

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
27 July 2015

APPLICATION NO:
P/2014 /0585

LOCATION:
17 MANLEY ROAD WREXHAM
LL13 8HD

DATE RECEIVED:
06/08/2014

COMMUNITY:
Caia Park

DESCRIPTION:
DEMOLITION OF EXISTING
BUILDINGS AND ERECTION OF 8
NEW APARTMENTS (CONTAINED
WITHIN TWO STOREY BUILDING)

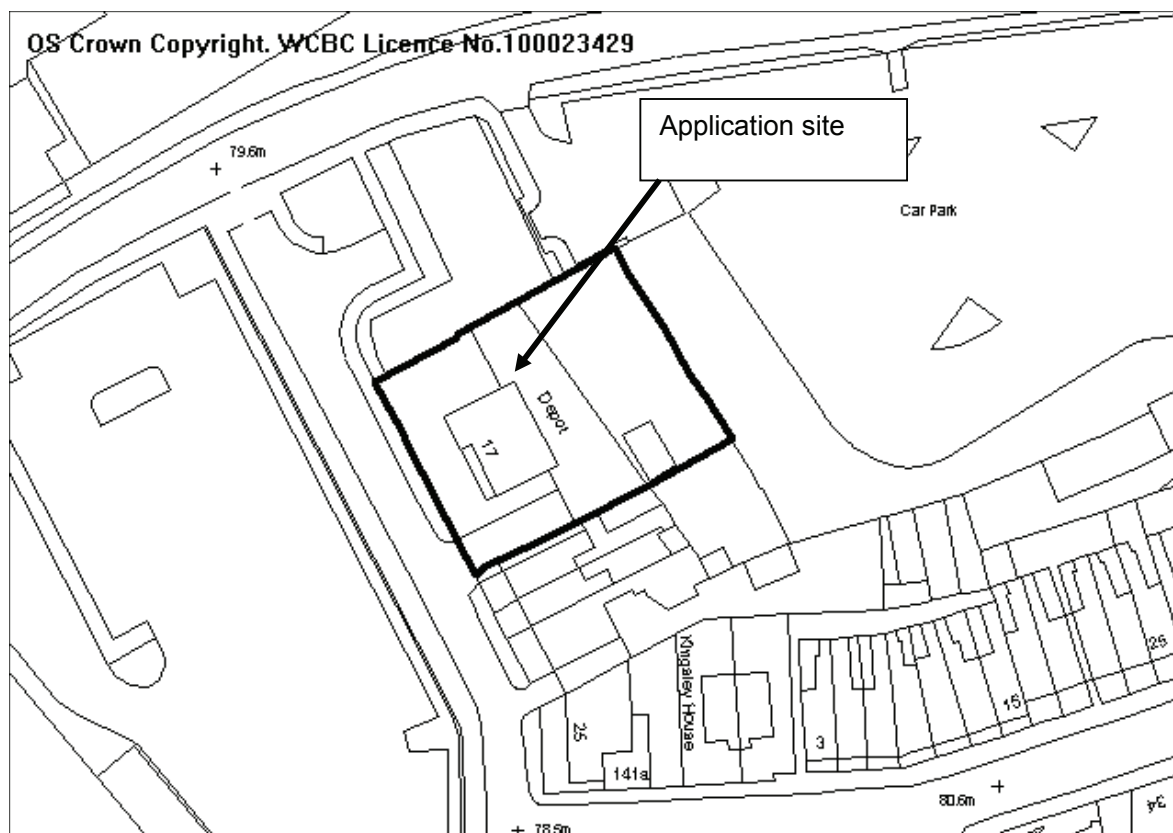
CASE OFFICER:
MP

WARD:
Smithfield

APPLICANT(S) NAME:
MR S STOCKER

AGENT NAME:
BLUEPRINT
ARCHITECTURAL
SERVICES LTD

THE SITE



PROPOSAL

As above.

HISTORY

P/2014/0278 Conversion of existing house into 4 no. apartments and erection of 4 new apartments to the rear. Withdrawn

DEVELOPMENT PLAN

Within the settlement limit. Policies GDP1, EC6, H2 and T8 apply.

