstrates that these visibility splays are achievable and both will be secured by planning condition. Onsite parking and manoeuvrability accords with LPGN No. 16.

Due to the narrow road and lack of pedestrian provision, the highway authority originally expressed concerns with the number of dwellings, recommending that the development be reduced to a maximum of 4 no. units. To address these concerns, the applicant now proposes to widen the roadway by a metre by setting the existing boundary wall back into the site. Also proposed is a footway across the site frontage. This will be to the benefit of all uses of the highway and will represent a significant improvement to the existing layout, such that the highway authority does not object to the erection of 6 dwellings on site.

Drainage: The site is located with DAM zone B as defined within TAN15 and has a small un-named watercourse to the south west boundary of the site. Indicative storage and attenuation calculations have been provided in the event that the use of soakaway is not feasible, as it would be possible to discharge at an attenuated rate into the adjacent watercourse. As such the Council's Flood management officer has no objection to the proposal subject to a condition securing the submission of a comprehensive drainage scheme. There are no objections to the scheme from either Welsh Water or Natural Resources Wales (NRW) subject to a condition securing measures relating to pollution control to safeguard the nearby watercourse.

Ecology: A detailed planting and management scheme should be attached to any permission which should include management prescriptions for the lifetime of the development. Subject to the development being carried out in accordance with the recommendations contained within the ecological report, The Council's ecologist raised no objections to the scheme, and these matters will be dealt with by way of planning conditions.

Other Matters: The application description has been amended to remove reference to the development being for affordable housing. Whilst it is highly likely that the site will be for affordable housing, there is no planning policy requirement for the development to be restricted as such.

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Conclusion: The proposed dwellings are acceptable in terms of scale and design, and adequate onsite parking has been provided together with safe and satisfactory vehicular and pedestrian access. The residential development of the site would not be detrimental to local residential or visual amenities, 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: 17101 P-02 Rev J, 17101 P-30 Rev B, 17101 P-10 Rev E, 17101 P-20 Rev E, 17101 P-11 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. Within 3 months of commencement of development, full details of both hard and soft landscape works, to include native planting and boundary treatments within and around the site, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include a timescale for the implementation of works, and shall provide for ecological improvement / habitat creation and enhancement in the soft landscape areas for the benefit of biodiversity conservation specifically tailored to the landscape features.
5. The landscaping, planting and boundary treatment scheme submitted and approved in connection with condition no. 4 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
6. The landscaping, planting and boundary treatment scheme implemented in connection with condition no. 5 shall be permanently retained. Any planting which becomes 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 within the next available planting season by trees or shrubs of similar size and species to those originally required to be planted.
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. 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

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accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment shall be submitted in writing to the Local Planning Authority.

Where a SuDS scheme is to be implemented, 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.

9. No part of the development shall be occupied until the drainage scheme for the site has been completed in accordance with condition no. 8. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.

10. Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at manhole or beyond reference number SJ23384202 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

11. No part of the development shall be commenced until a scheme of suitable pollution prevention measures has been submitted to and approved in writing by the Local Planning Authority.

12. Prior to first use of the development, an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- a) identify those areas and features on site that are particularly sensitive for wildlife and that are likely to cause disturbance in or around their foraging or commuting routes; and
- b) indicate where external lighting will be installed and the type of lighting to be used.

The scheme as is approved shall be fully implemented in strict accordance with the details as are approved and no other external lighting shall be installed on any part of the site.

13. Prior to first use of the development the site shall be laid out in strict accordance with layout plan No. 17101 P-02 Rev J.

14. Prior to first use of the development, the proposed vehicular access shall be laid out in strict accordance with approved plan nos. 17101 P-02 Rev J and 17101 P-30 Rev B. The visibility splays shall thereafter be permanently retained free of all obstruction in excess of 1 metre in height.

15. 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) New 1.4 metre wide footway along the site frontage,
- 2) Road widening scheme, and
- 3) Boundary wall along the highway frontage.

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

16. Prior to first use of the development, a 1.4 metre wide footway shall be constructed across the site frontage in strict accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

17. The vehicular access hereby approved shall be a minimum width of 5 metres.

18. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.

19. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.

20. 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.

21. No part of the development shall commence until full details for the arboricultural supervision of tree protection measures and any ground works within retained tree(s) Root Protection Areas, as specified by BS5837:2012 or as shown on a Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The supervisory works shall be carried out in strict accordance with the details as approved.

23. 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.

24. 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 or constructed on any part of the site.

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25. The site shall be developed in strict accordance with the ground and / or floor levels shown on the approved plan ref: 17101 P-30 Rev B. No changes to floor levels or external ground levels shall be made without the prior written approval of the Local Planning Authority.

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.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
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.
8. To ensure satisfactory drainage of the site and to avoid flooding.
9. To ensure satisfactory drainage of the site and to avoid flooding.
10. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
11. To minimise any impacts of the development upon sensitive receptors.
12. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
- To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
13. To comply with section 71ZA(2) of the Town and Country Planning Act 1990.
14. To ensure the formation of a safe and satisfactory access.
15. In the interests of highway safety.
16. In the interests of highway safety.
17. To ensure the formation of a safe and satisfactory access.
18. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
19. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.
20. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
21. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).

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23. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
24. To comply with section 71ZA(2) of the Town and Country Planning Act 1990.
25. To comply with section 71ZA(2) of the Town and Country Planning Act 1990.

NOTE(S) TO APPLICANT

The Order commencing Schedule 3 of the Flood and Water Management Act 2010 for Wales was made on 1 May 2018. The legislation, along with the regulations necessary for its implementation, came into effect on 7 January 2019. This requires that all new development that is for more than one property, or has a construction area greater than 100 square meters, must obtain SuDS Approving Body (SAB) approval before beginning construction. Transitional provisions have been included so that after the 7th January 2019 SAB approval will not be required for developments where a valid planning application has been submitted before the 7th January 2019, provided that an application to discharge any associated drainage conditions is validated prior to the 7th of January 2020. Otherwise, SAB approval will be required prior to the commencement of any works on site.

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/2018 /0922

LOCATION:
1 Y GROES SALISBURY ROAD
WREXHAM
LL13 7AS

DATE RECEIVED:
31/10/2018

COMMUNITY:
Offa

DESCRIPTION:
APPLICATION FOR VARIATION OF
CONDITION 2 IMPOSED UNDER
PLANNING PERMISSION
P/2017/0744 TO AMEND THE
APPROVED DRAWINGS TO DELETE
THE TWO-STOREY ELEMENT OF
THE EXTENSION

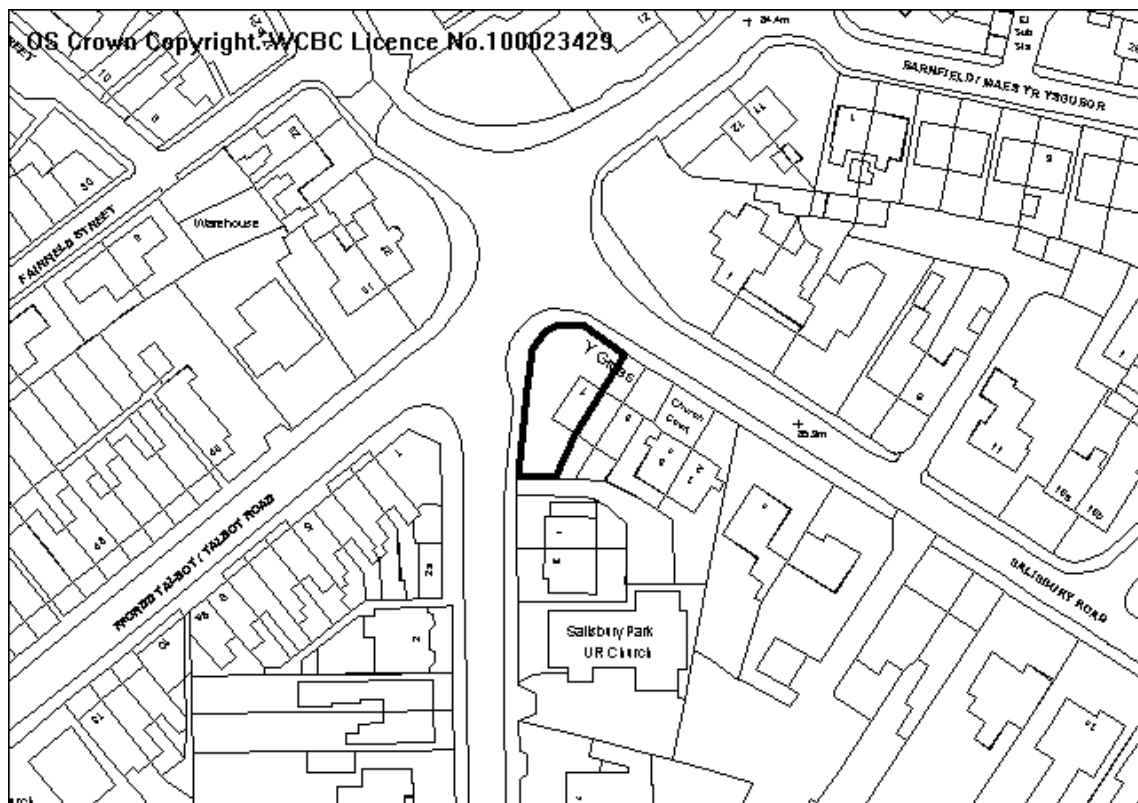
CASE OFFICER:
KH

WARD:
Erddig

AGENT NAME:
BLUEPRINT LTD
MR STEVEN ELTHAM

APPLICANT(S) NAME:
MR R CHADWICK

THE SITE



The site is located at the corner of Talbot Road and Salisbury Road, Wrexham. There are residential properties to all sides.

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PROPOSAL

Application for variation of condition 2 imposed under planning permission P/2017/0744 to amend the approved drawings to delete the two-storey elements of the extension.

DEVELOPMENT PLAN

Located within the Town Centre. Policies PS1, PS2, GDP1 refer.

HISTORY

P/2017/0744 – Two-storey rear extension, single-storey side extension and new front porch. Granted 04.12.2017.

P/2016/0319 – Two-storey side extension and construction of vehicular access to the rear. Refused 16.12.2016.

CONSULTATIONS

Community Council:	No objection.
Local Member:	No comments.
Neighbour:	Concerned the application is a substantial change and questions the reasons for the request because the extension has been completed.

Site Notice: Expired 03.12.2018.

SPECIAL CONSIDERATIONS / ISSUES

Background / Proposal: Previous planning permission P/2017/0744 granted permission for a two-storey rear extension, single-storey side extension and a new front porch. The current application seeks to delete the two-storey element to the rear. With regard to the neighbour's comments the removal of the rear extension will improve the amenity to the adjoining properties and should increase light to the adjoining window.

The extensions have Building Regulations and works to the side built in accordance with the previously approved plans.



Proposed elevations

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Conclusions: I am satisfied the works are acceptable and the side extension built in accordance with previously approved plans. The deletion of the rear two-storey extension will improve the amenity of adjoining properties. No change to parking arrangements.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. Works shall be carried out strictly in accordance with drawings C112/002 Rev A and C112/003 Rev A.

REASON(S)

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

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APPLICATION NO:
P/2018 /0933

LOCATION:
BRITISH LEGION SOCIAL CLUB
WATTS DYKE LLAY WREXHAM
LL12 0RL

DATE RECEIVED:
05/11/2018

COMMUNITY:
Llay

DESCRIPTION:
MIXED USE HYBRID DEVELOPMENT
COMPRISING RESIDENTIAL
DEVELOPMENT (OUTLINE), A 4,000
SQ FT RETAIL UNIT (OUTLINE), A
BOXING CLUB (OUTLINE), A CAR
PARK (FULL), DETAILS OF ACCESS
(ALL OTHER MATTERS RESERVED)
AND ASSOCIATED WORKS

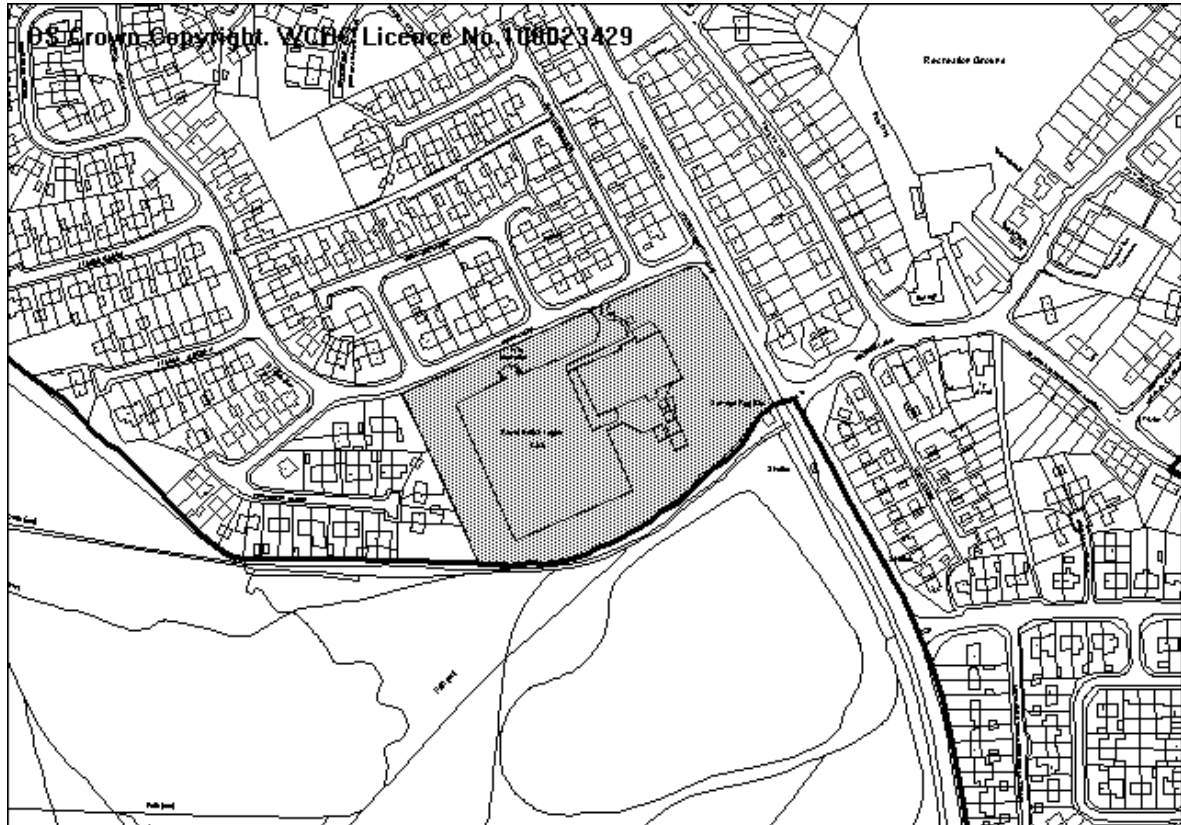
CASE OFFICER:
PF

WARD:
Llay

AGENT NAME:
EDGEPLAN LTD
STEVE EDGELLER

APPLICANT(S) NAME:
MR LAURENCE HERRING
THE ROYAL BRITISH LEGION

THE SITE

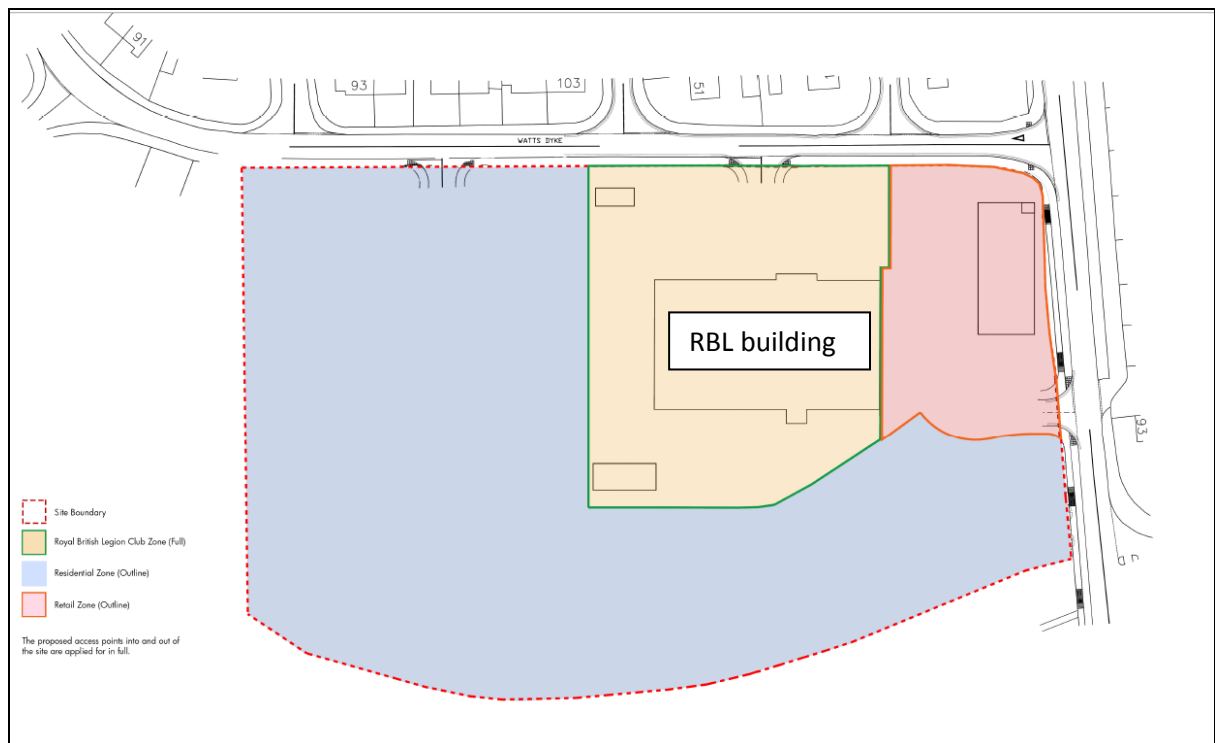


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PROPOSAL

This is a hybrid application seeking outline consent for the erection of a mixed use development of residential use, a 4,000 sq. ft. (372 sq. meters) retail unit (A1) and a boxing club (D2) and in full for a car park associated with the existing Royal British Legion club. In terms of the outline element of the proposal, all matters are reserved for further approval save for the means of access to the site at two points (Llay New Road and Watts Dyke).

