

# Public Pack

**Pennaeth Gwasanaethau Cwsmeriaid a Chorfforaethol/  
Head of Corporate and Customer Services**  
Trevor Coxon LLB (Hons) Birm Solicitor

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Eich Cyf/Your Ref	
Ein Cyf/Our Ref	
Dyddiad/Date	12 March 2018
Gofynner am/Ask for	Ken Bickerton
Rhif Union/Direct Dial	01978 292242
Cyfnewid Testun/Text Relay:	18001
E-bost/E-mail	<a href="mailto:ken.bickerton@wrexham.gov.uk">ken.bickerton@wrexham.gov.uk</a>

Dear Councillor

You are requested to attend a **MEETING** of the **PLANNING COMMITTEE** of **Wrexham County Borough Council** to be held on **FRIDAY, 16 MARCH 2018** to view the undermentioned site(s). Transport to the site(s) has been arranged with a mini-bus departing from the **CIVIC ENTRANCE, GUILDHALL, WREXHAM** at **1.30 pm**.

A short training session will be held in Meeting Room 2, Guildhall, Wrexham at 3.15pm after the site visits but before the Planning Committee.

Yours faithfully

Head of Corporate and Customer Services

## **WEBCASTING NOTICE**

This meeting will be filmed for live and subsequent broadcast on the Council's website or may be used for training purposes within the Council. The whole of the meeting will be filmed, except those items which are deemed to be exempt by virtue of Part 4 of Schedule 12A to the Local Government Act 1972 (as amended). The footage will be retained on the Council's website for 6 months.

Generally the public seating areas are not filmed. However, by entering the Chamber you are consenting to being filmed and to the possible use of those images and any sound recordings for webcasting and/or training purposes. Parents or guardians accompanying a minor aged 16 years or younger are also deemed to have given consent to the possible capture of their image.

If you have any queries regarding this, please contact the Committee Manager on 292236.

*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 **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.
- 3 **Itinerary** (Pages 3 - 4)
- 4 **Site Inspection A** (Pages 5 - 12)
- 5 **Site Inspection B** (Pages 13 - 22)
- 6 **Site Inspection C** (Pages 23 - 34)

**In accordance with the Protocol on Planning Site Inspections, the Planning Committee will convene in the Council Chamber at the Guildhall, Wrexham after the last site inspection, but no earlier than 4.00pm to reach a decision on the above matters.**

### **TO: MEMBERS OF THE PLANNING COMMITTEE**

Councillor	I David Bithell, MBE	Councillor	Paul Pemberton
"	Michael Dixon	"	John Phillips
"	Frank Hemmings	"	Ronnie Prince
"	Adrienne Jeorrett	"	John Pritchard
"	Marc Jones (Vice-Chair)	"	Paul Roberts
"	Paul Jones	"	Graham Rogers
"	David Maddocks	"	Paul Rogers
"	Tina Mannering	"	Robert Walsh
"	John McCusker	"	Andy Williams
"	M G Morris (Chair)	"	Derek Wright

### **LOCAL MEMBER(S)**

SITE A	Councillor Russell Gilmartin
SITE B	Councillors Bryan Apsley and Robert Walsh
SITE C	Councillors Krista Childs and Michael Dixon

# Item 3

## Planning Committee - 16 March 2018

### Itinerary

**1.30 pm** Mini bus departs from the Guildhall, Wrexham

**1.45 pm** Site Inspection A

Erection of double garage at disused shippon off Village Walks, Marford, Wrexham (Application Code No P/2017/1043)

Reason for Visit: To consider the impact of the proposed garage on the adjoining highway and the neighbouring dwelling.

**2.05 pm** Site Inspection B

Erection of 4 No. dwellings with support facilities (Supported Housing Scheme) and construction of new access on land adjacent to 4 Eleventh Avenue, Llay, Wrexham (Application Code No. P/2018/0022)

Reason for Visit: To consider the impact and relationship of the proposed development with adjoining residential development.

**2.35 pm** Site Inspection C

Erection of 2 No. detached dwellings with associated garages and parking on land South of Nant Cottage, Lower Road, Coedpoeth, Wrexham (Application Code No. P/2017/0967)

Reason for Visit: To consider the impact of the proposal on the adjoining highway.

