

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

APPLICATION NO:
P/2014 /0357

LOCATION:
BRYN Y GRAIG QUARRY ROAD
GLYN CEIRIOG WREXHAM
LL20 7DA

DATE RECEIVED:
19/05/2014

COMMUNITY:
Llansantffraid Glyn
Ceiriog

DESCRIPTION:
ERECTION OF REPLACEMENT
DWELLING

CASE OFFICER:
KH

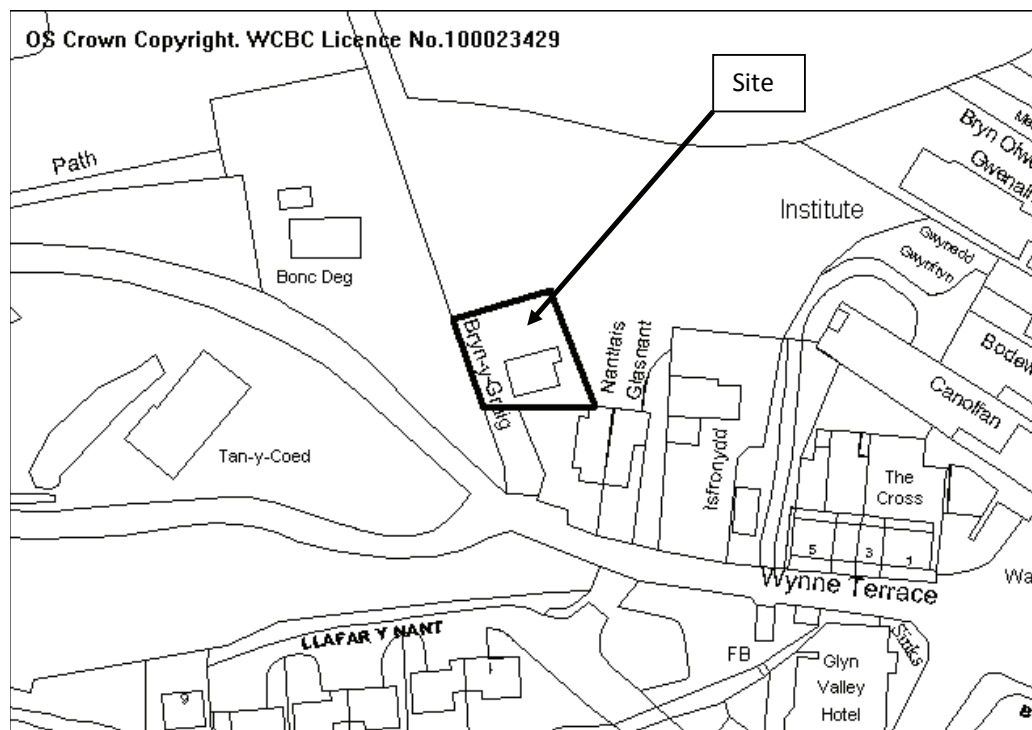
WARD:
Ceiriog Valley

APPLICANT(S) NAME:
MR & MRS J MITCHELL

AGENT NAME:
TECWYN WILLIAMS -
ARCHITECT
MR TECWYN WILLIAMS

THE SITE

The site is presently occupied by a single storey timber clad dwelling, located off the northern side of an unclassified road, Quarry Road. Residential properties are to the east, west and south.



PROPOSAL

Erection of replacement dwelling. The scheme initially proposed replacing the existing single storey timber clad dwelling with a more contemporary design and using stone/slate base for the ground floor walls and timber horizontal

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boarding to the first floor with a flat roof. The scheme has subsequently been amended to provide a more traditional design to provide a pitched roof and stone render elevations.

HISTORY

No recent history.

DEVELOPMENT PLAN

Within the settlement for Glyn Ceiriog with a Wildlife site to the north and north east. Policies PS1, PS2 and GDP1 refer.

CONSULTATIONS

Community Council:	Object to proposal on grounds not in keeping with other properties in the area and in particular felt the flat roof design was not in keeping with other properties in the vicinity. Re-consulted on amended plans.
Local Member:	Notified 22.05.14
Highways:	Property is located off a private drive and provides adequate off road parking. Given site is for a replacement dwelling no objection on highway grounds. Condition re provision of the parking shown on approved drawings.
Public Protection:	No objections. Condition required regarding construction noise.
Natural Resources Wales:	No objections.
Welsh Water:	No objections. Conditions required.
Neighbours :	1 letter of objection on the following grounds: - The proposed property is on a slope elevated above their property and are concerned regarding 'land heave'. - The driveway access to the proposed replacement dwelling and the whole Bryn y Graig site is presently supported by their boundary wall. Construction works and vehicles could severely compromise the supporting walls which could be potentially catastrophic for their property. Concern that surface water drainage from the car park will end up in their garden.
Site Notice:	Neighbours re-consulted on amended drawings. Expired 26.06.14

SPECIAL CONSIDERATIONS

Proposal: The proposal seeks to provide a two-storey, split level three bedroomed dwelling to replace a single-storey bungalow.