A site development zoning plan has been submitted which is shown as follows. Note that this plan includes the position of the existing Royal British Legion building which is to be retained as part of the overall proposal.



Proposed site zoning layout

HISTORY

P/2017/0314 – Mixed use hybrid development comprising residential development (outline), a 4,000 sq ft retail unit (outline), a boxing club (outline), a car park (full), details of access (all other matters reserved) and associated works. Refused 02.07.2018

PLANNING POLICY

The site is located within the settlement limit of Llay as defined by the Wrexham Unitary Development Plan. Policies PS1, PS2, PS3, PS4, GDP1, GDP2, EC4, EC13, H2, H7, S6, CLF1, CLF5 and T8 are relevant. Guidance is also contained in Local Planning Guidance Notes 10 – Open Space, 16 –

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Parking Standards, 21 – Space Around Dwellings, 27 – Education Contributions, 28 – Affordable Housing and 30 – Residential Design Guide.

National planning policy contained in Planning Policy Wales (PPW) and Technical Advice Notes (TAN) 2 – Planning and Affordable Housing, 5 – Nature Conservation and Planning, 12 – Design and 18 – Transport.

CONSULTATIONS

Community Council:
Local Member:

Consulted 06.11.2018

Councillor B. Apsley

- RBL Club Officials were told in November 2016 that there was a plan to have 36 houses on the site and then we were told at public meetings in January 2017 that it would be 63 houses; how can we have any faith in anything their representatives say?
- They told the Planning Committee that the carpark was not used which was a blatant untruth;
- They referred to policy PS2 which states that the development must not materially affect open space; well it is quite clear that open space/green grass areas will be affected. It was quoted at the previous meeting that the open space was in fact the carpark. This is not true and we have green grass areas that are enjoyed by many visitors to the club and in particular the children;
- Any development will damage the hedgerow on Llay New Road and Watts Dyke;
- We have had flooding on Nantygae Road for many years. This is the direction that the water will flow from any development of the land, therefore increasing the issues on Nantygae Road;
- The proposed car parking provision doesn't meet the standards;
- Privacy and daylight to the bungalows on Watts Dyke will be affected;
- I don't agree that the club, residential and retail uses will make a complimentary mix;

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- They claimed in the last application that the needs of existing residents are satisfied to ensure a better quality of life; how can we have any faith in people who make such ridiculous statements;
- There are no vacancies in the local school and the health Surgery is full to the brim with no plans to expand within the next 6 years;
- Noise and disturbance will be a feature to the residents and the social club.
- The roads of Llay are not fit for any increase in traffic and the proposed new roads to the site are a danger to the public.

Councillor R. Walsh

This application should be **refused** on the following grounds:

- Llay Health Centre is full to bursting. Llay residents struggle to obtain a GP appointment at present. With the likely closure of Gresford surgery, the addition of 362 houses on Gresford Road (**P/2014/0905**) and 18 houses south of Llay Miners Welfare (**P/2016/0373**) shows that Llay is being developed at a faster rate than the infrastructure is being provided. To add another 51 houses to the Llay Community is very irresponsible in the current climate. BCUHB's silence over this issue is not evidence that everything is OK. Unless BCUHB are prepared to invest in a brand new health centre for Llay fully equipped with the required number of staff, then no further development should take place in Llay. As a result, I believe this application breaches **Policy GDP2** as the capacity of infrastructure will be deficient as a consequence of this development.
- Parking. The current Llay Royal British Legion site does hold several major events every year and these are catered for due to the large car park facility on site. The reduction of the car park could see an increase in cars parking on Llay New Road and Watt's Dyke when a big event takes place. This would cause

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major disruption to traffic, particularly on the already busy Llay New Road. This problem has been made worse due to the decision by Wrexham County Borough Council to charge for car parking at Alyn Waters Country Park. Many park users refuse to park at Alyn Waters anymore and choose streets such as Llay New Road and Watt's Dyke. As a result, it breaches **Policy CLF1** as it is highly likely to have an adverse effect on a multi-activity community facility, ie. Llay Royal British Legion.

- Concerns are raised about the proposed access to the site from Llay New Road and Watt's Dyke. The proposed entry accesses are very close to existing junctions.
- I accept that this site has been on the UDP for several years now and I have no problem with the principle of this site being developed. In fact, I accept that at some point in the future development will take place here. However, unless the issues of appropriate Primary Health Care in Llay and appropriate car parking provision for the Royal British Legion are addressed, then I will support the refusal of this application.

Site notices:

Expired 13.12.2018

Press notice:

Expired 08.12.2018

Highways:

No objections raised. A detailed assessment has previously been undertaken of the proposed access positions, pedestrian routes and parking provision. The scheme is considered acceptable.

Public Protection:

No objection. Conditions recommended protecting neighbouring amenity from operational noise nuisance.

PRoW:

A proposal for a commuted sum towards the provision open space improvements at Alyn Waters Country Park is considered acceptable.

Lead Local Flood Authority
(LLFA) Officer:

No objections raised. The submitted FCA details that infiltration testing has been undertaken on the site in April 2018. No supporting evidence has been included with the submission. A copy of a previous report

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	for the site does confirm acceptability, but no detailed drainage design has been submitted. A pre-commencement condition is required to ensure any proposed surface water management scheme for the site is compliant with the statutory SuDS standards for Wales.
Education:	No objections raised. Contributions will be required in relation to primary and secondary education infrastructure.
NRW:	No objection. Conditions should be imposed to approve a suitable lighting scheme and for the
BCUHB (Health Board):	No objections raised. The Health Board's Area Team were aware of the potential growth at this site through the LDP process. The team are in discussions with the primary care provider concerning potential expansion of their premises. Whilst it is not possible to confirm at this stage whether any plans are in place, BCUHB will continue to seek to address these and the potential impact of growth.
Welsh Water:	No objection. On the basis that the submitted drainage strategy confirms the site is suitable for soakaways for surface water disposal, no surface water should dispose into the public sewer network.
Wales & West Utilities:	No objection. A plan has been provided confirming the presence of gas transmission infrastructure. The developer is required to contact W&W directly.
Ramblers:	Consulted 06.11.2018
Neighbours:	35 neighbouring occupiers notified. 3 responses received raising the following objections: • The planning application was unanimously rejected 3 months prior to this submission. There are no changes so this scheme should be refused; • Village infrastructure cannot cope with yet another major house build; • The loss of an area to hold remembrance services would be unacceptable; • The site is liable to subsidence, radon and methane gases.

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SPECIAL CONSIDERATIONS:

Background: An application for planning permission was refused by the Planning Committee in July 2018 contrary to officer recommendation. The reasons were refusal were as follows:

1. Local community facilities, specifically schools and health care, have insufficient capacity to adequately cater for the additional demand arising for the development and as such it is contrary to policy GDP2 of the Wrexham Unitary Development Plan.

2. Due to the loss of land at the Royal British Legion available for parking and for remembrance services, the development will adversely affect a multi-activity community facility and is therefore contrary to policy CLF1.

The application now before members has been submitted in light of additional justification provided by the applicant to demonstrate that the development meets local and national planning policy, contrary to the previous judgement of the local planning authority.

Policy:

Wrexham UDP - 1995 to 2011

This hybrid application seeking outline planning permission for residential use (class C3), a 372m² local needs retail unit and full planning permission for the reorientation of the existing RBL car park is considered acceptable in principle. Policy PS1 of the Wrexham UDP seeks to direct all new development for housing, employment and community services to within defined settlement limits. This site falls entirely within the Llay settlement limit.

Policy H2 permits new residential development on unannotated land within existing settlement limits provided that the overall design is compatible with the character and form of the built up area, effectively in accordance with the general development principles as set out in policy GDP1. The merits of the overall residential design of the proposal are discussed later in this report.

Policy S6 permits the construction of local needs retail development in existing settlements provided that it is safely accessible to the community on foot, it does not give rise to harm to the neighbouring residential amenity and exacerbate traffic problems nearby and the sales floor area of the development does not exceed 300m². The detail contained in this submission, albeit in outline, does stipulate that the retail unit will be no larger than 372m² gross. Taking into account service, staff welfare and storage areas, I am satisfied that the sales floor area of any store would likely fall at or around the 300m² and would accord with the policy wording. The merits of the overall design of the retail element of the proposal are discussed later in this report.

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Finally, policy CLF1 is broadly relevant to this proposal. This policy seeks to ensure that development which adversely affects indoor or outdoor central multi-activity community and leisure facilities, particularly within settlement limits, is not be permitted. The RBL is clearly a popular and well valued facility in Llay and is considered to be a community facility. This scheme seeks to retain the facility within the heart of the development, but does seek to make alterations to its curtilage and features within it. The merits of this are discussed within the report but I am satisfied that this proposal, by virtue of the retention of the RBL club, accords with policy CLF1.

Wrexham LDP – 2013 - 2028

The site is allocated in the Local Development Plan which has been submitted for examination in public. It is shown with an indicative development of up to 60 dwellings. The plan has been submitted to the Welsh Government and the Planning Inspectorate for examination following agreement to do so by full council in November 2018. Once adopted, the LDP will replace the current Unitary Development Plan and will be used as a basis for making land use planning decisions up until 2028. Little weight can be afforded to the plan at this stage as its soundness has not been examined in public. However the evidence base for the plan can be used in considering the merits of the proposal.

There is no dispute that the proposed development is acceptable in principle. It falls within the Wrexham UDP settlement boundary and deemed acceptable in accordance with policies PS1 and H2 of that plan. If the submitted Local Development Plan is deemed sound by the Welsh Ministers and adopted by the council, the development of the land would also be acceptable in accordance with policies SP2 (Location of Development) and H1 (Housing Allocations). Background paper BP02b also defines Llay as a Tier 2: Key Settlement. This has been assessed as an area that supports communities, but which are dependent upon the Primary Key Settlement (Wrexham Town), for some key amenities. They are served by a range of facilities and sustainable modes of transport. They tend to reflect some of those key characteristics that national policy promote, however they contain a narrower range of services, and fewer and less varied employment opportunities. Nonetheless they are likely to be appropriate locations for higher levels of development in order to achieve a sustainable settlement pattern, as promoted by national planning policy.

In this regard, I am satisfied that the development of this site for the purposes described would be a sustainable form of development compliant with the councils location of development policies.

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Deliverability

The allocation of this site for residential purposes in the LDP forms part of a wider delivery requirement to ensure that the required housing allocation is met over the plan period. Failure to look favourably at this site will effectively undermine the ability to meet this requirement and as such should carry significant weight in this instance.

Infrastructure: The council sought to refuse the previous application on the basis that the local schooling and health care provision has inadequate capacity to cater for the additional demand arising from the development.

In accordance with policies GDP2, H7 and CLF5 this proposal will be required to make a financial contribution towards a shortfall in education infrastructure provision in the locality to offset the potential impacts of the proposal, provide for adequate affordable housing provision on the site and also make provision for adequate open space provision.

Education

The Education team have confirmed that there is insufficient capacity at the local primary and secondary schools to cater for the development. Education have not objected to the proposed development and has confirmed that a monetary contribution would be required to offset the impact of the development. No specific concerns have been raised suggesting that allowing the development would have a strategic impact upon the council's education infrastructure provision. Seeking monetary contributions via a planning obligation is entirely in line with the council's own adopted planning policy (GDP2 and LPG27). I have no evidence before me to suggest that the development would be detrimental to education provision in the locality and for the council to refuse the application on this basis would be unjustifiable and contrary to the provisions laid out in its own policy. This could potentially lead to a precedent for the refusal of other residential developments in the County Borough where there are education infrastructure improvements requirements.

Health care

Members resolved to refuse the previous application on the likely impact of the additional dwellings upon the local GP surgery. Members will note that that Betsi Cadwaladr University Health Board (BCUHB) have responded to a consultation on this application.

BCUHB have confirmed in their response the previous message issued to the LPA. Any additional growth in the local population can cause additional pressure on primary and community healthcare services and they are seeking to understand and address any issues, working in collaboration. In respect of this application, the Health Board's Area Team was aware of the potential growth through the LDP process and the team is in discussions with the primary care practice in the locality to discuss the potential for expansion of their premises. BCUHB cannot confirm at this stage that there are expansion

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plans in place but will continue to work with the practice to seek to address the potential impact of growth.

Members are reminded that there is no provision in the Wrexham UDP or any LPGs for developers to make contributions towards healthcare facilities. There is also no statutory requirement to consult BCUHB regarding planning applications nor have the council agreed any thresholds to consult with them on planning applications. The planning department consulted in this instance to provide clarity on this issue and to inform the decision making process.

BCUHB have raised no objections to the development. Indeed it has acknowledged that the Health Board's own officers are working at a strategic level with the primary care provider in the locality to address the issue of population growth. No specific evidence has been provided through representations or from BCUHB that allowing the development would have a detrimental impact upon the local health care provider or, equally, what measures it would expect a developer to provide to make this development acceptable in planning terms. It is for BCUHB to manage and plan for demand in the locality and I consider that a planning permission should not be held back for this reason. Doing so may be considered unreasonable behaviour and the council could be liable for an award of costs against it.

Affordable Housing

In accordance with policy H7 and LPG 28, developments of over 25 dwellings will be required to provide for affordable housing provision at a rate of 25%. I am not aware of any circumstances that would indicate a deviation away from this requirement. This provision would be secured through the planning obligation.

Open Space

Policy CLF5 requires residential development proposals of 10 or more dwellings to provide on-site open space provision with the developer taking responsibility for the future maintenance of those areas, generally by way of a management company. LPG10 does state that on developments of up to 20 dwellings a commuted sum may be provided for improvements or extensions to existing facilities provided that they are in easy walking distance and clearly usable by future occupants of the development site.

The applicant has argued that the provision of open space on site should be waived given that the site directly adjoins Alyn Waters Country Park. I have also assessed other recreation provision in proximity to the site, the nearest being a recreation ground (including football pitch and play equipment) some 500 metres from the centre of the application site accessed from Shones Lane or Sixth Avenue. Whilst the number of dwellings likely to be achieved from the development of the site would far exceed 20, I accept that there is adequate existing local open space provision and it would not be advantageous to provide more on site.

