

Planning Appeal

Proposal: Outline application for up to 6 no dwellings located either side of the Walker Fan House Building including demolition of bungalow.

At

Adj to the Walker Fan House Building, Wynnstay Yard, The Green, Ruabon, Wrexham, LL14 3EH.

Introduction

The Walker Fan House is a listed ancient monument located on the outskirts of Ruabon. The structure on the site was responsible for pumping oxygen into the Wynnstay Colliery, ensuring the safety of miners many meters below the surface.

Blueprint have been involved with the site for a number of years with an initial application which included the construction of apartments on the site. Refused under application no: P/2017/0853 this scheme introduced a maintenance schedule for the Ancient Monument to preserve the structure.

During the course of application P/2017/0853 a meeting on site with a CADW representative, Planning Officer and Conservationist confirmed an application which included the area outlined as the ancient monument couldn't be supported.

With direction provided during the site meeting, Blueprint set out to ensure a new proposal did not include an area as outlined by CADW as the Ancient Monument, this would then ensure no harm would be placed on the registered site and the area could remain un-touched.

The proposal was determined around constraints presented by trees on the application site, the development includes 6no dwellings on the site which demonstrated a good use of land available, this included the demolition of a bungalow occupying the site which was previously the ticket office associated with Wynnstay Colliery.

Planning Application P/2018/0964

Received by the Local authority on the 14/11/2018 the application was segregated into two areas. To the west of the Walker Fan House 2no dwellings have been illustrated with 4no dwellings illustrated to the east. The ancient monument site would remain unaffected by the proposed development.

As part of the planning application a number of consultations where received. Detailed comments were obtained from CPAT, outlining the importance of consulting with CADW.

As the application was determined in 5 weeks CADW weren't given the appropriate timeframe to respond to any consultation they may have received.

Reason for Refusal

1.

Insufficient information has been submitted with the application to demonstrate that the proposed new development and remedial works will not directly or indirectly impact upon the scheduled monument DE238 Wynnstay Colliery Fan House, which is also Grade II listed. In addition, no evaluation of the footprint areas to determine whether industrial archaeological remains related to the colliery are present here has been provided contrary to Wrexham Unitary Development Plan Policies GDP1 (a), PS2, H2, EC9 and EC11.

Policy GDP1 (a)

Ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.

The application was submitted as an outline proposal (with all matters reserved), reference in this policy is made to the scale, design and layout which are all reserved matters as part of the application.

The nature of the site at present is untidy and overgrown, the development would ensure a kept appearance, making a positive contribution to the appearance of the locality.

The addition of properties would enhance the current characteristics of the site, by demolishing the unsightly pre-fabricated bungalow and removing vegetation from application site.

Policy PS2

Development must not detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.

Having a mining past, the site would have been imposing and industrial in its appearance, following its closure in 1927 the building and site has continued to deteriorate over the decades and been subjected to vegetation growth affecting the stability of sections of the buildings on site.

Part of the application site is occupied by a bungalow, its removal and construction of dwellings in its place is not seen as detrimentally affecting the landscape character of the site.

The quality of the natural environment will be improved with the maintenance of areas allocated for development, improving the overgrown un-kept nature of the site.

The proposal will enhance a site which currently has a detrimental impact on the countryside, The development will improve the landscape and quality of the natural environment in accordance with PS2.

Policy H2

Residential development on unannotated land within settlement limits will be permitted subject to compliance with Policy GDP1.

The application site can be viewed as brownfield with its industrial past and current residential bungalow occupying the site. Set within the settlement limit this unannotated land would see a marked improvement on its current appearance if it were developed.

Although illustrated layout is indicative at this stage, consideration have been given to services ensuring they're in close proximity to the application site as laid out in GDP1 (g).

As stated within this document the application is for outline approval with all matters reserved, items such as GDP1 (a), (b), (c) & (f) will be addressed during an approval of reserved matters application.

Policy EC9

Alterations or additions to, and development or redevelopment within the curtilage of, buildings or structures listed as of special architectural or historic interest must respect the setting and character of the listed buildings or structures.

No alterations or additions, development or redevelopment is proposed within the curtilage of listed building as annotated on drawing no: D075/015.

It was paramount to respect the existing character of the building and its setting as part of the proposal put forward under application P/2018/0964, a vast improvement would be seen to the setting of the listed building with the inclusion of this residential development.

Policy EC11

Development which would adversely affect the site or setting of a Scheduled Ancient Monument or archeological site of national significance will not be permitted. Development that directly affects non-scheduled sites of archeological importance will only be permitted if an archeological investigation has been carried out to determine the nature, extent and significance of the remains, and this investigation indicates that in-situ preservation is not justified, and a programme of excavation and recording has been agreed. Development will also be carefully controlled to ensure that the setting of non-scheduled sites of archeological importance is not harmed where appropriate.

An Archaeological Desk Based Assessment was carried out at the site by LP archaeology prior to submission of application P/2017/0853. Their desk study outlines the potential artefacts that could be found during site works. It is important to note that the report and application site included the scheduled monument area.

Under P/2018/0964 the scheduled monument area hasn't been included within our application site, as discussed with CADW they concluded no development would be permitted within the scheduled monument area.

In this regard I don't believe policy EC11 to be applicable due to the altered application site from the original proposal in line with advice received from CADW.

2.

Insufficient information has been submitted with the application to demonstrate that any resultant surface water generated by the development would be disposed of appropriately, or that the development will not impact upon the integrity of the culvert which crosses the site. In the absence of this information it has not been demonstrated that flood risk can be acceptably managed post development and the proposal would be contrary to Wrexham Unitary Development Plan Policies GDP1 (i) and EC13.