CONSULTATIONS

Community Council:	No objections.
Local Member:	Notified 12.8.14
Public Protection:	Conditions requiring mitigation of contamination required in light of the fact that part of the site used to be occupied by a highways depot / warehouse.
Highways:	Have made the following comments: - Visibility splays of 2.4m x 25 metres in both directions, measured to the nearside edge of the adjoining highway required; - Pedestrian visibility splays of 2.4 x 3.3 metres in both directions, measured to the rear of the footway within which there shall be no obstruction in excess of 0.6m high, required; - The submitted layout plan satisfactorily demonstrates the provision of the above splays; - This area of town suffers from a significant on-street parking problem as a number of properties do not have their own off-street parking provision. This area also suffers due to vehicles being parked along these streets by people who work in the town centre or who wish to shop. Given these issues it is important any development provides adequate parking; - LPG16 would normally require 16 spaces however given the sustainable location 8 spaces would be considered acceptable; - The parking and turning arrangements indicated on the submitted plan appear acceptable; - No objections and conditions recommended.
NRW:	Consulted 12.8.14
Welsh Water:	Consulted 12.8.14
Education:	Contributions towards primary provision (Alexandra School) required.
Site Notice:	Expired 9.9.14
Neighbours:	The owners/occupiers of 2 nearby residential properties and 1 commercial property (Mecca Bingo) notified 19.8.14. 1 objection received expressing the following concerns: - Existing parking problems on Manley Road; - Insufficient parking provided on-site.

SPECIAL CONSIDERATIONS

Policy: The existing building is not listed nor is it within a conservation area so is not afforded any specific protection by planning policy. In accordance with policy H2, residential development on the site is acceptable provided proposals accord with policy GDP1 in respect of siting, design, access, parking and do not adversely impact upon the amenity afforded to occupiers of neighbouring properties.

Amenity: The impact of the development upon the adjacent property, no.19 Manley Road, with regards to daylight and visual amenity will be no greater than the impact of the extant buildings.

The proposed flats will have a number of windows facing no 19 Manley Road but I am satisfied the majority will be far enough away that the privacy afforded to occupiers of no 19 Manley Road will not be significantly reduced. Those that are close to the boundary will not overlook no.19 Manley Road to a greater extent than side facing windows in the existing building.

The driveway serving the flats will be adjacent to the boundary with no.19 Manley, as will part of the parking area. The development is unlikely to generate a significant volume of traffic and provided adequate boundary treatment is provided I am satisfied the driveway and parking area will not result in the occupiers of no.19 Manley Road suffering significant noise or disturbance. Boundary treatment, as part of a landscaping scheme, will be secured by condition.

Design: The proposed flats will differ in appearance to the Victorian terraced houses to the south. Nevertheless the development follows the building line established by them and broadly respects the scale and form of the existing residential development in the locality. The site is also not viewed solely in the context of other dwellings on Manley Road. Tesco lies to the north on the opposite side of Crescent Road, Mecca Bingo is opposite and the Crescent Road car park lies to the north east. Viewed in this broader context the proposed flats will not appear out of place.

Trees: There are three poplar trees outside the site but close to its rear boundary. The proposed parking area partially encroaches into the root protection area of two of the trees. The Arboricultural Impact Assessment submitted with the application recommends that the parking area be laid out and surfaced using a no-dig construction method. Provided this method is used I am satisfied that the development is unlikely to have a significant or detrimental impact upon the trees. An Arboricultural Method Statement will be required by condition.

Highways: The submitted plans demonstrate the site will be provided with a safe means of access.

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The proposal is for 8 x 2 bedroom apartments. In accordance with LPG16 the maximum parking provision is 16 spaces. The submitted plans provide for 8 parking spaces. Whilst I am aware of the parking problems along Manley Road and adjoining streets, the site is within walking distance of the town centre and frequent public transport. It is therefore reasonable to conclude that future occupiers will not have to be dependent upon the private car for all journeys. I am therefore satisfied that the level of parking proposed is appropriate for a sustainably located site and that the development is unlikely to significantly increase existing parking problems in the locality.

Highways have not expressed concerns about traffic from the site exiting onto Smithfield Road via Manley Road or Oxford Street or Palmer Street. Those roads give access to Smithfield Road from a large number of existing properties. The development will increase the traffic using those junctions by only a relatively small amount so is unlikely to adversely impact upon highway safety.