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I have discussed this matter with the Council's Parks and Rights of Way Manager. A contribution of a commuted sum towards improvements to Alyn Waters Country Park would be an acceptable solution to the Council. A figure of £1000 per dwelling, in line with LPG10 guidance, could be secured by way of the planning obligation. A management entity for any shared spaces within the development itself will also be secured through this obligation.

Loss of multi-activity community facility: The council's reason for refusal on the previous application referred to the loss of land associated with the multi-activity use of the club. I remain of the opinion that the development would not undermine the continued viability of the club and I cannot provide any reasonable evidence to demonstrate that allowing the development would cause detriment to the facility. In comparison to other British Legion clubs in the County Borough, the curtilage and parking area at Llay is disproportionately large and for the vast majority of time is underused and a wasted land resource. A parking survey carried out for the previous application confirms that the proposed parking area is sufficient (see below). The applicant confirms that on Remembrance Day, it is understood that Llay RBL simply acts as an assembly point for the annual parade which proceeds along Watts Dyke and Llay New Road. Special traffic measures are in place for the parade in any case. It is not considered that any loss of the surrounding land would affect remembrance services. These are low frequency, one off events and it would not be considered justifiable or reasonable to withhold a planning application on this basis. The council has no evidence to counter the detail provided by the applicant and the scheme will not conflict with policy CLF1 of the Wrexham UDP.

Design and amenity: The submission includes an indicative site plan as required by legislation. The purpose of this plan is to inform the local planning authority of the developer intentions for the site without committing to a particular layout or design of building. The intended layout is confirmed to a certain extent as the applicant is seeking approval for the means of access at this outline stage. The merits of the proposed accesses are discussed later in this report.

I am satisfied that the density of the development and the intended uses are entirely compatible with this site and its surroundings. The provision of a local needs store, albeit on the southern fringe of Llay, would be accessible on foot by villagers. The indicative plan shows the retail unit in a prominent position at the Llay New Road frontage. However, I would have no objection to the retail unit being located elsewhere on the site.

The residential element of the scheme can be accommodated in a modern layout broadly reflective of the previous gradual expansion of Llay and in effect would create a logical extension to the residential built form in this area. The number of residential units proposed does not give cause for concern and an acceptable detailed reserved matters scheme will be achievable.

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Highways: The proposal has been subject to detailed scrutiny by highways and additional detail has been submitted to demonstrate the acceptability of the proposed access points. In the previous application, initial concerns had been raised regarding the position of the access onto Llay New Road being placed opposite a residential service road and the Watts Dyke access opposite dwellings with driveways. Furthermore, the prospect of a 'rat run' being created has been addressed by the suggestion that the carriageway within the

site could be severed. These issues were addressed by further surveys and it is now considered that the development will not result in detriment to the safety of highway users.

Pedestrian trips and routing have also been assessed in this location for those seeking to access the new retail development. It has concluded that trip rates will be similar to those which will have existed when the Co-Op store was operating from Shones Lane. It is considered that there will be little difference between the previous and proposed instances. The presence of a zebra crossing 90m north of the site is also a significant advantage to pedestrian safety. Those pedestrian counts also suggest that any additional formal crossing points are unnecessary and the installation of additional informal dropped kerb crossings has been suggested.

The scale of the parking provision for the RBL club (which forms the full element of this planning application) has been considered acceptable based on a previous parking survey. The applicants carried out a parking survey across one full week prior to the determination of the previous planning application. It included standard events at the site such as televising major sporting events and a regular pub quiz. This indicated a peak parking demand well within that which is proposed as part of this scheme. It should be noted that the current situation is such that the Llay RBL branch is subject to a lease which limits them to a smaller area of the car park. The freeholder of the land is allowing the RBL branch to use the entire car park by way of an informal arrangement - this agreement could be removed at any time and would automatically reduce parking provision to below that proposed by this application. Notwithstanding this point, I am satisfied that the proposed parking scheme is proportionate to the parking provision for other RBL club sites such as Gresford and Johnstown.

Trees and ecology: The Arboricultural Implications Assessment identifies trees of amenity value which can be retained and protected in view of any future development. The indicative scheme would result in the loss of the perimeter hedgerow fronting Llay New Road and Watts Dyke with tree removal in the location of the proposed access on to Watts Dyke, but some mature trees to the western boundary can be retained along with the hedgerow to the south which forms the boundary with Alyn Waters.

Whilst the loss of any established vegetation is unfortunate, the weight afforded to this must be balanced against the opportunities to provide for a

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quality scheme achieving the correct density with strong frontage development. The opportunity to provide for maximum visibility for the commercial interests within the site is also a consideration. Landscaping is a reserved matter and suitable mitigation planting is achievable in view of any subsequent layout. Controls can be imposed on the outline planning permission to seek the retention of those trees which have been identified as having amenity value.

There are no concerns raised to the conclusions of the submitted ecology report or the principle of the scheme.

Drainage and flood risk: The previous application was accompanied by a comprehensive assessment of existing ground conditions in relation to the disposal of surface water. As the scheme now before Members is identical, the same conclusions have been relied upon. The proposal is in outline and a detailed drainage design cannot be prepared at this stage. The applicant's submissions have concluded that the existing ground conditions are suitable for the application of soakaway systems with a connection to the existing public sewer system as a last resort. I am satisfied that the site can be developed without increasing surface water runoff rates off the site beyond those currently experienced. In order to demonstrate a suitable drainage scheme in accordance with the requirements of TAN 15 a condition will be required on any approval.

The site is outside any flood risk outline area as defined by TAN. NRW have acknowledged this point and have raised no concerns regarding the risk of flooding from any watercourses.

Other matters: A number of representations have been received regarding the impact of this proposal upon the way the RBL club operates popular community events, primarily within the large expanse of car park/hardstanding adjoining the building, and the impact that the reduction in the car parking provision will have upon how the RBL continue to facilitate such events (fun days and remembrance ceremonies etc.).

The charitable RBL organisation is the freeholder/land owner and applicant in this instance with local Llay RBL branch being the leaseholder. Firstly, the Council cannot consider any representations which question the legality or the morality of this proposal and this is a matter between the relevant levels of the organisation. Secondly, as discussed earlier in this report, I am satisfied that the reorganisation of the land surrounding the RBL remains proportionate to the scale of the retained facility and would not undermine its ongoing functionality and viability. The management of such larger scale events would need to be a matter addressed between the local branch and the umbrella organisation itself and is likely to become self-regulating in the future. This is not a matter for the Council to resolve through this process.

Conclusion: This scheme represents a sustainable form of development within an existing settlement limit. The reuse of this previously developed land accords with the principles set out in Planning Policy Wales and the strategic

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
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policies of the Wrexham UDP. I am satisfied that the indicative layout of the residential and retail uses represents an efficient use of the site, providing additional community facilities and making a significant contribution towards a shortfall in housing supply.

There has been a change in circumstances since the previous planning application which require consideration by the Planning Committee. BCUHB, whilst acknowledging the impact of population growth on their service provision, have not objected to this proposal. No substantive evidence has been offered to conclude that this proposed development would have any an impact upon health service provision. Similarly, in relation to education provision, mechanisms are in place to offset the impact of residential development upon infrastructure provision. This is reflected in my recommendation which is as follows.

RECOMMENDATION A

That the Council enters into an obligation under Section 106 of the Town and Country Planning Act requiring the following:

- The formation of a Management Company for the future maintenance by the applicant of all communal areas including driveways, parking areas, hard and soft landscaping, trees and planted features;
- Payment of a commuted sum at the rate of £1000 per dwelling for the improvement of hard and soft landscaping within the neighbouring Alyn Waters Country Park;
- Affordable Housing provision across the development in accordance with the Welsh Government definition; and
- A contribution towards a shortfall in primary and secondary education infrastructure provision.

RECOMMENDATION B

That if the Obligation pursuant to Section 106 of the Town and Country Planning Act, as detailed above, is not completed within six months of the date of this Committee resolution, the Head of Environment and Planning is given delegated authority to **REFUSE** planning permission for the following reasons:

- Lack of appropriate maintenance by the applicant of all driveways, parking areas, hard and soft landscaping, trees and planted features;
- Lack of improvement or provision of open space to cater for the future needs of the dwelling;
- Lack of affordable housing provision; and
- Lack of infrastructure provision for primary and secondary education provision.

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RECOMMENDATION C

Subject to the completion of the Section 106 obligation, planning permission be GRANTED subject to the following conditions:

CONDITION(S)

1. Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced on the land described as 'Residential Zone (Outline) and Retail Zone (Outline) and the area labelled Boxing Club' on drawing no AL-00-002:
 - a. the layout of the building(s)
 - b. the scale of the building(s)
 - c. the appearance of the building(s)
 - d. 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 hereby permitted shall be commenced:
 - a. in respect of that part of the site described as 'Royal British Legion Club Zone (Full) excluding area labelled Boxing Club building' on drawing no. AL-00-002, before the expiry of five years from the date of this permission;
 - b. in respect of that part of the site described as 'Residential Zone (Outline) and Retail Zone (Outline) and area labelled Boxing Club Building' on drawing no. AL-00-002, before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
4. In respect of that part of the site described as 'Royal British Legion Club Zone (Full) excluding area labelled as Boxing Club Building' on drawing no. AL-00-002, development shall be carried out in strict accordance with the detail contained on that same plan.
5. No part of the development shall be occupied until an at-grade pedestrian crossing at point south of the existing junction of Watts Dyke and Llay New Road in accordance with the detail contained in the approved document titled Llay Royal British Legion, Residential and Retail Development: Pedestrian and Vehicular Accessibility Notes has been implemented.
6. 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 Welsh Ministers Statutory SuDS Standards for Wales. The

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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.

7. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.

8. The rating level of any noise generated by air handling plant associated with the development on any part of the site described as 'Residential Zone (Outline) and Retail Zone (Outline)' on drawing no. AL-00-002 shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

9. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the detail as may be approved.

10. Development shall not 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;

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- f) Method for protecting retained trees during demolition works;
- g) Details of all proposed tree works, including felling and pruning.
- 11. All trees and hedges identified for retention on approved plan no. TPP.12620.01 shall not be cut down, grubbed out or otherwise removed or topped or lopped without the prior written approval of the local planning authority.
- 12. This permission provides for a retail unit of up to a maximum of 372 square meters to be erected on the land described as 'Residential Zone (Outline) and Retail Zone (Outline)' on drawing no. AL-00-002 Rev P1.
- 13. Prior to commencement of any residential development a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25% of housing units/bed spaces;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no RSL involved);
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- 14. No part of the development shall commence until further details of the proposed vehicular parking and turning facilities in respect of that part of the site described as 'Royal British Legion Club Zone (Full) excluding the area labelled Boxing Club Building' on drawing no. AL-00-002 have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained prior to first use of the development, and 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.
- 15. No use of any retail (A1) unit hereby approved shall be made before 0600 and 2300 on any day.

REASON(S)

- 1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
- 2. To comply with Section 92 of the Town and Country Planning Act, 1990.
- 3. To comply with Sections 91(3) and 92 of the Town and Country Planning Act, 1990.
- 4. To define the scope of the planning permission.
- 5. In the interests of pedestrian safety.

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6. To ensure satisfactory drainage of the site and to avoid flooding.
 7. To protect the amenities of the occupiers of nearby properties.
 8. To protect the amenities of the occupiers of nearby properties.
 9. To ensure the integrity of the natural environment, more specifically the value of the nearby Llay Bog Site of Special Scientific Interest.
 10. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
 11. To protect trees which are of significant amenity value to the area.
 12. To define the terms of the planning permission.
 13. In order to ensure that that the development provides for a suitable housing mix in the interests of the wider community.
 14. In the interests of highway safety and to define the terms of the planning permission.
 15. To ensure that the retail element of the development is not used at a time which would be likely to cause nuisance or disturbance to nearby residents.
-

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APPLICATION NO:
P/2018 /0935

LOCATION:
THE GOULBOURNE BORRAS PARK
ROAD WREXHAM LL12 7TF

DATE RECEIVED:
05/11/2018

COMMUNITY:
Acton

DESCRIPTION:
APPLICATION FOR VARIATION OF
CONDITION 13 IMPOSED UNDER
PLANNING PERMISSION
P/2016/1048 TO ALLOW SURFACE
WATER DRAINAGE TO BE
PARTIALLY DISPOSED OF IN THE
PUBLIC SEWER NETWORK.

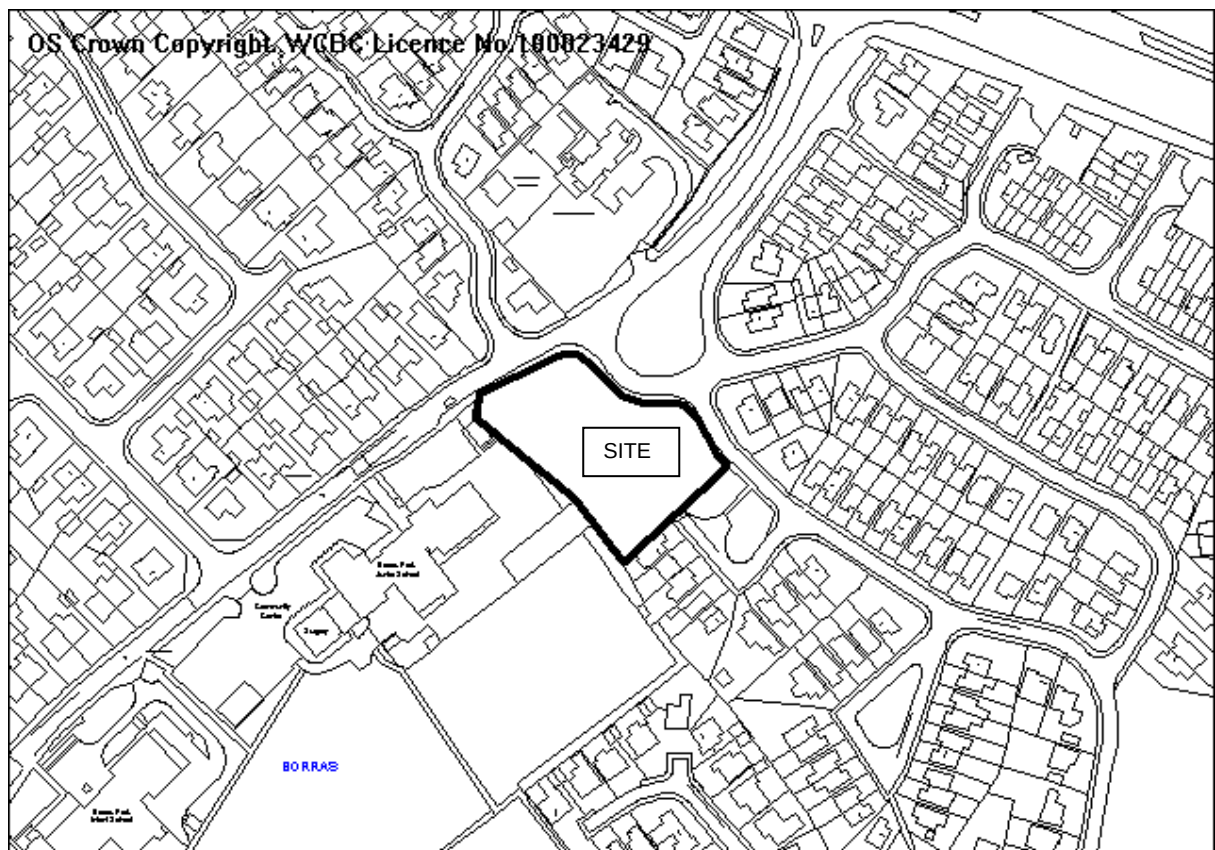
CASE OFFICER:
PF

WARD:
Rhosnesni

AGENT NAME:
BLUEPRINT LTD
MR DAFYDD EDWARDS

APPLICANT(S) NAME:
MR R THOMAS

THE SITE



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PROPOSAL

Planning permission is sought to vary condition no 13 imposed under planning permission P/2016/1048 in order to allow a portion of the surface water to be drained to the combined public sewer.

