

WREXHAM COUNTY BOROUGH COUNCIL PLANNING COMMITTEE

MEETING OF 30 APRIL 2012

ADDENDUM

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT

This report summarises information received since the Agenda was compiled including, as appropriate, suggested amendments to recommendations in the light of that information. It also lists those people wishing to address the Committee.

Where the Council has received a request to address the Committee, the applications concerned will be considered first in the order indicated in the table below. The remaining applications will then be considered in the order shown on the original agenda unless indicated by the Chair.

NB: Due to printing issues, page numbers referred to on the first page of Agenda Item 4 will not always correspond with the printed report page numbers.

In order to provide some additional clarity, each addendum item will also include *italic* page numbers in brackets, to allow suitable cross reference between the first page of the report and the printed copy.

ITEM 4 – DEVELOPMENT CONTROL APPLICATIONS

Page Nos	Community	Planning Ref	Speaker Against	Speaker For
7 – 20	ISY	P/2011/0891		√
23 – 36	CEF	P/2012/0045		√
44 - 53	MIN	P/2012/0112		√
54 – 58	HAN	P/2012/0147		√
84 - 91	WRO	P/2012/0185	√	
92 – 95	WOR	P/2012/0191	√	

PAGES 7–20

Land south of Ridleywood Lane, Wrexham Industrial Estate, Wrexham
FOR: Mr G Halman, How Planning (Agents)

Consultations

CCW confirm that they have no objection to the approval of the revised scheme, subject to the inclusion of conditions/obligations in respect of nature conservation.

The conditions/obligations should include:

- (1) Long term site security;
- (2) Long term resource provision;
- (3) Long term management and wardening;
- (4) Biosecurity;
- (5) Ecological compliance audit

Representations

Letter of support received from West Cheshire and North Wales Chamber of Commerce. Support the application based on the benefits of its approval.

These benefits include the creation of up to 80 new jobs vital to the local economy, securing the existing jobs and providing vital expansion space for the adjoining site and further economic growth through the development of the site.

Refusal of permission followed by another lengthy appeal would have a negative economic impact on future investment plans in Wrexham. It would send a clear message to business in the UK and internationally that Wrexham is closed for business.

Applicant's Submission

All technical issues have been resolved so there is no impediment to permission being granted.

The development is of vital importance to the company given the non-availability of the consented land adjoining their site because of the gas power plant proposals. No other site can be considered by the company due to the need for a direct vehicular link to the existing secure site. The owner seeks a reassurance that the local planning authority will look favourably on the application and that it will not be necessary for another lengthy and expensive appeal. This could be fatal to the company's investment plans in Wrexham and their ability to secure contracts.

The agents have also submitted a letter with attachments to all members of the planning committee. It concludes that:

The applicants acknowledge that the proposals do not strictly comply with the single user requirement of policy E3. However there are very significant material considerations which in their view justify the grant of permission, as providing the ability for a major employer to grow and protecting jobs at the industrial estate is, they suggest, more important than a technical breach of a planning policy. They ask that, in these difficult times, the Council be guided by the advice of its Economic Development Officer who strongly supports the application, and embrace the vital economic opportunity and the benefits it will deliver to the Borough.

Observations

The CCW observations were anticipated in the report and are accepted as resolving the ecological issues.

The statements from the applicants and the Chamber of Commerce and drawn to the committee's attention.

Recommendation

Remains unaltered.

PAGES 23-36

Former Air Products Site, Llangollen Road, Acrefair, Wrexham

FOR: Mr G Dickson (Rep Agents)

Applicant's Submission

The applicants have requested that with regard to RECOMMENDATION E, the recommendation is amended to read Within six months of Committee resolution (unless the Council agrees to an extension of time ...

Observations

A highways scheme at the access points has now been agreed in principle with the Council's Highways Department. The main access serving the proposed residential development will be

improved by minor road widening of Llangollen Road, which will enable provision of a right hand turning lane and central refuge area for pedestrians. Other minor works will be required to improve visibility and ensure adequate widths of footpaths either side of the residential and commercial/ leisure accesses. Conditions are attached to provide further details.

The works will require limited tree removal on the southern side of Llangollen Road. The trees to be removed to the south west of the main access have a low safe useful lifespan and works would be needed to the trees in the near future. The road widening could also impact on a limited number of trees on the northern side of the road, with Arboricultural Assessments to determine this at a later stage.

I have included additional conditions to cover the above scheme.

I have varied Condition 8 which reads as follows. "A scheme of odour control for any proposed kitchen/ food preparation extraction equipment shall be submitted to and approved, in writing, by the Local Planning Authority prior to commencement of the commercial and/or leisure development. The approved odour control scheme shall be implemented prior to the extraction system being brought into use and shall thereafter be so retained."

Amendment to report – page 29

In the conclusion after the second paragraph, add new paragraph to read:- The scheme accords with the requirements of the approved Planning Brief for the site, the Council's Development Plan and National Policy contained within Planning Policy Wales and the relevant supplementary Technical Advice Notes (TANs).

With regard to the variation of Recommendation E requested by the applicant, I consider the scale of the development and by virtue of the number of issues will need to be resolved by virtue of the 106 agreement, the flexibility is appropriate.

Additional Conditions

29 The site accesses shall be laid out in strict accordance with the approved drawing no. J091/access/fig1. (Reason: In the interests of highway safety).

30 The reserved matters application shall provide a scheme detailing the construction of the following:-

- detailed layout, design, drainage and construction of the proposed accesses
- the scheme as approved shall be fully implemented prior to the first use of the development.