**3.15 pm** Training Session: 'Planning and Trees'.

**4.00 pm** Planning Committee, Council Chamber, Guildhall, Wrexham.



# Item 4

## REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING 5<sup>th</sup> MARCH 2018

**APPLICATION NO:**  
P/2017 /1043

**LOCATION:**  
DISUSED SHIPPON OFF VILLAGE  
WALKS MARFORD WREXHAM  
LL12 8SZ

**DATE RECEIVED:**  
19/12/2017

**COMMUNITY:**  
Gresford

**DESCRIPTION:**  
ERECTION OF DOUBLE GARAGE

**CASE OFFICER:**  
PF

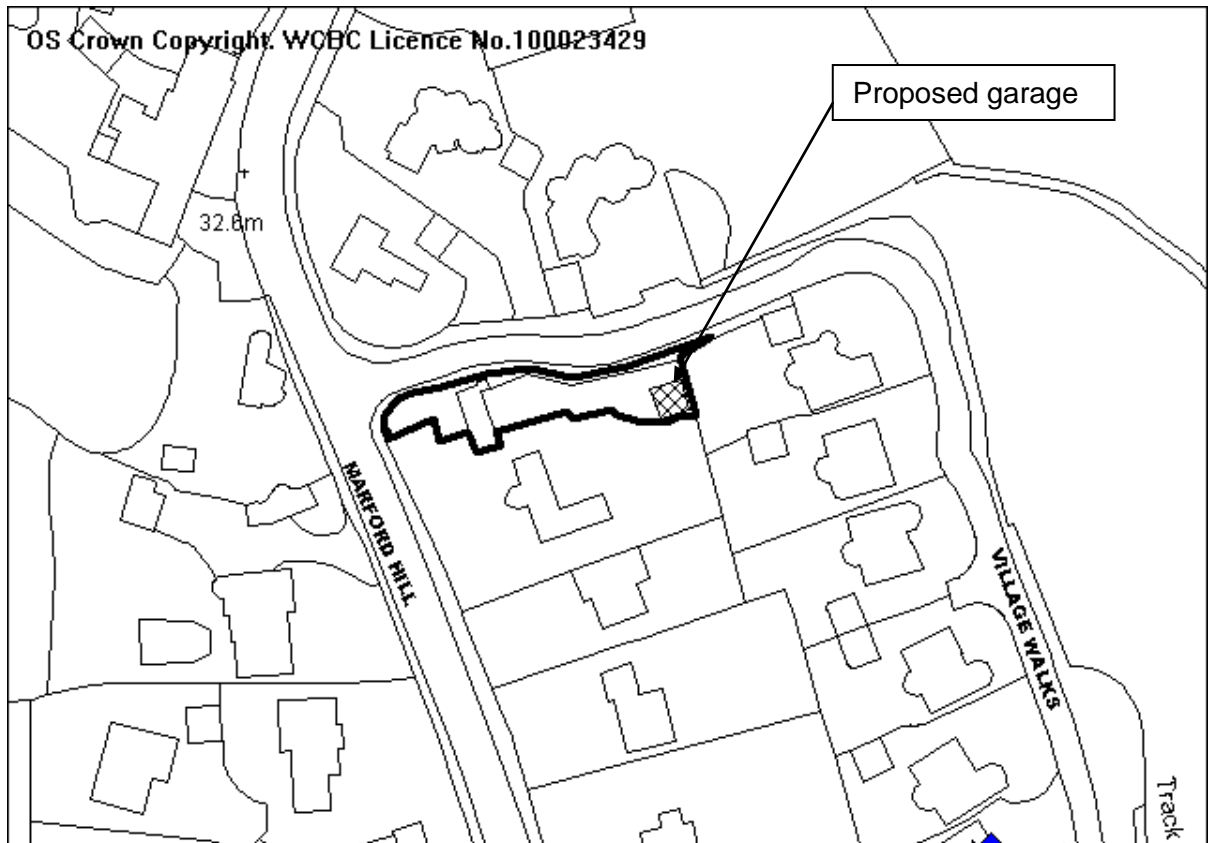
**WARD:**  
Marford & Hoseley

**APPLICANT(S) NAME:**  
MR D ROBERTS

**AGENT NAME:**  
BLUEPRINT  
MR DAFYDD EDWARDS

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### THE SITE



### PROPOSAL

Planning permission is sought for the erection of a detached garage with a storage area above within the roof space. The garage is proposed at the eastern most boundary of the application site. It would measure 5.8m by 5.4m with an eaves height of 2.5m and a maximum ridge height of 5m

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**5<sup>th</sup> MARCH 2018**

**HISTORY**

P/2015/0512	Conversion and extension of shippon to form one dwelling with associated parking and private amenity space. Granted 24.09.2015
P/2016/0755	Demolition of disused shippon (within Marford conservation area). Granted 07.11.2016
P/2016/0756	Erection of detached dwelling and associated double garage and construction of new access off village walks. Granted 07.11.2016

**PLANNING POLICY**

The site is located within the settlement limit and the Marford Conservation Area. Policies PS2, GDP1, EC7 and T8 are relevant. Guidance is contained in Local Planning Guidance Note 20 – House Extensions and within the Marford Conservation Area Assessment and Management Plan.