HISTORY

Most relevant

P/2016/1048 - RESIDENTIAL DEVELOPMENT (8 NO DETACHED DWELLINGS) AND CONSTRUCTION / ALTERATION TO VEHICULAR AND PEDESTRIAN ACCESS. GRANTED 23.06.2017

PLANNING POLICY

The site is located within the Wrexham town centre settlement limit. Policies PS2, GDP1, GDP2, EC4, EC13, H2 and T8 are relevant. Guidance is also contained in Local Planning Guidance Notes 16 – Parking Standards, 17 – Trees and Development and 21 – Space Around Development.

CONSULTATIONS

Community Council:

Objects to the proposed removal of the condition. It strongly recommends that having regard to the topography of the site and the surrounding lower lying properties and open space off Ansell Road/Birkdale Road Wrexham it is retained to ensure there are no issues around drainage capacity. There is the potential for flooding (particularly during storm events) and subsequent blockage. This development should not create additional run-off compared with the previous single building development. The final re-development scheme for this land at the former Goulbourne Public House should aim to reduce and manage run-off and minimize the consequences of storm and other exceptional events.

Local Member:

Notified 07.11.2018

Site notice:

Expired 03.12.2018

Welsh Water:

No objection.

Neighbouring occupiers:

23 neighbouring occupiers notified. 3 responses received raising the following objections:

- What is going down the sewer and what is the development?;

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- Neighbouring residential occupiers were told to dispose of surface water through soakaways as the neighbouring sewers are at capacity;
- Historically properties on Ansell Road have had problems with flooding and drains. This will result in an added strain on the network;
- The overall development seems to have been ill-conceived at the outset as this issue was not factored into the overall design;
- Global warming is likely to lead to wetter weather in the future;
- At the time of demolition, the works caused significant problems for neighbours with vibrations;
- It is understood mineral extraction took place in the area. Are the foundations "raft" in nature because of this? Will this affect the foundations of neighbouring dwellings;
- A neighbour objects to this current proposal as it appears that there are variations which might affect the stability of the systems linked to their house, and to those either side.

•

SPECIAL CONSIDERATIONS

Background: Full planning permission was granted in 2017 for the demolition of the vacant public house and for the erection of 8 detached dwellings with associated access and hardstanding areas.

As part of the determination process, the council imposed a condition requested by Welsh Water which sought that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network. Condition no. 13 was imposed on the planning permission which required:

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.

Welsh Water raised no objections to the proposed development on the basis of any known ground conditions but sought to ensure that no additional surface water were to be disposed into the public sewer network. It is well established planning policy and construction practice to ensure that, in the first instance, all

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new developments should seek to control surface water on site and to ensure that the surface water runoff rate is no worse than the current pre-development rate.

Drainage: The applicant has carried out further ground investigations to determine its suitability for soakaways. It has determined that the ground conditions to the southern half of the site are not of a suitable condition to allow water to be disposed of by soakaways. A scheme has been put forward which seeks dispose of the surface water from 5 plots and the highway surface water at an attenuated rate to the combined sewer. Welsh Water has fully considered the justification presented to them by the applicant and have responded to the design presented to them as part of this planning application with no objections. On this basis, I am satisfied that the proposed development is acceptable and demonstrates a suitable method of foul and surface water disposal to the acceptance of the statutory sewerage undertaker. The capacity of the existing infrastructure will have been taken into consideration in forming this conclusion.

The council's Flood Officer has considered the overall design and there are no objections to the design of the scheme. A condition forms part of the recommendation to ensure that the submitted maintenance and management regime is carried out for the lifetime of the development.

Other matters: Neighbouring occupiers have raised concerns that the nature of the proposed works on the site may have implications in relation to the structural stability of their properties – specifically in relation to former mining activities in the locality.

The principle of the development has been accepted and the decision to accept based on consultation responses at that time. The site is located in a 'low risk' area as defined by the Coal Authority, therefore no risk assessment was required. However, this does not exonerate the developer from ensuring that the method of construction reflects the ground conditions and does not allow interference or damage to third party land or property.

Conclusion: I am satisfied that the drainage scheme as presented provides for an effective solution for the disposal of surface and foul water and accords with the requirements of the statutory sewage undertaker. 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.

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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 N027/014 Sheet 1 of 1 Rev H, N027/004 Sheet 1 of 1 Rev B, N027/005 Sheet 1 of 1 Rev C, N027/006 Sheet 1 of 1 Rev A, N027/007 Sheet 1 of 1 Rev C, N027/008 Sheet 1 of 1 Rev B, N028/008 Sheet 1 of 1, N029/008 Sheet 1 of 1, N027/009 Sheet 1 of 1 Rev B and N027/012 Sheet 1 of 1 and contained within the application documentation.
3. Notwithstanding the provisions of Class A of Schedule 2, Part 1 the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification) (as amended) no development shall take place that would constitute the enlargement of plots 5, 6 or 7 where the enlarged part of the dwelling would extend beyond a wall comprised in a side or rear elevation of those dwellings.
4. Notwithstanding the provisions of Class E of Schedule 2, Part 1 the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification) (as amended) no development permitted by that class shall take place that constitutes the provision of a building, enclosure, raised platform, pool or container used for domestic heating purposes for the storage of oil or liquid petroleum gas that would extend beyond a wall comprised in a rear elevation plots 5, 6 and 7.
5. The development shall be carried out in accordance with the materials specification approved under planning permission P/2016/1048.
6. The development shall be carried out in accordance with the Arboricultural Method Statement & Tree Protection Plan ref: AMS/GBW/05/18 dated 23.05.2018 of S. Shields approved under planning permission P/2016/1048.
7. All boundary treatments shall be implemented in accordance with the details as shown on drawing numbers N027/015 Sheet 1 of 1 Rev C and N027/016 Sheet 1 of 1 approved under planning permission P/2016/1048.
8. The development shall be carried out in accordance with the Dust Control Method Statement dated 26.07.2017 and amended 05.09.2018 approved under planning permission P/2018/1048.
9. The development shall be carried out in accordance with the Construction Traffic Management Plan (Building Process) dated 26.07.2017 and amended 05.09.2018 approved under planning permission P/2018/1048.
10. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 25 metres to the north west and 2.4 metres x 33 metres to the south east measured to the nearside edge 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
11. The vehicular access as shown on drawing no. N027/014 Sheet 1 of 1 Rev H approved under planning permission P/2016/1048 shall be fully laid out, surfaced and drained prior to first use of the development.
12. The site shall be drained in accordance with the details shown on approved drawing no 6859-01 Rev B DRAINAGE LAYOUT.

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13. The development shall be carried out in accordance with the details contained in the approved SuDS Management Plan for Coed Derw at Goulbourne, Wrexham of Coopers dated 07 December 2018 document reference 6859SMP.

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 trees which are of significant amenity value to the area.
 4. To protect trees which are of significant amenity value to the area.
 5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
 6. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
 7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
 8. To protect the amenities of the occupiers of nearby properties.
 9. In the interests of highway safety.
 10. To ensure that adequate visibility is provided at the proposed point of access to the highway.
 11. In the interests of providing a safe and convenient vehicular and pedestrian access to the site.
 12. 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.
 13. 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.
-

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DATE – 4th MARCH 2019

APPLICATION NO:
P/2018 /0975

LOCATION:
EDGECROFT PANT LANE
GRESFORD WREXHAM
LL12 8HB

DATE RECEIVED:
15/11/2018

COMMUNITY:
Gresford

DESCRIPTION:
ERECTION OF FENCE (MORE THAN
1 METRE HIGH) NEXT TO HIGHWAY
(IN RETROSPECT)

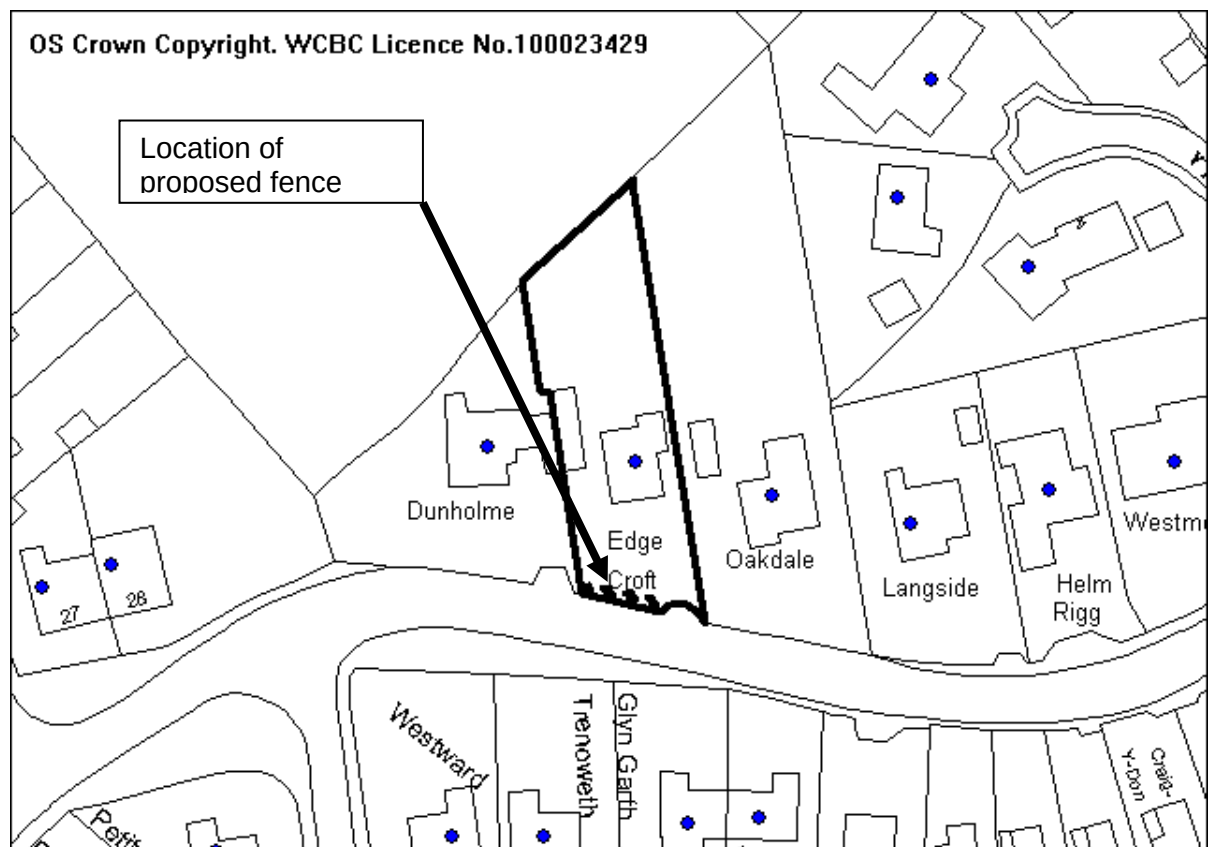
CASE OFFICER:
PF

WARD:
Gresford East & West

AGENT NAME:
MR RICHARD CAREW

APPLICANT(S) NAME:
MR RICHARD CAREW

THE SITE



PROPOSAL

Planning permission is sought in retrospect for the erection of a means of enclosure across the frontage of the property. The fence is in excess of 1 metre in height and is located adjacent to the highway. The application is made in retrospect.

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HISTORY

P/2003/1127 Rear extension and improvements to dwelling.
Granted 19.11.2003
P/2006/0280 Replacement of detached garage and re-positioning of vehicular access. Granted 18.04.2006
P/2014/0549 Rear extension and erection of detached garage.
Granted 16.09.2014

PLANNING POLICY

The site is located with the Gresford settlement limit. Policies PS2 and GDP1 are relevant.

CONSULTATIONS

Community Council:	The fence is out of keeping with the general area which is formed of trees and hedges. The Council wish to object to this fence in its present height and appearance and would also query access issues and visibility on to a bend in the road.
Local Member:	Supports the application as he feels the applicant has already taken account of his neighbour's needs and Highway safety through their conversation and effective mitigation.
Site notice:	Expired 06.02.2019
Highways:	No objection. Whilst the fence as constructed impedes visibility, previous vegetation already did so. There is no additional detriment demonstrated.
Neighbouring occupiers:	5 neighbouring occupiers notified. 1 response received raising the following objection: • The fence severely restricts the visibility from the neighbouring dwelling driveway which should be addressed by setting the fence further back. In its present form it is detrimental to highway safety.

SPECIAL CONSIDERATIONS

Design: Visual impact: Generally, the gardens in front of the houses along Pant Lane are open with a small means of enclosure along the street frontages, consisting of a low level brick wall. Over time, trees and hedges have clearly matured infilling some of the frontages especially on the northern side of Pant Lane where the application site is located.

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The general intended openness of the streetscene is still evident with this mature vegetation giving a soft appearance in the wider context. It is now an integral part of the local environment and the attractive appearance of the area. There is little in the way of defined close boarded high level boundary fencing to the front boundaries of these properties.

The proposed fence is approximately 1.8m high and runs for a distance of about 8 metres along the frontage. The proposed fence sits on top of an existing low level brick wall.

The proposed fence is readily visible as a permanent presence in the street scene. The solid form and height of the fence gives it a dominant, stark appearance and makes it visually intrusive in the street scene. The intrusive and incongruous nature of the fence would be emphasised by the contrast with the hedges on the estate.

An image of the proposed fence is shown below for the benefit of members.



Proposed fence

Highways: Highways raise no objection to the proposed fence on the basis that vegetation previously impeded visibility splays to the west. I am satisfied with this approach and would not consider it prudent to resist the proposal on the grounds of highway safety.

Conclusion: I do not consider that the scale and position of the proposed boundary fence is appropriate in this location and would not make a positive contribution to the character of the streetscene. I therefore recommend accordingly.

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RECOMMENDATION: That permission be REFUSED

REASON(S)

1. The development, by virtue of its appearance and proximity to the highway, will have a harmful impact upon the street scene and appearance of the immediate locality. The proposed development is therefore contrary to policy GDP1 of the Wrexham Unitary Development Plan.
-

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APPLICATION NO:
P/2018 /0995

LOCATION:
FLATS 2 3 AND 4 HAZEL GROVE
CHURCH VIEW CHIRK WREXHAM
LL14 5PE

DATE RECEIVED:
26/11/2018

COMMUNITY:
Chirk

DESCRIPTION:
SUB-DIVISION OF SINGLE
DWELLING INTO 3 NO. SELF
CONTAINED FLATS (IN
RETROSPECT)

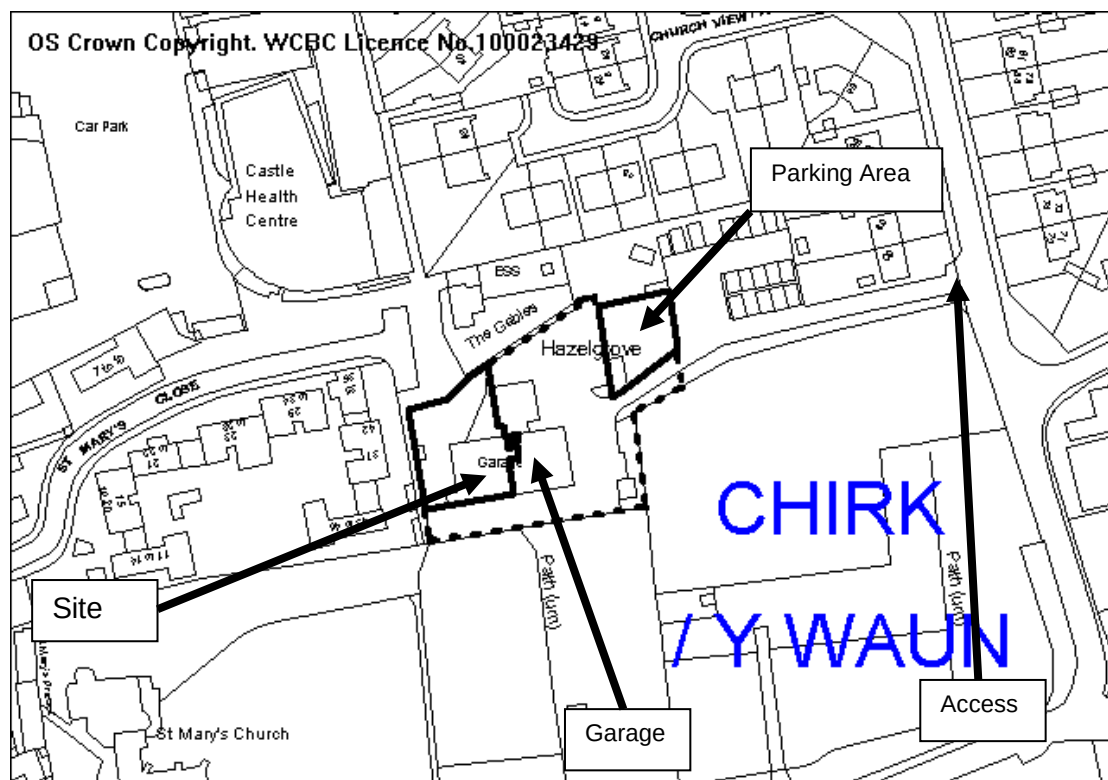
CASE OFFICER:
PF

WARD:
Chirk South

APPLICANT(S) NAME:
MR T EVANS

AGENT NAME:
ANDREW DESIGN
SERVICE
MR M ANDREW

THE SITE



PROPOSAL

Planning permission is sought for the subdivision of a dwelling into 3 self-contained flats. The application documentation states that the works were completed in 2007, some 12 years ago. Therefore the application is being considered in retrospect.