Design: The design has been revised to provide a more traditional design built in two blocks, a smaller two-storey element to the front of the site, providing a sitting room at first floor with a garage underneath and a larger two-storey element set further back and built into the existing slope. This element provides the main living accommodation and providing three bedrooms. Materials comprise a stone base for the ground floor and render to the first floor. The initial design provided flat roofs though a subsequent amendment has provided a pitched roof. The Community Council originally objected to the flat roof and the contrast with existing more traditional buildings in the area, I have re-consulted with the Community Council in regard to the amendments and I will report their comments on the addendum prior to committee.

Amenity: The property potentially most likely to be affected by the development is Nantlais to the south east. However, the new property is set back approximately 4.5 – 7m from the boundary compared to the 2-2.5m of the existing. A balcony proposed on the front elevation has also been removed from the proposed dwelling and replaced with traditional windows. Nantlais to the east is also set at a lower level and orientation of windows will also help protect privacy. A condition will be attached for selective obscure glazing to protect nearby residential amenity.

I am satisfied that given the distance to windows selective obscure glazing and the orientation of the proposed new dwelling and existing dwellings I would not anticipate any significant loss of amenity.

Highways: Access is via a private drive accessed off the unadopted Quarry Road. Highways have no objections on the basis the application is for a replacement dwelling and adequate parking is provided on the site.

Other: Concerns have been raised by an adjoining neighbour regarding the potential for surface water draining onto their land and the potential of 'land heave'. The parking spaces have been set back from the site boundary to reduce the potential surface water running on to the adjoining land and a condition is attached to deal with surface water.

The driveway access to the proposed replacement dwelling and the whole Bryn y Graig site is presently supported by their retaining walls and are concerned that construction vehicles and works could cause a catastrophic collapse. I will add a condition to deal with the structural elements prior to commencement of development.

CONCLUSION

I am satisfied the amended design is acceptable and reflects the character of other nearby development. Highways have raised no objections and residential amenity will not be significantly compromised. I am conscious of the closest neighbours' concerns and a condition, ensuring that earthworks and construction works do not compromise stability is attached.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. No part of the development shall commence until samples of all external facing and roofing materials have been 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.
2. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
3. The vehicular parking and turning areas as shown on approved drawing(s) No(s). SK.02.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.
4. Demolition of the building subject to this grant of planning permission shall only be carried out in a precautionary manner to include the following:
 - Any weather boarding, hanging tiles, soffits, fascia and barge boarding shall be removed by hand, and
 - Should any bats be discovered all works on the building shall cease and the Natural Resources Wales contacted for further advice.
5. Works shall be carried out in accordance with the recommendations contained within the Ecological Appraisal dated April 2014.
6. No part of the development shall commence until details of an integrated bat roost box or an Enclosed Bat Box ""C"" have been submitted to and approved, in writing, by the Local Planning Authority. The scheme shall be fully implemented in strict accordance with timescales to be agreed before any part of the development commences and retained thereafter.
7. The proposed 1.8m high obscure glazed side panel indicated on the approved drawing SK 02 'C' shall be provided prior to the first occupation of the dwelling hereby approved and retained thereafter in perpetuity unless otherwise agreed, in writing, with the Local Planning Authority.
8. Details of all means of boundary treatment shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme as approved shall be fully implemented prior to the first occupation of the dwelling hereby approved and retained thereafter unless otherwise agreed, in writing, with the Local Planning Authority.
9. No part of the development shall commence until a scheme for the provision of surface water drainage works and timetable of implementation has been submitted to and approved in writing by the Local Planning Department. The drainage works as are approved shall be fully implemented

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in strict accordance with the scheme and agreed timetable and retained thereafter.

10. 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.

11. No windows or other openings shall be inserted into any elevation of the development hereby approved other than those indicated on the approved drawings.

12. 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 or E of Schedule 2 Part(s) 1, other than the development hereby granted permission.

13. Prior to commencement of any works on site full details of proposed excavation works, measures to ensure the stability of the bank and any associated structural works to ensure the existing structural integrity of existing retaining walls on adjoining land is not compromised. Works shall only be carried out in strict accordance with details as approved and to a timescale to be agreed, in writing, as part of the submitted details.

14. 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.

15. Prior to first occupation of the dwelling hereby approved, a selective scheme of obscure glazing which has previously been approved, in writing, by the Local Planning Authority shall be fully implemented and retained thereafter.

REASON(S)

1. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

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

3. 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.

4. To protect named species/habitats/biodiversity which would otherwise be damaged/lost by the development hereby permitted.

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7. To protect the amenities of the occupiers of nearby properties.

8. In the interests of the general visual amenities of the area and nearby residential amenity.

9. To ensure satisfactory drainage of the site and to avoid flooding.

10. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health

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and safety of existing residents and to ensure no detriment to the environment.

11. In the interests of nearby residential development.
12. Due to the restricted application site and its relationship with adjoining properties it is considered important to ensure that no additional development as described in the condition is carried out without the permission of the Local Planning Authority.
13. In the interests of the safety of existing residents and the future occupiers of the proposed approved development.
14. To protect the amenities of the occupiers of nearby properties.
15. To protect the amenities of the occupiers of nearby properties.

NOTE(S) TO APPLICANT

The applicant is advised that compliance with condition no. 14 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

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. 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;
- 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 Housing and Public Protection 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

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should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

Your attention is drawn to the attached Standard Advice Guidance Note for Developers from Natural Resources Wales.

If bats or nesting birds are discovered at any stage during the works, all work should stop immediately and the ecologist contacted for further advice.