**CONSULTATIONS**

Community Council:	No observations.
Local Member:	No concerns raised unless any have been made by neighbouring occupiers.
Site notice:	Expired 12.01.2018
Highways:	Concern raised that the proposed driveway behind garage door is not of sufficient depth.
Neighbouring occupiers:	4 neighbouring occupiers notified. Three representations received raising the following points: <ul style="list-style-type: none"><li>• The garage, by reason of its height will result in a loss of light and amenity to the neighbouring occupiers;</li><li>• Concerns were raised at the dwelling application stage that the access point would be problematic and the garage was removed from the application for that reason;</li><li>• The width of the site is insufficient to accommodate the proposed garage and the parking provision of 4.8m which would normally be required;</li><li>• Insufficient information regarding site levels has been submitted to enable the decision maker and the neighbouring occupiers to consider the application;</li></ul>

## REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING

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- Works have resulted in the loss of the Wellington Tree in the neighbouring garden area and concern was raised at the planning application stage for the associated dwelling that the then proposed garage would harm the tree. It is unclear whether consent was issued for the removal of the tree;
- Land levels have increased by 1.5m which means the garage will be much higher than the rear garden of Oakdale House;
- Council LPG states that where there is a difference in land levels, expected separation standards should be increased;
- The proposal will have an overbearing impact upon amenity of the private garden space and habitable.

A period of reconsultation was carried out on 12.02.2018 upon receipt of amended plans detailing the proposed finished floor level of the garage in relation to the adjacent road level.

### **SPECIAL CONSIDERATIONS:**

**Background:** The garage is proposed to be part of the newly constructed dwelling which has resulted from the conversion and extension of the former shippon once associated with Poplar Cottage. The application site now falls in a separate ownership to that of Poplar Cottage.

During the construction works, a build-up of spoil and construction materials has occurred in what is to be the garden area of the new dwelling and in the location of the proposed garage. It is not clear whether the land will remain at this height across the entire garden area following occupation of the dwelling. However, the Council is now in receipt of an amended plan to show how the proposed garage would sit in relation to the increase land level.

**Design:** I am satisfied that the proposed scale, form and appearance of the garage within this location of the site is acceptable. Whilst the siting of the garage is such that it would be prominent from views through the conservation area, the design is suitable and the inclusion of gothic type windows to the side, circular opening above the door and a simple brick arch over the doors provide some design continuity between the garage and the main house.

The Conservation Officer has suggested that the eaves be extended a little further with a little overhang just to improve the overall proportion of the structure.. However, I consider that the inclusion of rainwater goods will

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**5<sup>th</sup> MARCH 2018**

balance out the structure given the short elevation of the structure which will be visible. An increase in eaves projection may also appear imposing to the neighbouring occupiers, a matter which is discussed later in this report.

I am satisfied that the proposal would preserve the character of the Marford Conservation Area.

**Amenity:** There is a difference in land levels between the application site and the immediate adjoining occupiers to the east at Oakdale House. In accordance with the land level plan received by the applicant, the proposal is to set the finished floor level of the garage approximately 300mm below the level of metalled carriageway adjoining the site. It is noted that there is a gradual rise in the garden level of the application site from the boundary with Oakdale House rising up in a westerly direction towards the new dwelling.

Save for Oakdale House, there will be negligible impact upon the amenity of the surrounding dwellings as a result of the proposed structure. Any impact upon amenity by way of design and materials is discussed above. The main issue to consider is whether the position and mass of the structure will have a detrimental impact upon the amenity of the occupiers of Oakdale House, both from within the dwelling and within the private amenity space.

The proposed garage will be visible to the neighbouring occupiers and will have an impact upon amenity beyond that currently enjoyed. The issue for Members to consider is whether this impact will be detrimental. The facing elevation of the proposed garage will be some 16.3m metres from the habitable room windows on the rear elevation of Oakdale House. Local Planning Guidance Note (LPG) 20 requires a minimum distance of 13 metres between walls where there are habitable room windows facing a blank elevation. The same LPG advises that this distance should be increased on sloping ground so that for every metre (or part thereof) difference in height, the distances in the standard shall be increased by two metres. I would estimate, based on the newly submitted floor level plan, that the difference in height between the floor level of Oakdale House and the proposed garage is approximately 1.5. This would lead to a required maximum separation distance of 17m – a shortfall of 0.7m.

The garage features a standard eaves height of 2.5m and a tiled roof which slopes away from Oakdale House (up to a ridge height of 5m). The shortfall in the maximum separation standards shown in the LPG20 is marginal. The mass of the roof space faces away from the property therefore, whilst the garage will be visible to the neighbouring occupiers, I do not consider that the garage will appear oppressive to their outlook. Members should note that residents have no right to a particular view.