(Reason: In the interests of highway safety).

31 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.

(Reason: To ensure the work is carried out to accepted arboricultural practices for the long term well being of the tree(s)).

- 32 *No part of the development shall commence until an Arboricultural Implication Assessment dealing comprehensively with all tree issues 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 Assessment as is approved. This Assessment shall include all trees with a stem diameter of 75 mm or above (including crown spreads and stems) and the trees shall be colour coded and shown accurately on a topographical land survey. (Reason: To protect trees which are of significant amenity value to the area).*
- 33 *No part of the development shall commence until a Tree Survey to the standards set out in British Standard 5837:2012 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 Assessment as is approved. (Reason: To protect trees which are of significant amenity value to the area).*

Additional Notes

The proposed location of the access to the commercial area will mean that the existing bus stops may need to be relocated; this issue can be resolved at the reserved matters stage. The relocated stops will require upgrading to include real time information and shelters.

The southern part of the site is adjacent to an existing Public Right of Way. The route is narrow and poorly surfaced. The reserved matters application will need to consider making improvements to PROW 10 and PROW 24.

The reserved matters application will require a travel plan for the residential area.

The potential cycling and walking links to the local community must be further investigated as part of the reserved matters application.

Improvements to pedestrian provision across the site frontage will also be required as part of the reserved matters application.

With regard to the required landscaping scheme, the proposals should include a high quality planted frontage onto Llangollen Road.

With regard to condition 27 and the required section 106, payments shall be in accordance with Local Planning Guidance Note 27, Developer Contributions to Schools.

With regard to condition 28, the requirement would be to ensure a scheme is provided to consolidate what is left of the kilns and to ensure they do not deteriorate further.

Recommendation

Subject to the above additional conditions, variation of conditions and amendment to Recommendation E, my recommendation remains in accordance with the main report.

PAGES 44-53

Adjacent to and North of Tomlinsons Dairies Ltd., Five Crosses Industrial Estate, Coedpoeth, Wrexham

FOR: Mr D Haston (Agent)

Applicant's Submission

The agent has been requested to provide more information on the noise issue, and has replied as follows:

It is confirmed that a Noise Assessment to BS 4142 has already been undertaken by the Acoustical Investigation & Research Organisation Ltd (AIRO) in connection with the equivalent noise condition attached to the planning permission for the main dairy and vehicle repair workshop for this site. Existing background noise levels were monitored on an hourly basis for a full 24 hour period at appropriate locations, including the boundary adjacent to the end of the garden of the nearest residential property.

In addition to the long term monitoring at the Five Crosses site, additional measurements were made at the existing dairy premises at Pen y Palmant Farm to establish the noise levels that are likely to be generated at the new dairy site. A range of specific noise sources were considered including the off-loading of empty bottles into the washing bay.

Pre-existing background noise levels at the nearest noise sensitive premises to the dairy site have therefore already been established and an assessment of noise generating operations has already been carried out. Noise mitigation measures recommended by AIRO have already been implemented including the erection of the acoustic fence along the access road and the formation of the landscaped earth mound which will further protect the amenity of the nearest dwellings.

Importantly, it should also be noted that the proposed development would not introduce an additional noise generating activity at the site. The glass bottling operation will merely be accommodated within the proposed bottle store rather than located within the new main dairy building. The noise condition (condition 9) recommended by Public Protection is considered to be appropriate and would safeguard the amenity of nearby properties.

Observations

Noise

The extra information addresses the issues regarding potential noise, although this extra information has been forwarded to Public Protection for comments. A planning condition is already suggested to control noise levels against pre-existing background levels.

Landscape

Conditions 4, 5 and 6 refer to the original landscaping scheme, which has now been amended as recommended by the Aboricultural Officer. Conditions 14, 15 and 16 refer to the revised scheme.

Recommendation

Amend Condition 2 to refer to drawing 1382.01C, not 01B, and add drawing no. H0070-06 A3-PL-02.

Delete Conditions 4, 5 and 6 (landscaping).

PAGES 54-58

Mereton House, Horsemans Green Road, Horsemans Green, Wrexham
FOR: Mr J Maksymowicz (Agent)

PAGES 84-91

86 Erddig Road, Wrexham
AGAINST: Mr Oliver King (Neighbour)

PAGES 92-95

Emral Gardens Caravan Park, Wallington Lane, Bangor on Dee, Wrexham

AGAINST: Mr E P Broad, (Neighbour)

ALL OTHER ITEMS WILL BE TAKEN IN ORDER SHOWN ON THE ORIGINAL AGENDA

PAGES 35-43 (pages 37-41) CEF P/2012/0050

Observations

Error in main report. Paragraph titled **PROPOSAL** should read:

"The proposal is to erect a 21m x 10m machinery, implements, hay store and stable. The building is proposed at a height of 3 metres to the eaves and a height of 5 metres to the ridge and consists of green plastic coated sheeting to all elevations and the roof".

Recommendation

Remains unaltered.

PAGES 68-70 (pages 66 – 68) MIN P/2012/0168

Representations

The applicant requests that consideration is deferred to enable confirmation from the neighbour regarding safeguarding the visibility splay.

Observations

A Test of Likely Significance has been completed, concluding that the development will not harm the European Wildlife site (Berwyn and South Clwyd Mountains).

Recommendation

As the highway visibility issue is an important I would agree to defer consideration of the application to allow this issue to be considered further.