Policy GDP1 (i)

Ensure that development does not result in, or is subject to, flooding, soil erosion, landslides or contamination, either on or off the site.

During our initial site survey there was no evidence of standing water, (heavy rainfall had occurred) meaning the ground conditions allowed rainwater to permeate through.

To ensure the developments integrity permeable tarmac could be used to the additional hard standing as part of the development does not have a detrimental effect on the area.

Policy EC13

Development which would result in an unacceptable adverse impact on the water environment due to additional surface water run-off will not be permitted.

As an existing bungalow occupies the site, there are no known problems with surface water dispersal from this existing structure.

As part of the submission indicative drainage layout was supplied illustrating the dispersal of surface water to soakaways.

There is no evidence to suggest the development would have an adverse impact on the water environment.

3.

A safe and satisfactory vehicular access to the site has not been demonstrated. There are significant differences in land levels between the proposed access road and the B5605 Park Road, and the proposed gradient of this access road (1 in 2) is considered to be unsafe. Further, the site layout plan does not make adequate provision for vehicle manoeuvrability as the private drive is too narrow for vehicles to pass, and refuse collection has not been properly provided for. It has therefore not been demonstrated that access to the site would not have a detrimental impact upon highway safety and the proposal would be contrary to Wrexham Unitary Development Plan Policies GDP1 (d) and T8.

Policy GDP1 (d)

Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality.

A plan has been provided which wasn't submitted as part of the original application illustrating improvements that could be made to the private access driveway to the east. A passing place was illustrated on the original approval, a turning head has now been indicated which would allow transit sized vehicles to turn on site.

As stated within the memorandum from WCBC Highways department the maximum gradient a private access driveway is permitted at is 1 in 10, however an application within the authority has been granted recently with a condition for a private driveway stating a gradient of 1 in 8 being acceptable under application P/2017/0967 (condition 7).

Together with an improved access to the eastern development we have also indicated proposed levels to the highway ensuring a gradient of 1 in 8 is applied. This would mean building up of land in this localised position.

Drawing no: D075/019 demonstrates improvements that could be made in reference to the policy outlined above ensuring the development would improve highways safety as part of an existing access point used at the site.

Policy T8

Development granted planning permission will be required to provide vehicle parking spaces either on site or nearby, in accordance with the Council's current parking standards. Special regard will be paid to the following factors, as appropriate:

- a) the availability of public transport nearby,*
- b) proximity to public car parking,*
- c) proximity to local services and facilities,*
- d) road safety hazards and amenity considerations arising from on-street parking in the vicinity of the site.*

Where implementation difficulties arise in making parking provision on-site or nearby, the Council will require a developer to make financial contributions for measures to assist public transport, or walking and cycling as appropriate.

Maximum parking standards are applied by WCBC Highways department, when preparing an application which includes residential dwellings this is something that is considered carefully when illustrating a layout for a development.

As noted on the submitted drawing 3 parking spaces have been applied to each dwelling ensuring adequate parking provision is provided as part of the development in full compliance with policy T8.

I believe the policy to have been mistakenly referred to the decision notice.

4.

Insufficient information has been submitted in support of the proposal to demonstrate that the development of the site would not cause detriment to species or habitats of local or national importance (Bats). In the absence of hibernation and summer emergence surveys on the fan house (to ensure that removal of vegetation required by this proposal is acceptable) the proposal is contrary to Policy EC6 of the Wrexham Unitary Development Plan, chapter 5 of planning Policy Wales (Edition 6) and the guidance contained in Technical Advice Note 5 – Nature Conservation and Planning.

Policy EC6

Development either within or close to sites of biodiversity interest will only be permitted where it can be clearly demonstrated that the need for the development outweighs the need to safeguard the intrinsic nature conservation value of the site. Where such development is permitted, damage should be kept to a minimum, and compensatory measures should be provided. Measures to improve the biodiversity value of sites and enhance their natural conservation interest and landscape quality including the establishment of local nature reserves, will be supported.

Dusk/Dawn surveys have been completed by our ecologist on the bungalow which is relevant to this proposal with the demolition of this structure. The Walker Fan House is unaffected by the proposal with no development proposed in this area.

As noted on the submitted information a detailed bat report was supplied including dusk/dawn survey results and mitigation proposals with the loss of the bungalow.

The ecological assessment included the whole site as included within the original submission for the site under application P/2017/0853, I do have reason to believe the Local Authority's ecologist has failed to recognise the altered application site and formally responded on the basis the application site remained the same.

Conclusions

Development of this site presents an excellent use of land which is within the settlement boundary. Brownfield in its character the site has been left and subjected to high levels of vegetation growth which has meant a vast amount of the site has become inaccessible.

A detached bungalow currently occupies the vast majority of the site to the East of the Walker Fan House, the proposal includes the demolition of this dilapidated dwelling. The pre-fabricated structure has no architectural interest and adds nothing to the character of the area.

Redevelopment of this area, constructing 6no detached dwellings will ensure thermally and acoustically efficient dwellings are added to the area, built in compliance with current Building Regulations.

While not all brownfield sites are worthy of redevelopment, this site certainly is, the enhancements ensured by the development wouldn't go unnoticed and would certainly improve on the current characteristics when viewed from outside this site.

Together with the additional plan provided as part of this appeal I do believe the proposal is compliant with policies stated within the refusal notice. I therefore respectfully request that the inspector visits the site and grants planning permission for this proposal.

Dafydd Edwards

for Blueprint Architectural Services