In terms of the impact upon amenity enjoyed in the garden area of Oakdale House, whilst the garage will be located in close proximity to the boundary, its presence alone is not a reason to justify refusing planning permission. The



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**5<sup>th</sup> MARCH 2018**

eaves height of the garage on the boundary would be approximately 3.75m above ground level of Oakdale House. Whilst the overall height of the garage is 5 metres to the ridge, this ridge slopes away from the boundary and would allow daylight to cascade over it, rather than it causing a blank mass. The elevation of the garage would not stretch the entire length of the boundary therefore would not enclose the entire garden area. Lastly, it should be noted that the enclosures could be erected on the boundary of the planning application site which could result in a structure of 3m in any case.

I am satisfied that the structure would accord with the principles laid out in LPG20 relating design and separation standards. Impact upon amenity would be acceptable.

**Highways:** Highways have raised concern that the parking provision in front of the garage door is not sufficient as it would not allow for vehicles to park on site and open the garage door. There is no additional space to increase the driveway depth and the garage depth is on the limit of a normal depth for a garage to park a vehicle. Normally, this would be a matter resolved by an amended layout design. However, in this case I am satisfied that Village Walks is a lightly trafficked unclassified highway, the geometry of which is such that passing vehicles will be travelling at a relatively slow speed. It is also noted that condition 6 of P/2016/0756 requires the laying out and retention of a parking area for one vehicle adjacent to the dwelling front door. For this reason I consider the risks of highway danger caused by vehicles waiting on the highway whilst a garage door is opened is minimal.

**Trees:** Reference has been made to the removal of a large Wellington tree in 2017 which was positioned immediately to rear of the proposed garage when the entire land holding was in the ownership of Poplar Cottage. Normally, formal consent of the LPA is required for the removal of a tree in a Conservation Area. The rapid deterioration of this tree was notified to the Council under a '5 day notice' and its removal authorised by the Tree Officer in accordance with section 198(6) of the Town & Country Planning Act 1990. The same Act requires the planting of a replacement of a tree of similar size and species within the next available planting season. Whilst these works have not been carried out, I am satisfied that the erection of the garage will not prejudice any replanting required.

**Conclusion:** I am satisfied that the proposed sign is acceptable and accords with local policy and national guidance. I recommend accordingly.

**RECOMMENDATION:** That permission be GRANTED

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**

**5<sup>th</sup> MARCH 2018**

### **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 RO65/007 Sheet 1 of 1 Rev B and RO65/005 Sheet 1 of 1 Rev D and as contained within the application documentation.
3. The garage doors as shown on the approved plan shall be of a side hung type only.
4. All external joinery shall receive a white painted finish and be retained in this condition thereafter unless otherwise agreed in writing by the local planning authority.
5. The vehicular parking and turning areas as shown on approved drawing(s) No(s). RO65/007 Sheet 1 of 1 Rev B 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.

### **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. 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 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.

### **NOTE(S) TO APPLICANT**

The development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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**PLANNING COMMITTEE - 5 MARCH 2018**  
**ADDENDUM**

**Pages 76 – 81**                      **GRE P/2017/1043**

Disused Shippon, off Village Walks, Marford, Wrexham  
SPEAKER: AGAINST – Sioned Edwards (Rep Neighbour)  
FOR – Stuart Hatherall (Agent)

**Local Member**

Concerns raised for the following reasons:

- The public footpath adjoining the development has been dug up in parts and completely taken over by scaffolding and fencing, leaving pedestrians no choice but to walk in the road. As well as this, the site itself is quite messy, leaving residents with an eyesore on their doorstep. I would recommend a site visit from planning enforcement is needed in view of this.
- The size of the garage will have a significant impact on neighbouring properties' privacy, natural light and the length of time this development is taking.
- Why are the trees in the development that have died not being replaced? Surely there should be an option for WCBC or the Community Council to replace them?
- I strongly recommend a site meeting from the planning committee may also be needed.

**Observations**

Matters relating to the disturbance and blockage of the adopted highway footpath can only be dealt with by the Highway Authority and the granting of a planning permission does not authorise such actions. The matter has been reported to the Council's Highways section.

All other points raised are addressed in the main report.

**Recommendation**

Remains unchanged.