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The application is being reported before the Planning Committee as the applicant is the elected ward member for the area.

HISTORY

P/2000/0181 Sub-division of dwelling to form self-contained flat.
Granted 7.4.2000

PLANNING POLICY

The site is located in the Chirk settlement. Policies PS2, GDP1 and T8 are relevant. Guidance is contained in Local Planning Guidance Notes 16 – Parking Standards and 21 – Space Around Dwellings.

CONSULTATIONS

Community Council:	Consulted 18.12.2018.
Chair of Planning Committee:	Notified 18.12.2018
Site notice:	Expired 04.01.2019
Public Protection:	No comments.
Highways:	The site provides adequate off street parking provision for all dwellings. A condition should be imposed to protect the existing parking provision marked on the application submission.
Neighbouring occupiers:	14 neighbouring occupiers notified. No responses received.

SPECIAL CONSIDERATIONS

Background and policy: The site consists of a large single building with an associated access and parking area. The building currently features a motor repair garage and 4 self-contained units of accommodation.

In 2000, planning permission was granted for the creation of a self-contained annexe from the single dwelling which was associated with the motor repair garage. When granted, the permission included a condition that the annexe only be used for a purpose ancillary to the main dwelling.

The plans now submitted show this annexe as 'The Bungalow'. The remaining residential element which is known as Hazel Grove is now sub-divided into 3 self-contained flats.

It would appear that this application has been submitted in order to regularise the development. I am satisfied that the applicant can utilise the planning application process to do this. Were the applicant able to evidence an uninterrupted use of the building for the purposes described, another option would be the submission of an application for a certificate of lawful

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development for an existing use or development which would render the development immune from formal enforcement action.

The sub-division of an existing dwelling to form additional residential units is acceptable in principle. Any such development should accord with policies GDP1 and T8 of the UDP.

Amenity: The building is attached to a motor repair garage. This could result in an issue of disturbance for future occupiers. However, I have taken on board the fact that the building in question was previously a dwelling in any case Public Protection has no objection to the proposed development. It would not be unreasonable to assume that their comments would have taken on board any issues of noise disturbance and logged complaints from occupiers of the flats in the past. On this basis, I am satisfied that the compatibility of uses has already been established.

The overall layout of the subdivision scheme is also considered acceptable in terms of the position of other dwellings. There are no issues of loss of privacy.

Highways: Highways raise no objection to the proposal. The site is accessed along a private track and there is an area of parking provision which shows spaces for up to 12 vehicles. In reality, the site shares parking provision with the motor repair garage which is all within the control of the applicant. On this basis I do not consider that there will be any impact upon highway safety by the overspill of vehicles on to the public highway. No additional conditions will be required.

Conclusion: I am satisfied that the proposed development represents an acceptable level of accommodation for the three proposed flats and the scheme accords with policies PS2, GDP 1 and T8 of the UDP. I recommend accordingly.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The approved plans are those numbered PL01, PL02, PL06, PL07 and PL08.

REASON(S)

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

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
DATE – 4th MARCH 2019

APPLICATION NO:
P/2018 /1010

LOCATION:
UNIT NOS 1 AND 3 CHESNEY
COURT RHYD BROUGHTON LANE
WREXHAM TECHNOLOGY PARK
WREXHAM
LL13 7YP

DATE RECEIVED:
30/11/2018

COMMUNITY:
Offa

CASE OFFICER:
MP

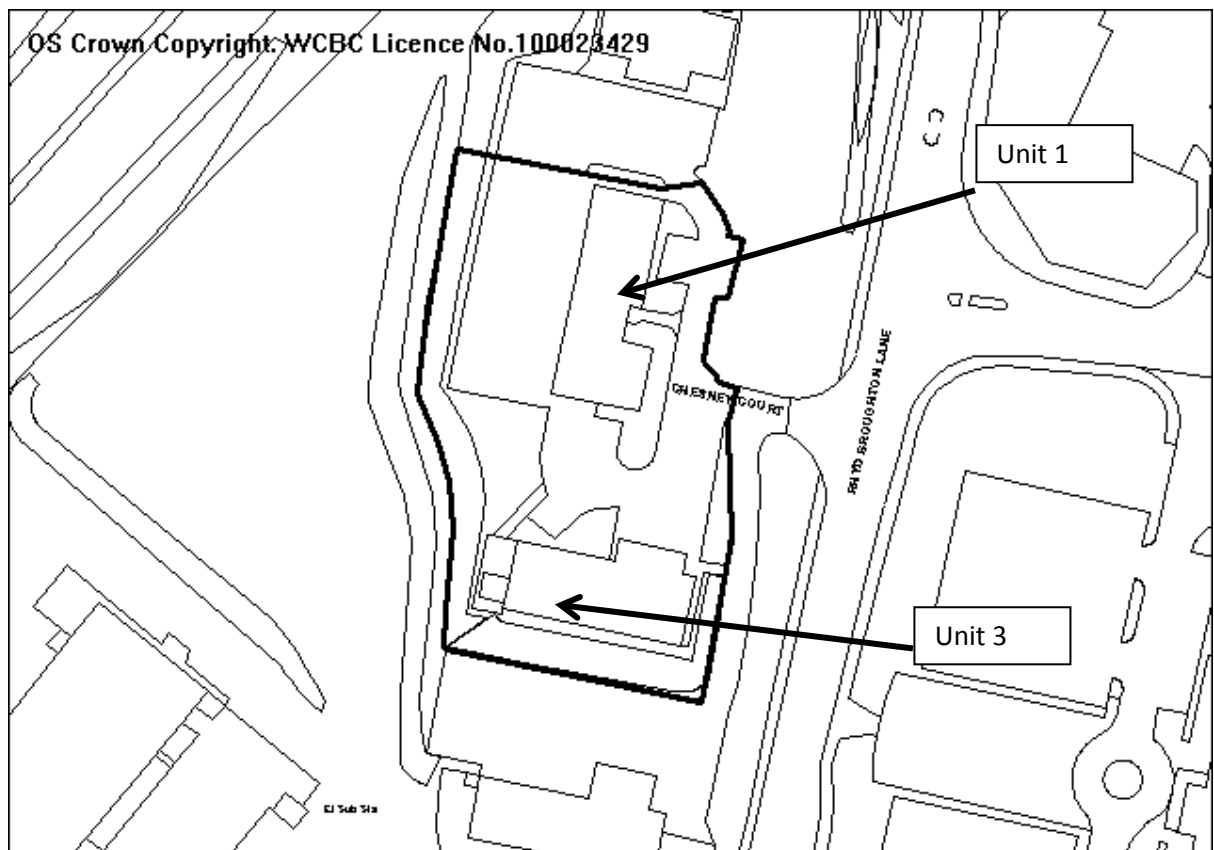
WARD:
Brynyffynnon

DESCRIPTION:
CHANGE OF USE FROM B1
(OFFICE) TO D1 (MEDICAL)

AGENT NAME:
TACP ARCHITECTS LTD
MR STEPHEN TAYLOR

APPLICANT(S) NAME:
AR AND A MORRIS

THE SITE



PROPOSAL

As above. The development relates two Units 1 and 3 Chesney Court.

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
DATE – 4th MARCH 2019

HISTORY

P/2017/0044 Change of use from office accommodation to
 medical/health centre. Withdrawn.

DEVELOPMENT PLAN

Within settlement. Policy GDP1 applies.

CONSULTATIONS

Community Council: Holding objection due to the highways concerns
 which need to be addressed.

Local Member: Notified 4.12.18

Highways:

Access

- No internal pedestrian routes. Recommend consideration is given to provide safe pedestrian access to the site;

Traffic Generation

- Proposal unlikely to have a significant impact if considered in isolation;
- However in recent years there has been significant development in the area all of which have or will contribute to the pressure on the network;
- in the morning and evening peak there is traffic queuing past the site;
- careful consideration would need to be given for access and egress to and from the site and whether this would be to the detriment of traffic flows on Berse Road;
- it is suggested that there will be a reduction in traffic generation at the existing Yale Spire Site due to the relocation of 38 staff. However Spire has recently obtained consent to extend the building and car park to expand/improve services. It is therefore likely that any vacant floor space will be taken by new/expanded services. It is unlikely there will be any reduction in vehicle movements;
- raise concerns that the proposed development could grow in size if permission is granted for Class D1 use and could generate significantly more traffic than existing units;
- If units 1 & 3 are converted to D1 – Private Hospital Use the typical total daily

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING

DATE – 4th MARCH 2019

movements could increase by approximately 8 movements per hour. However if they are used as a medical centre/GP surgery then the typical total daily movements could increase by 51 additional movements per hour, which is significant;

- Would seem reasonable to accept the development and its anticipated movements based on its intended use by Spire Hospital. However I would not wish to support a development for a potential Medical Centre/GP surgery based on the likely increase in traffic generation given the existing capacity issues during peak hours;
- If the application is to be supported, recommend a condition is included to prevent an open ended D1 use.

Parking

- LPG16 maximum for existing use is 25 spaces and 35 for proposed use;
- Please ask for a plan to show how many parking spaces are allocated for each unit.

Public Protection:

No comments.

WG (Trunk Road):

Do not issue a holding direction.

Site Notice:

Expired 3.1.19

Neighbours:

Owner/occupier of 1 adjacent building notified

12.12.18

SPECIAL CONSIDERATIONS

Policy: The proposed use falls within Class D1: Non-residential institutions. Class D1 includes the following uses:

- a) the provision of any medical or health services;
- b) a crèche, day nursery or day centre;
- c) the provision of education;
- d) the display of works of art (otherwise than for sale or hire);
- e) a museum;
- f) a public library or public reading room;
- g) a public hall or exhibition hall;
- h) public worship or religious instruction.

The site is not allocated for any specific use in the UDP therefore is no policy objection to a change of use to class D1 subject to the proposals also complying with GDP1, in this instance specifically in respect of traffic generation, pedestrian access and parking.

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
DATE – 4th MARCH 2019

Pedestrian Access: 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 priorities access and movement by active and sustainable transport. The sustainable transport hierarchy promotes walking and cycling, then public transport ahead of private motor vehicles.

There is currently no dedicated footpath provision from Rhyd Broughton Lane to either of the two buildings subject to the application and as such it is poorly designed to encourage walking to the site or for visitors to the site to arrive by public transport. The applicant has submitted a plan confirming that footpaths will be laid adjacent to the access road thus facilitating much improved pedestrian access to the site. The provision of footways to serve both units will have a minimal impact upon the appearance of the site.

Traffic Generation: I am aware that Rhyd Broughton Lane and Berse Road suffer from significant traffic congestion at peak times and I therefore agree with Highways that developments that are likely to significantly increase traffic at those times should not be supported.

The application site is to be used to provide outpatient facilities for the nearby Yale Spire Hospital. Based on staffing levels for the previous B1 Office use of the application site and the staff likely to be transferred from the hospital, there should be an overall reduction in traffic. However I agree with Highways that this is likely to be off-set any the potential for additional traffic on the local highway network as a result of the re-use of the space at the Spire hospital that is to be vacated by the services to be based at the application site.

Highways have provided the following information to demonstrate typical trip generation rates for the existing B1 office use as well as uses falling with Class D1:

Use	Daily Vehicle Movements
B1 – Office	163
D1 – Private Hospital	240
D1 – GP Surgery	672

In light of the above Highways have suggested a condition be imposed to limit the use to that proposed.

Taking into account the issues raised by Highways as well as the concerns expressed by the Community Council I do believe that in this instance there are valid reasons to limit the use of the buildings to ones falling with Class D1(a): the provision of any medical or health services.

I accept that based on the information provided by Highways that some uses falling within Class D1(a), such as a GP surgery, have the potential to generate significantly more daily movements than the existing office use. However the

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
DATE – 4th MARCH 2019

concern is not that this in itself would be harmful to the local highway network but rather the impact additional traffic could have at times when it is already under significant pressure – i.e. peak hours.

Whilst it is reasonable to assume that a medical centre will generate a degree of traffic at peak times, notably staff arriving and leaving, patients will generally visit the site on an appointment basis only throughout the day. It is therefore reasonable to conclude that vehicle movements are more likely to be distributed more evenly throughout the day than will the case with an office.

In light of the above it is my view that subject to a condition limiting the use of the building to Class D1(a), the development is unlikely to increase traffic along the adjoining highway network to the extent of resulting in a material increase in existing peak time congestion.

Parking: The applicant has confirmed that unit 1 has a floor area of 399 sq.m and unit 3 has a floor area of 586 sq.m. The LPG16 maximum parking provision for the units is 18 spaces and 25 spaces respectively, or 43 for the application site as a whole. The applicant has submitted plans confirming that unit 1 will be allocated 18 spaces and unit 3 will be allocated 17 spaces, or 35 in total for the development as a whole.

Whilst the parking provision for unit 3 is 7 spaces below the maximum I am satisfied that this does not provide a valid reason for refusal in this instance. The site is reasonably well located to be accessed by means other than private car. In any case the submitted plan confirms that there are a number of parking spaces that are not allocated to units 1 and 3 or to the adjacent units 2 and 4 and that there is space to provide additional spaces should they be needed. The development is therefore unlikely to result in off-site parking problems in this instance.

CONCLUSION

Subject to conditions, the proposed use is acceptable and in accordance with the 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 vehicular parking and turning areas as shown on approved site layout plan shall be fully laid out, surfaced and drained prior to first use of the

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING

DATE – 4th MARCH 2019

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.

3. Units 1 and 3 shall not be used for the purposes hereby granted planning permission until a scheme of footpath provision to provide pedestrian access to/from Rhyd Broughton Lane has been implemented in full in accordance with details shown on the approved site layout plan.

4. The buildings subject to this planning permission shall not be used for any purpose other than for the provision of medical or health services falling with Class D1 a) of the Town and Country Planning (Use Classes) Order 1987 (or any statutory instrument revoking and re-enacting that Order with or without amendment).

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2. 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.

3. To ensure that adequate provision is made for pedestrian access to the development site.

4. In the interests of preventing the buildings from being used for purposes that could significantly increase traffic along the adjacent highway a peak-times.