Highways have recommended that a condition be imposed to prevent gates being erected across the access within 5 metres of the boundary of the highway. Given that Manley Road is effectively a cul-de-sac with no further development beyond the site there is not going to be a significant volume of traffic passing in front of it. Any traffic that does will do so at relatively low speed. Were gates erected the impact of a vehicle waiting on Manley Road whilst they are opened or closed will not have a significant impact upon the free flow of traffic or adversely impact upon highway safety in this case. I therefore do not intend to impose the condition.

Ecology: The existing buildings were subject to an initial bat survey in April 2014 and further surveys were carried out between May and the beginning of June this year. The 2015 surveys demonstrate that there is no evidence of bat species using the building so the proposed demolition works will not adversely impact upon the favourable conservation status of protected species. Nevertheless the building does have some potential for use by bats so a precautionary approach to demolition is recommended in the report as well as the provision of bat boxes within the new development. These will be secured by condition.

CONCLUSION

The development accords with relevant UDP policies.

RECOMMENDATION A

An Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 be required to secure:-

- (i) Payments to comprise of £15,680 towards primary school capacity at Alexandra School.

RECOMMENDATION B

That subject to the prior completion of the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 planning permission is **GRANTED** subject to the following conditions:

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall be carried out in strict accordance with approved drawings nos. S040/15 Revision C - Planning Site & Location Plan, S040/17- Planning: Floor Plans and S040/17- Planning: Elevations.
3. No part of the development shall commence, to include any demolition works, until a Dust Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The Dust Management Scheme as approved shall be implemented in full for the entire duration of the demolition and construction phases of the development.
4. 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:
 - 1) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
 - 2) 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;
 - 3) 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;
 - 4) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
 - 5) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
 - 6) Method for protecting retained trees during demolition works;
 - 7) Details of all proposed tree works, including felling and pruning.
5. Demolition works shall be carried out in strict accordance with section 10.0 Dusk Conclusions & Recommendations of the Tyrer Partnership Inspection and Assessment in Relation to Bats Including Dusk Survey Results dated 05 June 2015.
6. With the exception of the demolition of the existing buildings, development shall not commence until a scheme for the provision of bat boxes has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the location, number and specification of the bat boxes and a timescale for their installation. The

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development shall thereafter take place in strict accordance with the scheme as approved.

7. With the exception of the demolition of the existing buildings, no part of the development shall commence until a scheme to deal with potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a phased investigation approach to identify the extent of contamination and any measures required to remediate the site, including post-development monitoring.

8. No part of the development shall be occupied until a Verification Report which demonstrates that the remedial works approved as part of condition no. 07 above have been satisfactorily carried out, has been submitted to and approved in writing by the Local Planning Authority.

9. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

10. The landscaping scheme submitted and approved in connection with condition no. 09 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

11. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 25 metres in both directions 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 nearside edge of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

12. Prior to first use of the development hereby approved a pedestrian visibility splay shall be established measured from the centreline of the vehicular access 2.4 metres back from the back edge of the footway to points 3.3 metres either side measured along the back edge of the footway. Within these splays there shall be no obstruction in excess of 0.6 metres in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

13. The vehicular parking and turning areas as shown on approved drawing(s) No(s). S040/15 Revision C shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.

14. 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.

15. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

16. 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.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure that the development fully complies with the appropriate policies and standards.
3. To protect the amenities of the occupiers of nearby properties.
4. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
5. In order to protect wildlife interests, which are afforded special protection.
6. In order to protect wildlife interests, which are afforded special protection.
7. In the interests of the amenities of the future occupants of the buildings
8. In the interests of the amenities of the future occupants of the buildings
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
10. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
11. To ensure that adequate visibility is provided at the proposed point of access to the highway.
12. To ensure that adequate visibility is provided at the proposed point of access to the highway.
13. 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.
14. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.
15. In the interests of highway safety.
16. To protect the amenities of the occupiers of nearby properties.

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.

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

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures

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required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

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

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

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

RECOMMENDATION C

That if the Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 is not completed within six months of the date of the Committee resolution the Head of Community Wellbeing and Development be given delegated authority to **REFUSED** the application for the following reasons:-

1. Inadequate provision has been made towards the provision of additional education facilities. Without additional provision, the existing primary school does not have sufficient capacity to cater for the additional demand generated by the development. As such it does not accord with policy GDP2 of the Wrexham Unitary Development Plan.
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