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HEAD OF ENVIRONMENT AND PLANNING  
 16 LORD STREET  
 WREXHAM  
 LL11 1AY

07/03/18  
 Scale 1:1250

**Town & Country Planning Act 1990**  
**Appeal Site Location Plan**



P/2017/1043

DISUSED SHIPPON, OFF VILLAGE WALKS  
 MARFORD, WREXHAM  
 COUNCILLOR RUSSELL GILMARTIN



# Item 5

## REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING 5<sup>th</sup> MARCH 2018

**APPLICATION NO:**  
P/2018 /0022

**LOCATION:**  
LAND ADJACENT TO 4 ELEVENTH  
AVENUE LLAY WREXHAM  
LL12 0SN

**DATE RECEIVED:**  
11/01/2018

**COMMUNITY:**  
Llay

**DESCRIPTION:**  
ERECTION OF 4 NO. DWELLINGS  
WITH SUPPORT FACILITIES  
(SUPPORTED HOUSING SCHEME),  
AND CONSTRUCTION OF NEW  
ACCESS

**CASE OFFICER:**  
MR

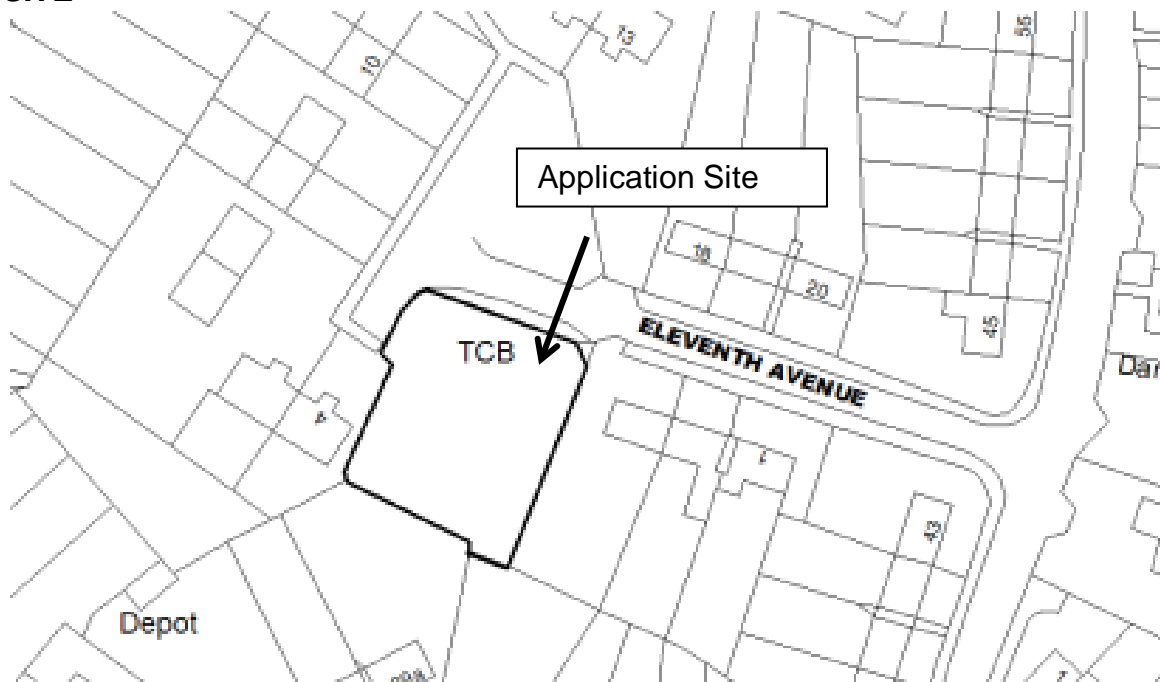
**WARD:**  
Llay

**AGENT NAME:**  
AINSLEY GOMMON  
ARCHITECTS  
MISS SARAH DAVIES

**APPLICANT(S) NAME:**  
MR MARCUS THOMAS  
FIRST CHOICE HOUSING  
ASSOCIATION

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### SITE



### PROPOSAL

The application seeks full planning permission for the construction of 4 no. 1 bed apartments with associated support facilities.

The apartments would be capable of being lived in independently. The associated support facilities would take the form of overnight accommodation and living area for staff.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**5<sup>th</sup> MARCH 2018**

**HISTORY**

P/2010/0250            Outline application for residential development.  
Approved 07/06/2010.

**DEVELOPMENT PLAN**

Within Llay Settlement Limit. UDP policies PS1, GDP1, H2, EC4 and T8 apply. LPG 16 – Parking Standards, LPG 21 – Space Around Dwellings.