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DATE – 4th MARCH 2019

APPLICATION NO:
P/2019 /0002

LOCATION:
2 FOREST HILLS HALTON CHIRK
WREXHAM
LL14 5BA

DATE RECEIVED:
03/01/2019

COMMUNITY:
Chirk

DESCRIPTION:
SINGLE-STOREY EXTENSION TO
REPLACE EXISTING
CONSERVATORY AND NEW FRONT
PORCH

CASE OFFICER:
LP1

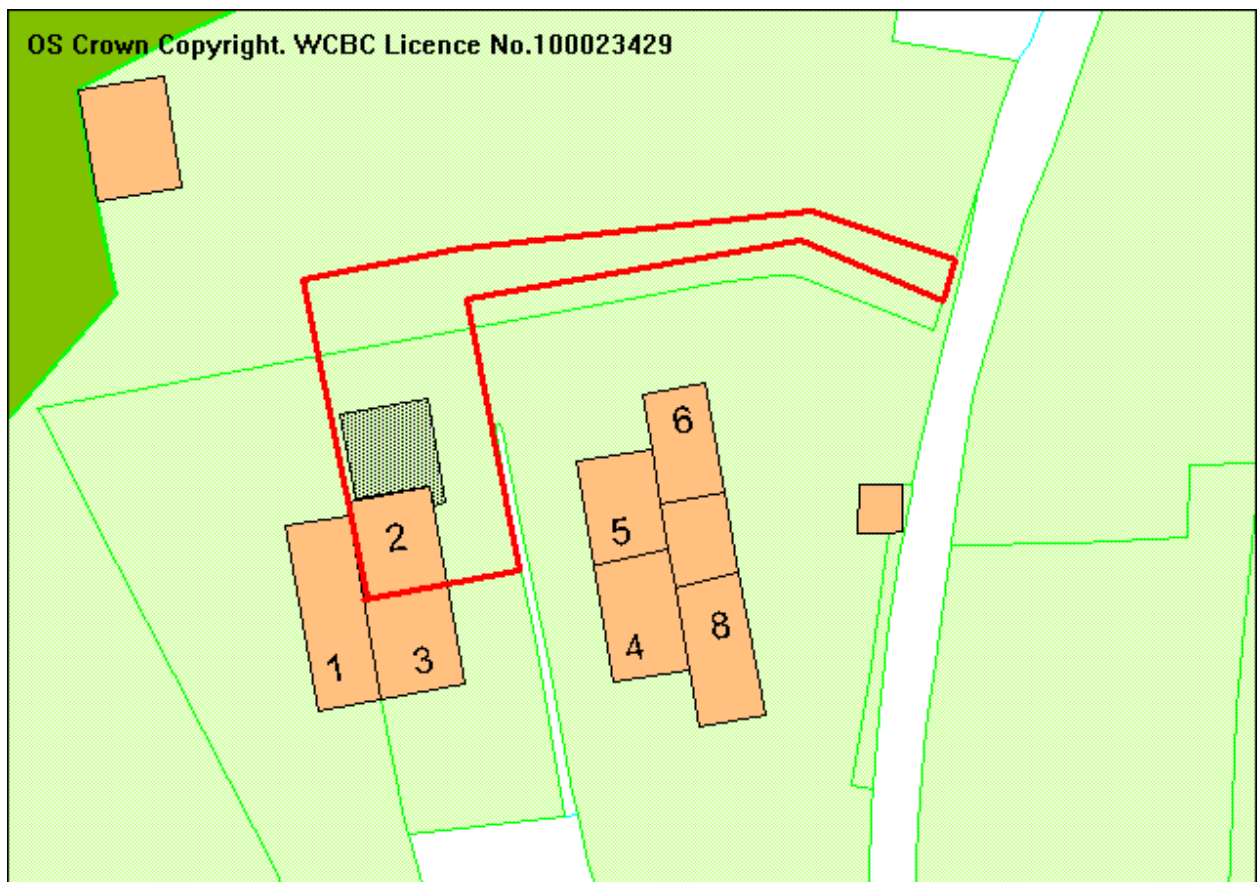
WARD:
Chirk North

APPLICANT(S) NAME:
MR RICK ESHELBY

AGENT NAME:
PAUL WHALE STUDIO
83
MR PAUL WHALE

SITE

Property in Black Park, Chirk



PROPOSAL

Single storey extension to replace existing conservatory and new front porch

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
DATE – 4th MARCH 2019

HISTORY

None relevant

DEVELOPMENT PLAN

Lies outside of the settlement limit, Policies GDP1 and PS2 apply

CONSULTATIONS

Community Council:	No objection
Local Member:	No comments
Site Notice:	Expired 31/01/2019
Other Representations:	One letter of support received. One letter of objection raising the following points: • The extension protrudes beyond the front elevation blocking the view of the hills • As the proposal is higher than the existing conservatory it will block light to the property to the east and result in a view of a roof rather than the hills and countryside.

SPECIAL CONSIDERATIONS

The property is one of 8 in Black Park, Chirk; several of which have been previously extended.

The proposal is to replace an existing conservatory which protrudes from the north elevation of the property by 3.5metres with a maximum height of 3 metres. The proposed extension protrudes from the north elevation by 6.5 metres with a maximum height of 4.8 metres and incorporates a small porch on the eastern elevation.

The proposed extension is to be stone clad which is in keeping with the existing building and more appropriate than the PVC conservatory which is currently in place. The design is acceptable in relation to the property and the neighbouring buildings.

The proposal passes the BRE tests in relation to the neighbouring properties and will not result in any overlooking due to the orientation of the buildings. The properties to the east lie higher than No.2 and the proposed extension and there will not be any significant loss of light. There is no right to a view over neighbouring land.

The proposed extension is a 40% increase in the floor area of the property. Whilst this is larger than guidance contained within LPG13 I do not consider that this is excessive given the size of the original property which is relatively small in size.

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CONCLUSION

The proposed extension will not have a detrimental affect on neighbouring properties and is of an appropriate design 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) dated 3rd January 2019 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.

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.

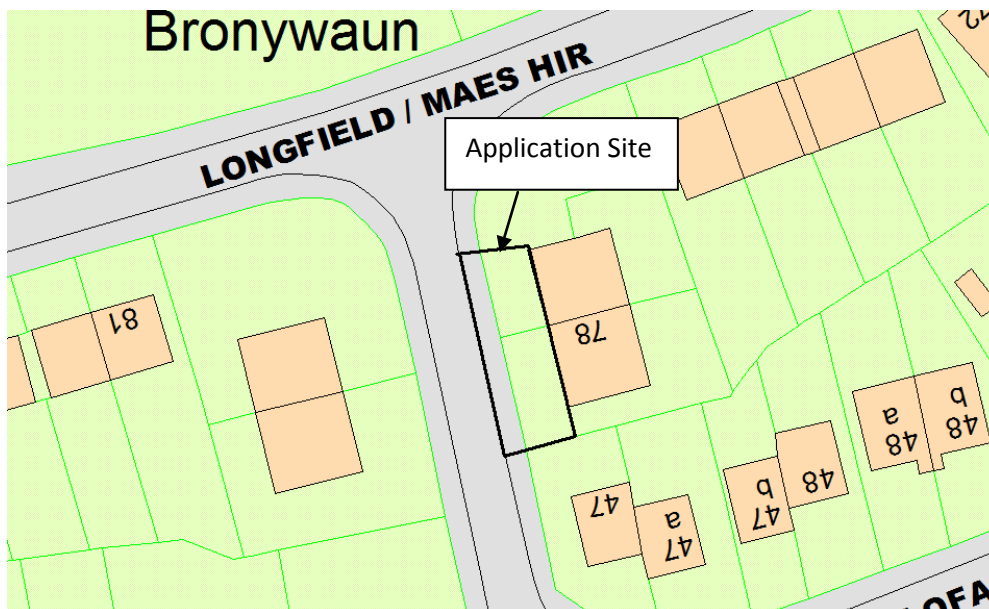
NOTE(S) TO APPLICANT

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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DATE – 4th MARCH 2019

APPLICATION NO: P/2019 /0016	LOCATION: LAND IN FRONT OF NOS 77 AND 78 LONGFIELD CHIRK WREXHAM LL14 5RE	DATE RECEIVED: 11/01/2019
COMMUNITY: Chirk	DESCRIPTION: CONSTRUCTION OF ON STREET PARKING	CASE OFFICER: MR
WARD: Chirk South	APPLICANT(S) NAME: WREXHAM COUNTY BOROUGH COUNCIL	AGENT NAME: MR KEITH EDWARDS

SITE



PROPOSAL

The proposal seeks planning permission for the construction of on-street parking.

The Case Officer has requested a more detailed Site Layout Plan to accompany the application given the re-location of the pavement has not been shown on the current submitted Site Plan. Should the submitted Site Layout Plan be satisfactory, this will be added to the approved plans condition.

HISTORY

None relevant.

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DATE – 4th MARCH 2019

DEVELOPMENT PLAN

Within Chirk Settlement Limit. UDP policy GDP1 applies.

CONSULTATIONS

- Town Council: Appreciate the need for on-street parking but object to the proximity of vehicles to the windows of both bungalows as a result of the proposal. Suggest that the proposal is re-located to the public open space to the north, adjacent to the properties, as an alternative site.
- Local Member: Notified 15.01.2019. The application is to provide off-street parking for residents on health reasons, the parking bay will allow the occupants' easy access to their home, will stop people parking on the pavement and will mirror the parking bay on the opposite side of the road. The Local Member is against the town councils recommendation that it should be made on the bend, as it would be a danger to road users and would result in a long walk for the occupants of the properties for which the parking bay is intended to serve.
- Highway Authority: No comments received to date, an update will be provided in the Committee Addendum.
- Site Notice: Expired 07.02.2019.
- Neighbours: No representations received to date.

SPECIAL CONSIDERATIONS

Design: The proposal would involve removing and re-locating a section of pavement and grass verge along Longfield Road, to provide parking spaces for 2 no. vehicles.

The proposal would replicate the parking spaces which have been provided directly opposite the site for property No's 79 and 80 and would not appear discordant in this respect.

The proposal would have no adverse visual impact on the locality and would comply with UDP Policy GDP1.

Residential Amenity: Whilst the Community Council raise concerns regarding proximity of vehicles to windows of property No's 77 and 78, there currently appears to be no off-street parking serving these properties. Therefore,

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
DATE – 4th MARCH 2019

occupants and visitors are likely to park along the pavement, already restricting outlook from the windows serving these properties.

The proposal is not considered would significantly worsen the existing situation to warrant refusal of the scheme.

Highway Safety: The proposal would provide space to allow designated parking for vehicles, which would help to encourage the free flow of traffic along this section of Longifield Road.

The proposal would not result in the loss of the pavement given it would be relocated to run east of the proposed parking spaces.

Highway Authorities comments will be added in the Committee Addendum.

CONCLUSION

The proposal is considered to be acceptable and would not result in adverse impacts to visual and residential amenities of the area and would not result in highway safety implications.

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 16 and as contained within the application documentation.
3. Prior to first use of the development hereby approved, a 2.0m wide footway shall be constructed along the frontage of Nos. 77 and 78 in strict accordance with a scheme which has been approved in writing by the Local Planning Authority.

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 pedestrian safety.

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
DATE – 4th MARCH 2019

LIST OF DELEGATED DECISIONS ISSUED

MIN P/2017/0336 GRANTED 07/02/2019	STATION HOUSE, OLD ROAD, MINERA, WREXHAM, LL11 3YQ	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2013/0108:- CONDITION 8 - SUBMISSION OF SCHEME OF ALL PARKING, TURNING AND CIRCULATION AREA DETAILS CONDITION 11 - SUBMISSION OF SCHEME OF LIGHTING DETAILS INCLUDING TIMES OF USE CONDITION 13 - SUBMISSION OF BOUNDARY TREATMENTS AND LANDSCAPING SCHEME FOR THE RETROSPECTIVE STORAGE AREA CONDITION 14 - SUBMISSION OF DETAILS OF A LANDSCAPING SCHEME INCLUDING FOR THE BOUNDARY AREA ADJACENT TO THE NORTH FACING ELEVATION CONDITION 18 - SUBMISSION OF A SCHEME FOR THE COMPREHENSIVE AND INTEGRATED DRAINAGE OF THE SITE
WRO P/2018/0241 GRANTED 07/02/2019	WREXHAM MAELOR HOSPITAL, CROESNEWYDD ROAD, WREXHAM, LL13 7TD	TWO-STOREY MODULAR BUILDING LOCATED ON THE SITE OF A DEMOLISHED AREA OF THE EXISTING HOSPITAL. THE PROPOSED BUILDING TO ACCOMODATE 2 NO. DAYCASE THEATRES AND AN ENDOSCOPY SUITE, AS A REPLACEMENT OF THE EXISTING RECENTLY CLOSED THEATRES
LLA P/2018/0279 GRANTED 01/02/2019	LAND ADJACENT TO 4 ELEVENTH AVENUE, LLAY, WREXHAM, LL12 0SN,	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2018/0022 CONDITION 6 - SUBMISSION OF A DRAINAGE SCHEME FOR THE SITE CONDITION 12 - SUBMISSION OF SCHEME FOR THE REPLACEMENT OF 2 NO TREES
WRA P/2018/0823 GRANTED 01/02/2019	3, WINDERMERE ROAD, WREXHAM, LL12 8AG	APPLICATION FOR WORKS TO OAK TREE (T1) SUBJECT TO TREE PRESERVATION ORDER WCBC NO. 190:- - REDUCE TO THE SELECTED SUITABLE POINTS AND REDUCE SURROUNDING BRANCHES TO RETAIN GOOD SHAPE AND FORM OVER THE GARDEN - CROWN RAISE HE LOWER PENDULOUS BRANCHES AND ANY LOW GROWING SMALL BRANCHEST TO IMPROVE LIGHT INTO THE GARDEN - THIN THE CROWN BY REMOVING EPICORMIC AND ADVENTITIOUS GROWTH, CROSSING AND RUBBING BRANCHES AND DEADWOOD
LLA P/2018/0833 GRANTED 01/02/2019	LAND ADJACENT TO, 4 ELEVENTH AVENUE, LLAY, WREXHAM, LL12 0SN	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNIING PERMISSION CODE NO. P/2018/0022:- CONDITION 3 - SUBMISSION OF SAMPLES OF ALL EXTERNAL FACING AND ROOFING MATERIALS CONDITION 5 - SUBMISSSION OF FULL DETAILS OF A HARD AND SOFT LANDSCAPING SCHEME TO INCLUDE BOUNDARY TREATMENTS

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LLR P/2018/0835 GRANTED 12/02/2019	SYCAMORE COTTAGE, THE SLIP, TREVOR, WREXHAM, LL20 7YR	SIDE GARAGE EXTENSION
HOL P/2018/0843 GRANTED 01/02/2019	LITTLE LODGE, CASTLE GARDENS, HOLT, WREXHAM, LL13 9AX	NOTIFICATION OF PROPOSED WORKS TO TREE WITHIN HOLT CONSERVATION AREA:- 1 NO. WILLOW TREE - POLLARDING AS SHOWN IN ATTACHED PHOTOGRAPH
RUA P/2018/0911 GRANTED 04/02/2019	WYNNSTAY SAWMILLS, OVERTON ROAD, RUABON, WREXHAM, LL14 6HN	ERECTION OF 7 NO. 3.6M HIGH SECURITY LIGHTING COLUMNS (IN RETROSPECT)
RUA P/2018/0912 GRANTED 04/02/2019	WYNNSTAY SAWMILLS, OVERTON ROAD, RUABON, WREXHAM, LL14 6HN	CHANGE OF USE OF PART OF SITE FROM GENERAL INDUSTRIAL (B2) TO STORAGE AND DISTRIBUTION (B8) - MIX OF SELF-STORAGE CONTAINERS, CARAVANS, MOTORHOMES AND VEHICLE STORAGE (IN RETROSPECT)
RUA P/2018/0924 GRANTED 07/02/2019	RUABON BUSINESS PARK SITE, ADJACENT TO A483, RUABON, WREXHAM, LL14 6TE	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2018/0053:- CONDITION 2 - PHASE OF DEVELOPMENT DETAILS FOR APPROVAL CONDITION 7 - PHASING PLAN DETAILS OF ALL EXTERNAL FACING AND ROOFING MATERIALS CONDITION 12 - PHASE OF DEVELOPMENT SCHEME OR THE COMPREHENSIVE AND INTEGRATED DRAINAGE OF THE SITE CONDITION 13 - SUBMISSION OF DETAILS OF THE FUEL STORAGE TANKS CONDITION 17 - PHASE OF DEVELOPMENT ARBORICULTURAL METHOD STATEMENT CONDITION 18 - SUBMISSION OF METHOD OF CONSTRUCTION STATEMENT FOR RELEVANT PHASE IDENTIFIED IN THE PHASING PLAN CONDITION 20 - SUBMISSION OF SCHEME TO MINIMISE THE TRANSMISSION OF STRUCTURE BORNE SOUND CONDITION 26 - PHASE OF DEVELOPMENT DETAIL OF LAYOUT, LIGHTING AND DRAINAGE CONDITION 27 - PHASE OF DEVELOPMENT DETAIL OF A TRAVEL PLAN CONDITION 28 - PHASE OF DEVELOPMENT VEHICULAR PARKING AND TURNING FACILITIES CONDITION 31 - PHASE OF DEVELOPMENT SCHEME TO DEAL WITH POTENTIAL CONTAMINATION
WRO P/2018/0963 GRANTED 04/02/2019	11, BARTON CLOSE, WREXHAM, LL13 7EX,	SINGLE-STOREY REAR EXTENSION TO INCORPORATE UTILITY AND WC
COE P/2018/0969 REFUSED 04/02/2019	11, PENYGELLI AVENUE, COEDPOETH, WREXHAM, LL11 3RL	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT

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RUA P/2018/0976 GRANTED 06/02/2019	RUABON BUSINESS PARK SITE, ADJACENT TO A483, RUABON, WREXHAM, LL14 6TE	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION IMPOSED UNDER PLANNING PERMISSION P/2018/0053 CONDITION 12 - SUBMISSION OF SCHEME FOR THE RELEVANT PHASE OF THE DEVELOPMENT, FOR THE COMPREHENSIVE AND INTEGRATED DRAINAGE OF THE SITE
HAN P/2018/0981 GRANTED 14/01/2019	WILLINGTON GRANGE, HORSEMANS GREEN, WHITCHURCH, SY13 3BZ	CONVERSION OF FIRST FLOOR OF EXISTING DOUBLE GARAGE TO ANNEX RESIDENTIAL ACCOMMODATION
WRO P/2018/1003 GRANTED 24/01/2019	115, NORMAN ROAD, WREXHAM, LL13 7BG	APPLICATION FOR WORKS TO TREE PROTECTED BY TREE PRESERVATION ORDER WCBC NO 13 - SWEET CHESTNUT (T1) - REDUCE LOWER 3RD OF ENCROACHING BRANCHES / CROWN BY 1.5 METRES - REDUCE MID 3RD OF ENCROACHING CROWN BY MAXIMUM OF 2.5 METRES - REDUCE UPPER 3RD OF ENCROACHING CROWN BY 2 METRES - TRIM ENCROACHING TWIGGS AFFECT NO. 15 TO BOUNDARY FENCE
BRN P/2018/1008 GRANTED 04/02/2019	THE BROOK, , EGLWYS CROSS, WHITCHURCH, SY13 2JT	ERECTION OF NEW AGRICULTURAL BUILDING TO HOUSE LIVESTOCK - LOOSE HOUSING WITH CATTLE BEDDED ON STRAW
LLA P/2018/1012 GRANTED 04/02/2019	HAMILTON HOUSE, RACKERY LANE, LLAY, WREXHAM, LL12 0PB	SINGLE-STOREY CAFETERIA EXTENSION TO REAR AND ASSOCIATED WORKS
OVE P/2018/1016 GRANTED 13/02/2019	16, SALOP ROAD, OVERTON, WREXHAM, LL13 0EG	LISTED BUILDING CONSENT TO REPLACE 3 NO. ARCHED WINDOWS (2 AT THE FRONT AND 1 AT THE REAR) WITH TIMBER DOUBLE GLAZED UNITS TO MATCH EXISTING
BRO P/2018/1018 GRANTED 04/02/2019	YSGOL PENRHYN, SCHOOL LANE, NEW BROUGHTON, WREXHAM, LL11 6SF	HALL EXTENSION
WRO P/2018/1019 GRANTED 04/02/2019	ST JOSEPHS CATHOLIC AND ANGLICAN HIGH SCHOOL, SONTLEY ROAD, WREXHAM, LL13 7EN	RETENTION AND CONTINUED USE OF MODULAR BUILDING (PREVIOUSLY GRANTED UNDER CODE NO P/2013/0642)
CHI P/2018/1022 GRANTED 04/02/2019	GWENS WEDDING SPECIALIST, ST MARYS PRECINCT, CHURCH STREET, CHIRK, WREXHAM, LL14 5HX	APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING USE AS A WEDDING SHOP AT GROUND FLOOR AND CONVERT FIRST FLOOR INTO A FLAT (RESIDENTIAL)
LLA P/2018/1023 GRANTED 04/02/2019	2, FAIROAKS CRESCENT, LLAY, WREXHAM, LL12 0NQ	SINGLE-STOREY SIDE AND REAR EXTENSIONS

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PEN P/2018/1031 GRANTED 04/02/2019	3, BRYN Y FFYNNON ROAD, PEN Y CAE, WREXHAM, LL14 2RW	SINGLE-STOREY REAR / SIDE EXTENSION
HAN P/2018/1034 GRANTED 13/02/2019	ST CHADS CHURCH IN WALES VA SCHOOL, HANMER, WREXHAM, SY13 3DG	LISTED BUILDING CONSENT TO CONSTRUCT NEW DOORWAY
RUA P/2018/1053 GRANTED 04/02/2019	EMERGENCY STANDBY ELECTRICITY GENERATION FACILITY, PLAS BENNION ROAD, PENYCAE, WREXHAM, LL14 6RN	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION 3 IMPOSED UNDER PLANNING PERMISSION CODE NO. P/2015/0623 - CONDITION 3 - SUBMISSION OF DECOMMISSIONING WORK (S) ASSOCIATED WITH THE CESSATION OF USE
COE P/2018/1054 REFUSED 13/02/2019	PLAS POWER HOME FARM BUILDINGS, RUTHIN ROAD, COEDPOETH, WREXHAM, LL11 3BP	PLOT NO 7 - EXTENSION AND AMENDMENTS OF BARN CONVERSION PREVIOUSLY GRANTED UNDER PLANNING REF P/2013/0093)
WRA P/2018/1056 GRANTED 04/02/2019	7, MAESYDRE ROAD, WREXHAM, LL12 7AS	PROPOSED GROUND FLOOR FRONT AND SIDE EXTENSION WITH ASSOCIATED IMPROVEMENT WORKS TO FRONT ELEVATION
WRR P/2018/1057 GRANTED 08/02/2019	24, KENYON AVENUE, WREXHAM, LL11 2ST	APPLICATION FOR WORKS TO TREE SUBJECT TO TREE PRESERVATION ORDER NO. WCBC NO. 254 - 1 NO. COMMON LIME: -PRECAUTIONARY APPLICATION ONLY TO PROTECT ANY UNFORESEEN TREE ROOTS WITH ALL WORKS TO BE CARRIED OUT UNDER THE SUPERVISION OF AN ARBORICULTURAL CONSULTANT
GRE P/2018/1058 GRANTED 29/01/2019	9, CHURCH GREEN, GRESFORD, WREXHAM, LL12 8RJ	NOTIFICATION OF PROPOSED WORKS TO TREES WITHIN GRESFORD CONSERVATION AREA - 2 NO. HORSE CHESTNUT T1 - 2M CROWN REDUCTION AND DEADWOOD REMOVED T2 - TO BE REMOVED
BRN P/2018/1061 REFUSED 08/02/2019	LAND OPPOSITE MAESLLWYN CLOSE, EAST OF MILL ROAD, BRONINGTON, WHITCHURCH, SY13 3HJ,	OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH ALL MATTERS RESERVED
OVE P/2018/1062 GRANTED 08/02/2019	CHERTWYN, 47 SALOP ROAD, OVERTON, WREXHAM, LL13 0EH	NOTIFICATION OF PROPOSED WORKS TO WEEPING BIRCH TREE PROTECTED BY OVERTON CONSERVATION AREA:- - LIFT SKIRT TO 1 1/2 METRE - OVERALL CROWN REDUCTION 1 1/2 METRE - LIFT OVER GARAGE ROOF - NO BRANCHES MORE THAN 50MM (ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH BS3998)

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING
DATE – 4th MARCH 2019

LLR P/2018/1066 GRANTED 04/02/2019	VISITOR CAR PARK, LAND NORTH OF TREVOR BASIN, OFF TOWER HILL, TREVOR, WREXHAM, LL14 3NL	DISPLAY OF TOURIST INFORMATION SIGN
RUA P/2018/1069 GRANTED 05/02/2019	RUABON BUSINESS PARK SITE, ADJACENT TO A483, RUABON, WREXHAM, LL14 6TE	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2018/0053:- CONDITION 2 - SUBMISSION OF SCHEME FOR THE APPROVAL OF CONSTRUCTION DETAILS FOR THE RELEVANT PHASE OF THE DEVELOPMENT CONDITION 7 - SUBMISSION OF EXTERNAL AND FACING ROOFING MATERIALS CONDITION 17 - SUBMISSION OF AN ARBORICULTURAL METHOD STATEMENT CONDITION 18 - SUBMISSION OF A METHOD CONSTRUCTION STATEMENT CONDITION 20 - SUBMISSION OF SCHEME TO MINIMISE THE TRANSMISSION OF STRUCTURE BOURNE SOUND CONDITION 28 - SUBMISSION OF FURTHER DETAILS OF THE PROPOSED VEHICULAR PARKING AND TURNING FACILITIES CONDITION 31 - SUBMISSION OF SCHEME TO DEAL WITH POTENTIAL CONTAMINATION
RUA P/2018/1072 GRANTED 04/02/2019	RUABON BUSINESS PARK SITE, ADJACENT TO A483, RUABON, WREXHAM, LL14 6TE	DISPLAY OF INTERNALLY ILLUMINATED FASCIA SIGNS, 1 VINYL SIGN, 1 POSTER CASE AND 1 TOTEM SIGN
WRR P/2018/1074 GRANTED 04/02/2019	THE LEMON TREE, 29 RHOSDDU ROAD, WREXHAM, LL11 2LP	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2018/0642 TO INCLUDE ADDITION OF EXTERNAL FIRE ESCAPE STAIRS
LLR P/2018/1075 DISCHARGED 21/02/2019	SUGN Y PWLL SERVICE RESERVOIR, TOWER HILL, GARTH, WREXHAM, LL20 7YH,	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2018/0481 CONDITION 8 - SUBMISSION OF CONSTRUCTION TRAFFIC MANAGEMENT PLAN CONDITION 9 & 10 - SUBMISSION OF A DETAILED ARBORICULTURAL METHOD STATEMENT AND DETAILS FOR THE ARBORICULTURAL SUPERVISION OF TREE PROTECTION MEASURES CONDITION 12 - SUBMISSION OF DETAILS OF THE APPOINTED ECOLOGICAL CLERK OF WORKS
WRR P/2018/1077 GRANTED 13/02/2019	THE LEMON TREE, 29 RHOSDDU ROAD, WREXHAM, LL11 2LP	LISTED BUILDING CONSENT FOR ADDITION OF EXTERNAL STAIRCASE (AMENDMENT TO LISTED BUILDING CONSENT REF P/2018/0641)
GWE P/2018/1079 GRANTED 13/02/2019	ALYN WATERS COUNTRY PARK, MOLD ROAD, GWERSYLLT, WREXHAM, LL11 4AG	RETENTION AND CONTINUED USE OF OFFICE CONTAINER (PREVIOUSLY GRANTED UNDER PLANNING PERMISSION P/2013/0488)

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING

DATE – 4th MARCH 2019

HOL P/2018/1082 GRANTED 12/02/2019	ALDERSEY FARM, FRANCIS LANE, HOLT, WREXHAM, LL13 9YB	TWO-STOREY AND SINGLE-STOREY EXTENSIONS WITH ASSOCIATED ALTERATIONS
GRE P/2018/1088 GRANTED 04/02/2019	LYNDON HOUSE, 62 WYNNSTAY LANE, MARFORD, WREXHAM, LL12 8LH	DEMOLITION OF EXISTING CAR PORT, TWO-STOREY EXTENSION TO SIDE AND REAR AND ERECTION OF TWO BAY GARAGE WITH HOME OFFICE OVER
WRR P/2019/0003 GRANTED 12/02/2019	163, CHESTER ROAD, WREXHAM, LL11 2SW	SINGLE-STOREY REAR EXTENSION
ROS P/2019/0004 GRANTED 13/02/2019	11, CAMPBELL CLOSE, ROSSETT, WREXHAM, LL12 0HZ	FIRST-FLOOR EXTENSION OVER EXISTING GARAGE AND GROUND FLOOR REAR EXTENSION
BRY P/2019/0009 GRANTED 13/02/2019	TY NANT, 4 NANT ROAD, BWLCHGWYN, WREXHAM, LL11 5YN	DEMOLITION OF EXISTING GARAGE, ERECTION OF NEW GARAGE (IN SAME LOCATION) WITH EN-SUITE BEDROOM ABOVE AND ALTERATIONS TO WINDOWS IN EXISTING HOUSE
BAN P/2019/0010 GRANTED 12/02/2019	6, LUDLOW ROAD, BANGOR ISYCOED, WREXHAM, LL13 0JG	APPLICATION FOR VARIATION OF CONDITIONS 2 AND 3 OF PLANNING PERMISSION P/2018/0819 TO ALLOW DESIGN CHANGES TO INTERNAL LAYOUT OF BUNGALOW AND RENDERING / CLADDING OF EXTERNAL WORKS
GRE P/2019/0020 GRANTED 29/01/2019	COLLIERS PARK, CHESTER ROAD, GRESFORD, WREXHAM, LL12 8PW	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2018/0194 TO REVISE SITE LAYOUT TO LOCATE SUB-STATION TO PROVIDE ELECTRICITY SUPPLY TO THE NATIONAL TRAINING CENTRE
MAR P/2019/0026 GRANTED 01/02/2019	ERDDIG HALL, ERDDIG, WREXHAM, LL13 0YT	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2018/0750 - CONDITION 3 - SUBMISSION OF NAME AND CONTACT DETAILS OF THE LICENSED ECOLOGIST OVERSEEING THE PROJECT CONDITION 4 - SUBMISSION OF NAME OF SUITABLY QUALIFIED ARCHAEOLOGICAL CONTRACTOR CONDITION 5 - SUBMISSION OF A DETAILED ARBORICULTURAL METHOD STATEMENT CONDITION 6 - SUBMISSION OF FULL DETAILS FOR THE ARBORICULTURAL SUPERVISION OF TREE PROTECTION MEASURES
ROS P/2019/0033 WITHDRAWN 13/02/2019	WOODLANDS, CHESTER ROAD, ROSSETT, WREXHAM, LL12 0DL	NEW GARDEN BUILDING INCLUDING A SUMMERHOUSE, SHED AND SHELTERED CANOPY

REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING

DATE – 4th MARCH 2019

BRO P/2019/0043 GRANTED 01/02/2019	LAND AT, SCHOOL LANE, SOUTHSEA, WREXHAM, LL11 6SF	APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2013/0697 (UNITS 4 TO 10 ONLY) TO:- - OMIT THE MIDDLE FLOOR BALCONIES AND PATIO DOORS AT THE REAR AND REPLACE WITH BRICK WALLING AND STANDARD WINDOWS - ENLARGE UPPER FLOOR DORMER TOWARDS THE REAR
RHO P/2019/0048 GRANTED 25/01/2019	HYFRYDLE, STRYT LAS, RHOSLLANERCHRUGOG WREXHAM, LL14 2HE	APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED LOFT CONVERSION COMPRISING BEDROOM AND ENSUITE



REPORT TO:	Planning Committee
REPORT NO.	HEP/21/19
DATE:	4 March 2019
REPORTING OFFICER:	Head of Environment and Planning
CONTACT OFFICER:	Jon Brewin (Tel 298763)
SUBJECT:	Tree Preservation Order 282/2018 Wrexham Law Courts & Police Headquarters, Bodhyfryd, Wrexham
WARD:	Acton

PURPOSE OF THE REPORT

For the Planning Committee to consider written representations made in respect of Tree Preservation Order (TPO) WCBC 282/2018 – ‘Wrexham Law Courts & Police HQ, Bodhyfryd, 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 town centre. Consisting of nineteen individual specimens and one group of three trees, the TPO was initially made and served to protect the trees from any inappropriate management or premature and unjustified felling operations.
- 2 It is considered that a significant proportion, if not all of the identified trees within the Order, are at risk from excessive root damage or complete felling and removal as a direct result of the multiple developments proposed for land affecting the existing Law Courts and the soon to be demolished Police Headquarters . The TPO was made and served to provide statutory protection for selected trees with the additional benefit of the Order being to

increase the value of the trees as a material constraint to any development application which may threaten or compromise the multiple services they provide to the town centre and local community. The TPO will ensure that the trees are retained and protected whilst being afforded appropriate consideration during the determination of any such development proposal.

- 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.