**CONSULTATIONS**

Community Council:	The proposal is not in keeping with the surrounding properties by virtue of their scale and may result in overlooking and overshadowing impacts to neighbouring properties. The Community Council have stated in their response that no objections are raised as such but request that the application is determined in Planning Committee.
Local Member:	Notified 12.01.2018.
Welsh Water:	No objection. Condition recommended to secure submission of foul, surface and land water drainage scheme prior to commencement of development. Advice also recommended in regards to possible diversion of the sewer, and would be attached as an advisory note to any grant of consent.
Highway Authority:	Adequate visibility and adequate parking provision is proposed. Highway Authority raises no objection subject to conditions.
Public Protection:	No objection.
Education:	No reply.
Tree Officer:	Two of the three trees proposed for removal are Category 'B' trees. The Tree Officer advised that the proposed mitigation for the loss of the trees was inadequate and originally objected to the proposal. However, mitigation would be undertaken off-site and a condition would be secured to any grant of planning permission to secure provision of 2 no. new trees prior to commencement of development, which the Tree Officer confirms would be appropriate.
Environment Services:	No objection to the submitted Arboricultural Report. Planting recommended.
NRW:	No objection.
Wrexham Flood:	No reply.
Site Notice:	Expired 06.02.2018.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**

**5<sup>th</sup> MARCH 2018**

Neighbours: 1 no. representation received from a neighbouring property requesting that the case officer contacts the neighbour to discuss their concerns. No formal opinion given in the written representation as to whether the neighbour supports or objects to the application.

### **SPECIAL CONSIDERATIONS**

**Principle:** The application site lies within Llay Settlement Limit as identified within Policy Map 3 INSET 4.

The proposal is for supported housing accommodation, comprising 4 no. 1 bed independent apartments and a staff hub for overnight accommodation and living area.

The Councils Adult Social Care Services Department confirm that the apartments would provide accommodation for four tenants.

Two of the tenants need updated support to meet their ongoing needs which the apartments would provide this support, one currently resides in an educational setting which is coming to an end later this year and therefore needs her own home and the other tenant is being repatriated back to the area.

The proposal is anticipated would allow residents to live with a degree of independency, whilst being supported by staff when required.

A minimum of 2 members of support staff would be at the property to offer support during the day. Support would also include an overnight support staff presence, as and when the need arises.

The principle for residential development of this site has already been established under previously approved application P/2010/0250 which achieved outline planning permission for residential development on 07/06/2010.

Relevant Wrexham UDP Policies remain the same as those previously used to assess the site for residential development.

There are no material considerations related to this application which would alter the previously established principle of development, for residential use of this site.

**Design:** The design ethos of the development is to promote increased levels of independence for the residents, whilst providing skilled support that enables each resident to manage their own needs effectively.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**

**5<sup>th</sup> MARCH 2018**

Designed as four independent living apartments, the two ground floor apartments are accessed via their own external front door, whilst the first floor apartments are accessed by 1 no. front door. This is seen as a key client driver to promote a sense of ownership and independence for the residents. A separate staff entrance is also proposed. .

Revised elevations have been submitted which show that the 2 no. entrance doors either end of the front elevation have been relocated to the side of the proposed porches and have been replaced by windows.

This is considered to be a better solution to the previously proposed, which was for 4 no. entrance doors and 2 no. windows.



**Originally Proposed Front Elevation**



**Revised Proposed Front Elevation**

The revised proposal is considered would better enhance the visual interest of the building and help to provide a more active frontage than that originally proposed, whilst retaining independence for the ground floor occupants.



## REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING

5<sup>th</sup> MARCH 2018

The scale of the proposal is considered to be commensurate to the plot size and would not appear overly cramped or over developed.

The proposed site frontage overlooking the adjacent highway, footpath and open space would provide some natural surveillance over this area as well as the parking area, whilst the southerly facing rear of the properties would maximise solar gain.

Samples of materials would be conditioned as part of any grant of planning permission to ensure the development integrates with the surrounding properties and area.

The proposal is considered to be appropriate and would not adversely impact on existing levels of visual amenities of the area, complying with UDP Policy GDP1.

**Residential Amenity:** Relevant spacing standards to neighbouring properties are considered to be sufficient, having regard to Local Planning Guidance Note 21.

The neighbouring property to the west, No 4 Eleventh Avenue, appears to have a habitable window in the facing front elevation.

The proposal has been assessed having regard to the Council's 45° guidelines in relation to any impact it would have on this window.

Based on the guidelines and the submitted Site Plan and Elevations Plan, the centre-point of the main window lies outside the 45° guidelines as set out within LPG 20 and would therefore pass the 45° test.

Further, the neighbouring property is orientated north to south with the window facing north. This room therefore already results in reduced daylight throughout the majority of the day and the proposal is not considered would significantly worsen the existing situation to this effect.

In the context of the above, it is not considered that the proposal would adversely impact on existing levels of residential amenities of the neighbouring property at No 4, sufficient to warrant refusal of the application.