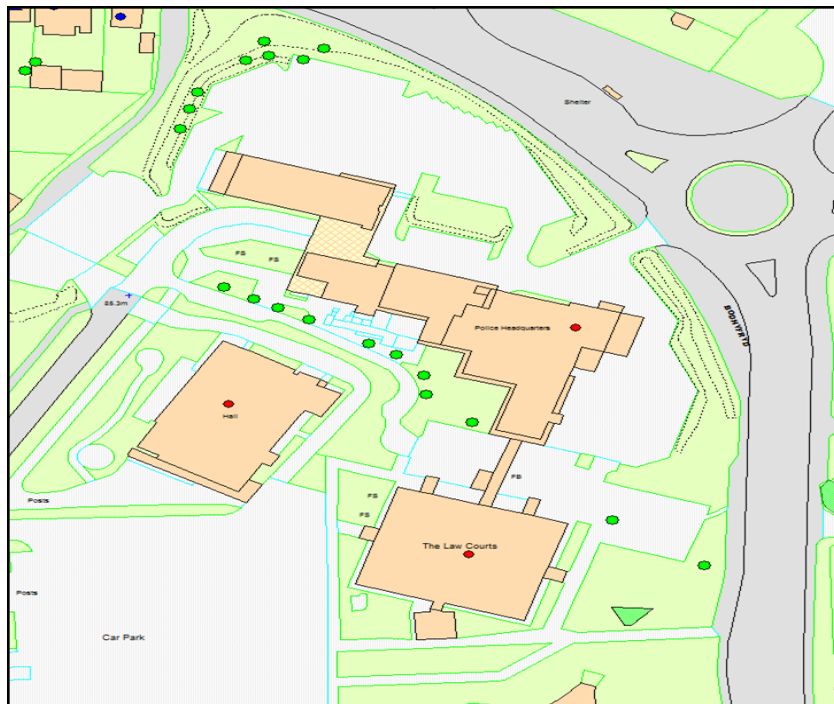
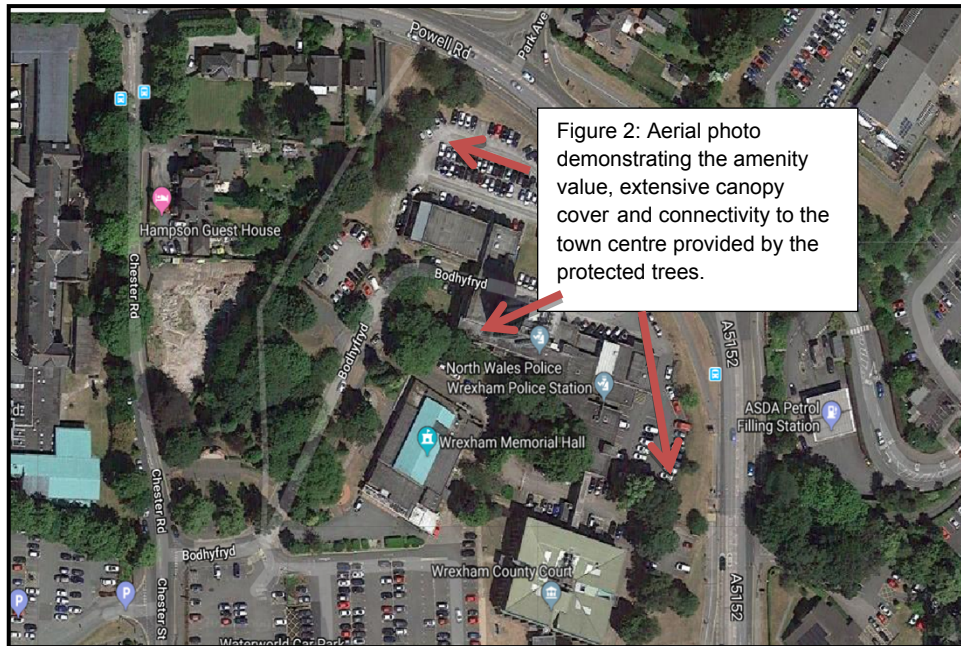


Figure 1: Map showing the individual positioning of the trees from the north-west corner of the Police Headquarters, continuing parallel with the access road to the rear of the HQ and past the Law Courts and on to the open space area adjacent to the town centre ring road.

- 4 A number of trees at risk from potential development are located on Council land situated between the Law Courts and the Memorial Hall. The required removal of these eight trees was agreed in principle with developers prior to the making of the TPO on the single condition that suitable mitigation is to be provided. Consequently, it was not considered appropriate to consider the eight Council owned trees for inclusion within the TPO.
- 5 Due to concerns regarding the immediate or foreseeable risk presented to the remaining trees as a result of potential development, it was considered appropriate to undertake a preliminary assessment of the amenity value of the trees undertaken in accordance with the Tree Evaluation Methodology for Preservation Orders (TEMPO). The amenity value and expediency of all the individual trees was evaluated in July 2017.



- 6 The TEMPO assessment provided a guidance score of 16/25, indicating that a TPO would be appropriate and defensible. Consequently, Tree Preservation Order 282/2017 was made and served on all interested parties on 20 July 2017.



- 7 Five additional specimens, indicated for removal to accommodate the proposed custody suite, were also omitted from the TPO due to reasons relating to either condition or reduced amenity value. The omission of these trees from the TPO may assist in facilitating any development proposals. Should these five trees be removed mitigation planting will be a requirement in order to maintain both amenity and cumulative canopy cover.

- 8 Following the making of the TPO, a further three trees have also now been proposed for removal by the developer in order to facilitate the development of the custody suite and required modifications to the revised access route. One of these trees being a mature horse chestnut tree, the profile of which was recently raised due to the tree being the subject of an article within the Wrexham Leader.
- 9 Proposals for separate retail development on adjacent land soon to be vacated by the existing Police HQ also presents a foreseeable level of risk to certain trees assessed and considered suitable for inclusion within the TPO due to amenity; most notably, trees numbering T1 – T7 & T12 – T19. Again, protection by a TPO was considered appropriate for a certain number of trees in order to prevent any premature or inappropriate management occurring to trees of significant amenity value.



Written Representations

- 10 One written objection was received by the Council 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 GVA for and on behalf of Her Majesty's Courts and Tribunal Services (HMCTS):

- GVA express multiple concerns that the legal protection and subsequent retention of the trees included within the TPO would restrict or prevent the proposed development of the new custody suite and access road. The new two-storey suite is a necessary requirement to serve the existing Law Courts, GVA state within their objection that any subsequent restriction of development by certain trees may have a detrimental impact upon the provision of service to be provided by the courts with further potential negative consequences for local economy

and employment. The amenity value of the trees was not challenged within the objection from GVA.

Officer Response:

- 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 objection submitted by GVA appears not to challenge the amenity value of the trees, but focuses more upon the potential restrictive nature of the TPO and as to how it may affect the current development proposal.
- It must be made clear that should a Local Planning Authority such as Wrexham Borough Council grant consent for a full planning application, such consent would override any relevant Tree Preservation Order, provisional or confirmed, which may be present on the associated site at that time; consequently any protected trees which then require removal to facilitate development may then be removed by the applicant accordingly.
- The concerns expressed by GVA with regards to the trees as a material constraint to development should be addressed by the Council during the determination of any such planning application rather than through the confirmation process of a Tree Preservation Order which simply seeks to discuss and make permanent a Tree Preservation Order and nothing more.

Summary

- 11 The amenity value provided by the individual tree as well as the trees as a collective unit is significant in the fact that the prominence and visibility of the trees provides a 'sense of place' and identity to Wrexham town centre, appreciated by both pedestrian and vehicular traffic either passing through or accessing town centre retail, places of employment or available leisure facilities.
- 12 Additional benefits in protecting these trees goes beyond that of amenity with the trees themselves reaching an age range whereby they now provide the maximum environmental and ecological returns to the community; benefits and services which may be considered priceless in terms of climate mitigation alone.
- 13 A final consideration when deciding upon the confirmation of this TPO is, that should there ever be a case in the future when any of the trees in question are agreed for removal, the TPO will allow the Council to enforce replacement planting thus thereby maintaining a level of amenity value enhancing the town centre as well as promoting the many environmental, ecological, social and economic benefits provided by such trees.

RECOMMENDATION

It is the Officer's considered opinion that Tree Preservation Order 282/2017 'Law Courts & Police Headquarters, Bodhyfryd, Wrexham' should be confirmed without modification.

BACKGROUND PAPERS

- Objection 1: GVA for an on behalf of Her Majesty's Courts and Tribunal Services
- TEMPO 'Assessment of amenity for trees'
- Planning Application P/2017/1045 'Demolition of link and construction of new two storey custody suite'
- Planning Application P/2018/0675 'Erection of Class A1 Retail Store'



REPORT TO:	Planning Committee
REPORT NO:	HEP/22/19
DATE:	4 March 2019
REPORT OF:	Head of Environment and Planning Head of Corporate and Customer Services
CONTACT OFFICER:	David Williams (Ext 8775) Ken Bickerton (Ext 2242)
SUBJECT:	Planning Appeal Decisions
WARD:	N/A

1 PURPOSE OF THE REPORT

To advise the Committee of the outcome of appeals against decisions of the Council (June 2018 – January 2019) and to outline the reasons for the decisions.

2. INFORMATION

Note: Application sites marked **(C)** were visited by the Committee before the decision was made.

- 2.1 Development of a raw board store at Kronospan Ltd, Holywell Road, Chirk, Wrexham (Application Code No. P/2017/0700) (Mr Keith Baker, Kronospan) – **Allowed.**

The Inspector concluded in allowing the appeal that the proposed works would not harm the visual amenity of the area and the setting of heritage assets, with the proposed building set amongst other large manufacturing buildings.

- 2.2 Erection of boundary fencing (in retrospect) at 101 Bangor Road, Johnstown, Wrexham (Application Code No. P/2018/0069) (Miss Kimberly Bayley) – **Dismissed.**

In dismissing the appeal, the Inspector agreed with the Council that the fence would appear as a conspicuous, prominent and intrusive feature in a street scene that is relatively devoid of similar development and would be detrimental to the character of the area contrary to policy GDP1 of the UDP.

- 2.3 Demolition of existing structure and erection of nine affordable homes apartments with associated parking and access at Engedi Chapel, High Street, Brymbo, Wrexham (Application Code No. P/2017/0319) (Steggles Property Ltd) **(C) – Allowed** (Application for award of costs – **Allowed**)

The Inspector concluded that the appellant had adequately demonstrated the unviable nature of the development if the required education contribution was insisted upon. The applicant had provided sufficient evidence through the application process in this regard.

By refusing to grant planning permission it was demonstrated that the Council had acted unreasonably in not accepting the applicant's evidence and not providing any of its own evidence to counter the view. As such, an award of costs was made against the Council, the final figure is yet to be agreed between the parties.

- 2.4 Outline planning application for residential development for up to 22 no. units and associated works with all matters reserved except for access on land North of Station Avenue, Chirk, Wrexham (Mr Richard Lomas, Co-op) **(C) – Allowed** (Application for award of costs **Refused**) after Public Hearing.

In allowing the appeal, the Inspector disagreed with the decision of the Committee to overturn the planning officer's recommendation to grant planning permission. The Inspector was of the same mind as the planning officer in that the loss of the trees to make way for the access to the development can be sufficiently mitigated for by a scheme of replanting. As such the character of the conservation area would be protected and the development of the site would not be contrary to the adopted Wrexham Unitary Development Plan Policies EC4 and EC7 as stated.

Application for award of costs - In refusing to award costs, the Inspector disagreed with the appellant that there were no planning grounds to refuse permission, or that the Council had not produced enough evidence at the hearing to support its decision. The hearing was attended by the planning officer, highway officer, arboricultural officer and Local Member, and sufficient evidence was provided at the hearing to form a respectable basis for the stance taken by the Council. The Inspector concluded that unreasonable behaviour had not been demonstrated by the appellant and an award of cost was not justified in this case.

- 2.5 Erection of a wooden garden shed at 5 Edwards Barn, Cornish Hall Barns, Wrexham Road, Holt, Wrexham (Application Code No. P/2018/0010) (Mr & Mrs S Brady) - **Dismissed**

In dismissing the Appeal, the Inspector agreed with the planning officer that the shed, by virtue of its prominent siting within the countryside and setting of the listed building, has a detrimental impact on the quality of the landscape and is unsympathetic to the form and character of the surrounding area, making a negative construction to the wider views and approach to the listed building, contrary to the adopted Wrexham Unitary Development Plan Policies GDP1(a), H3, EC9 and PS2.

- 2.6 Demolition of existing property and redevelopment to form five new dwellings at Nantcol, 57 Bryn Glas, Rhosllanerchrugog, Wrexham (Mr A Cottle) (Application Code No. P/2017/0537) – **Dismissed**

The Inspector concluded that the loss of two beech trees would have a detrimental effect on the amenity value of the woodland adjacent to the site and in turn the character of the area.

- 2.7 Erection of garage at Disused Shippon, Village Walks, Marford, Wrexham (Application Code No. P/2017/1043) (Mr D Roberts) **(C) - Dismissed**

The appeal was dismissed as the Inspector considered that the position of the front elevation of the garage and the need for the garage door to open outwards would not leave sufficient space for vehicles to park clear of the highway without overhanging from the driveway.

- 2.8 Two storey extensions, cut through wall between existing extension and existing kitchen, new door to access the proposed extension, dropped kerb needed to provide extra parking on front at 121 Moss Valley Road, New Broughton, Wrexham (Application Code No. P/2018/0335) (Mrs Felicity Smith) – **Dismissed**

Inadequate parking provision resulting in adverse impact to highway safety.

- 2.9 Change of use from Class D2 to Class C3, creation of new vehicular access and drive at 2 Vale Prospect, Chapel Street, Acrefair, Wrexham (Application Code No. P/2017/0503) (Mr & Mrs D Williams) - **Dismissed**

The Inspector agreed with the Council on two fronts, in that the proposal would result in the loss of a group of trees which had been identified as having a significant amenity value to the area and that insufficient information had been provided within the planning application to determine how the substandard visibility from the proposed point of access could be improved.

- 2.10 Listed Building Consent for replacement of windows to existing property at 6 The Lodge, Rackery Hall Mews, Rackery Lane, Llay, Wrexham (Application Code No. P/2017/0905) (Mr & Mrs Staden) – **Dismissed**

In dismissing the appeal, the Inspector agreed with the planning and conservation officers that the replacement windows cannot fully emulate the proportions and design of a traditionally designed timber window. The uniformity of the proposed windows would be at odds with the existing windows which exhibit subtle irregularities and characteristic variation in their finish. The replacement windows would be contrary to the adopted Wrexham Unitary Development Plan Policy EC9.

- 2.11 Gate entrance of height 184 cm at 2 Saxon Street, Wrexham (Application Code No. P/2018/0411) (Mr Marcin Piaskowski) - **Allowed**

The Inspector disagreed with the Council's decision to refuse planning permission. The gates were considered indistinguishable from the fence which stood at right angles to it. It was also noted that the proposed gate appeared very similar to the fence which once stood in the same location.

- 2.12 Change of use of strip of common land down side of property to garden area at 14 Epsom Way, Wrexham (Application Code No. P/2018/0360) (Mr Oliver Smith) – **Allowed**

The proposal would not harm existing provision of open space in the area.

- 2.13 Change of use from existing retail unit to hot food outlet at Gwersyllt Newsagent, Hope Street, Gwersyllt, Wrexham (Application Code No. P/2018/0439) ((Mr & Mrs Mathews) – **Allowed**

The Inspector concluded that the proposed opening times would not lead to an unacceptable impact upon the living conditions of neighbouring properties, having had regard to the location of the site near a busy road junction, a railway station car park and a supermarket. He also concluded that parking demand would not lead to a markedly increase and that there are car parks conveniently located nearby.

- 2.14 Conversion of Use of Class C4 (6 bed House in Multiple Occupation) to 8 No. House in Multiple Occupation, single occupancy at Kingston Villa, 27 Popular Road, Wrexham (Application Code No. P/2018/0486) (Arran Pritchard) – **Dismissed**

The Inspector concluded that the appeal property is in a busy area with widespread parking restrictions and many dwellings without off-street parking leading to a high demand for on-street parking. The development would lead to a small increase in the number of vehicles requiring parking spaces, even so this would increase the hazard to the local highway network.

3 RECOMMENDATION

That the report be noted.

4 BACKGROUND INFORMATION

Application files and Inspectors' Decision Letters

5 WEBSITE INFORMATION

Application files and Inspectors' Decision Letters