A revised Site Layout Plan has been received which has increased the amount of amenity space serving the first floor residents. The proposed amenity space for each apartment is considered to be appropriate, with a shared amenity space for the first floor occupants and separate amenity space for the ground floor occupants.

Low railings at the front of the site would help to provide defensible boundaries whilst close board fencing would provide security around the sides and rear of the site.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
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The proposal is not considered would significantly worsen existing levels of residential amenities of neighbouring occupiers having regard to overlooking, overshadowing and overbearing, sufficient to warrant refusal of the application. The proposal is considered to be appropriate and would comply with UDP Policy GDP1.

**Access and Car Parking:** Highway Authority raises no objection subject to conditions to secure the required visibility splays, parking layout and provision of a dropped kerb.

**Drainage:** Welsh Water recommends a condition to secure a foul, surface and land water drainage scheme which is considered to be reasonable.

**Trees:** Tree Officer objects to the application based on the loss of 2 no. category 'B' trees.

However, a Grampian condition would be attached to any grant of planning permission to secure planting of 2 no. new trees on the portion of land opposite, prior to commencement of development, the details of which would be approved by the Tree Officer.

The Tree Officer has confirmed that this would be acceptable.

**Education:** Wrexham Education has provided no response to the application at the time of writing. Nevertheless, the apartments are 1 no. bed and it is not envisaged that the proposal would result in increased pressure to local schools to warrant an education contribution.

## **CONCLUSION**

The principle of development is considered to be acceptable and no adverse impacts would result to existing levels of visual and residential amenities of the surrounding area. The proposal is not considered would give rise to adverse implications, having regard to highway safety, ecology or trees. The proposal would comply with UDP Policies GDP1, H2, T8 and EC4.

**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 001, 006 Rev G, SK2

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**

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Rev A, 011.01 Rev A, 009.01 Rev B, 008 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. The ground floor windows serving the assisted bathrooms in the east and west facing elevations of the development hereby approved shall be obscure glazed and thereafter retained for the lifetime of the development.

5. Prior to commencement of the relevant part of the works, full details of a hard and soft landscaping scheme, to include boundary treatments, together with a timescale for implementation of the works, shall be submitted to and approved in writing by the Local Planning Authority.

6. Prior to commencement of development, a drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul, surface and land water and include an assessment of the potential to dispose of surface water and land water by sustainable means.

7. 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.

8. 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.

9. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 006 Rev G and SK2 Rev A 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.

10. Prior to first use of development a pavement crossing to the site shall be constructed in strict accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

11. 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.

12. Prior to commencement of development, a full scheme for the replacement of the 2 No. category B trees scheduled for removal off the site, as shown on Drawing No. MY639/EAL/01 as part of the submitted Arboricultural Report, shall be submitted to and approved in writing by the Local Planning Authority. The occupation of the development shall not begin until those works have been completed in accordance with the Local Planning Authority's approval and have been certified in writing as complete by or on behalf of the Local Planning Authority.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**5<sup>th</sup> MARCH 2018**

**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. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. To protect the amenities of the occupiers of nearby properties.
5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

The scheme of landscaping referred to in the above conditions shall include any changes to ground levels (shown by existing and proposed contours/levels) and any existing vegetation (showing that to be retained) and proposed planting. In addition, any of the following which apply to the particular site must be included:-

- means of enclosure, car parking layout, access and circulation areas, materials for hard surfaced areas, any minor structures (e.g. refuse stores, lamp columns, play equipment) location of services, and any historic landscape features to be retained/improved.
6. 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.
  7. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.
  8. To ensure that adequate visibility is provided at the proposed point of access to the highway.
  9. 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.
  10. In the interests of pedestrian safety.
  11. In the interests of highway safety.
  12. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
-

**PLANNING COMMITTEE - 5 MARCH 2018**  
**ADDENDUM**

**Pages 87 – 94      LLA   P/2018/0022**

Land adjacent to 4 Eleventh Avenue, Llay, Wrexham

**Representations**

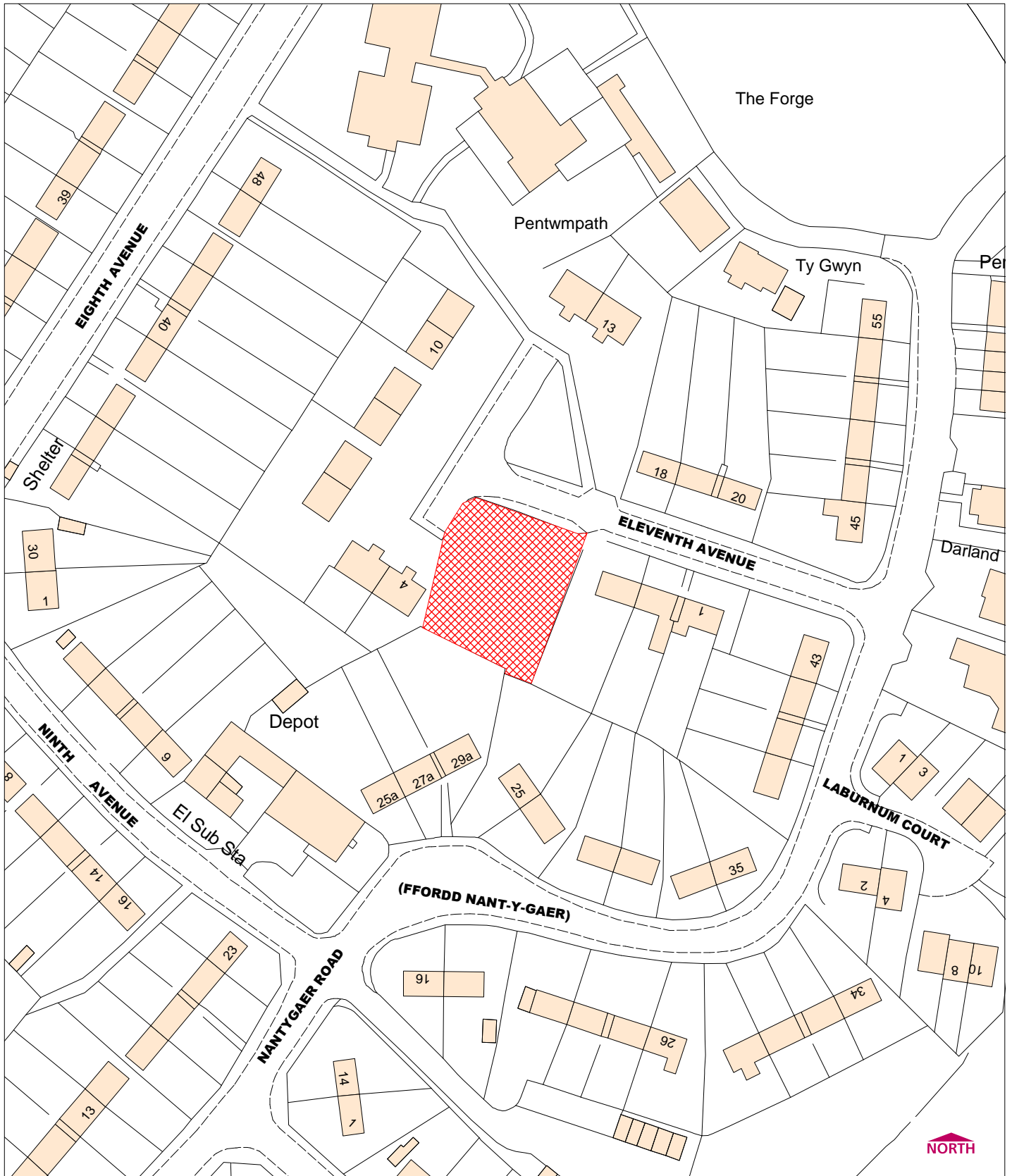
1 no. representation received from a neighbouring property on 22.02.2018 objecting to the application. Concerns raised include the proposal by virtue of its design would not be in keeping with the area, increase in overlooking, lack of control of who would occupy the units.

**Observations**

Whilst concerns raised by the neighbouring property are noted, the recommendation remains unchanged for the reasons set out in the report.

**Recommendation**

Remains unchanged as set out in the report.



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HEAD OF ENVIRONMENT AND PLANNING  
 16 LORD STREET  
 WREXHAM  
 LL11 1AY

07/03/18  
 Scale 1:1250

**Town & Country Planning Act 1990**  
**Appeal Site Location Plan**



P/2018/0022

LAND ADJ 4 ELEVENTH AVENUE, LLAY  
 WREXHAM  
 COUNCILLOR ROBERT WALSH  
 COUNCILLOR BRYAN APSLEY



**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**5<sup>th</sup> MARCH 2018**

**APPLICATION NO:**  
P/2017 /0967

**LOCATION:**  
LAND SOUTH OF NANT COTTAGE  
LOWER ROAD COEDPOETH  
WREXHAM  
LL11 3TP

**DATE RECEIVED:**  
23/11/2017

**COMMUNITY:**  
Coedpoeth

**CASE OFFICER:**  
SEH

**WARD:**  
Coedpoeth

**DESCRIPTION:**  
ERECTION OF 2 NO. DETACHED  
DWELLINGS WITH ASSOCIATED  
GARAGES AND PARKING

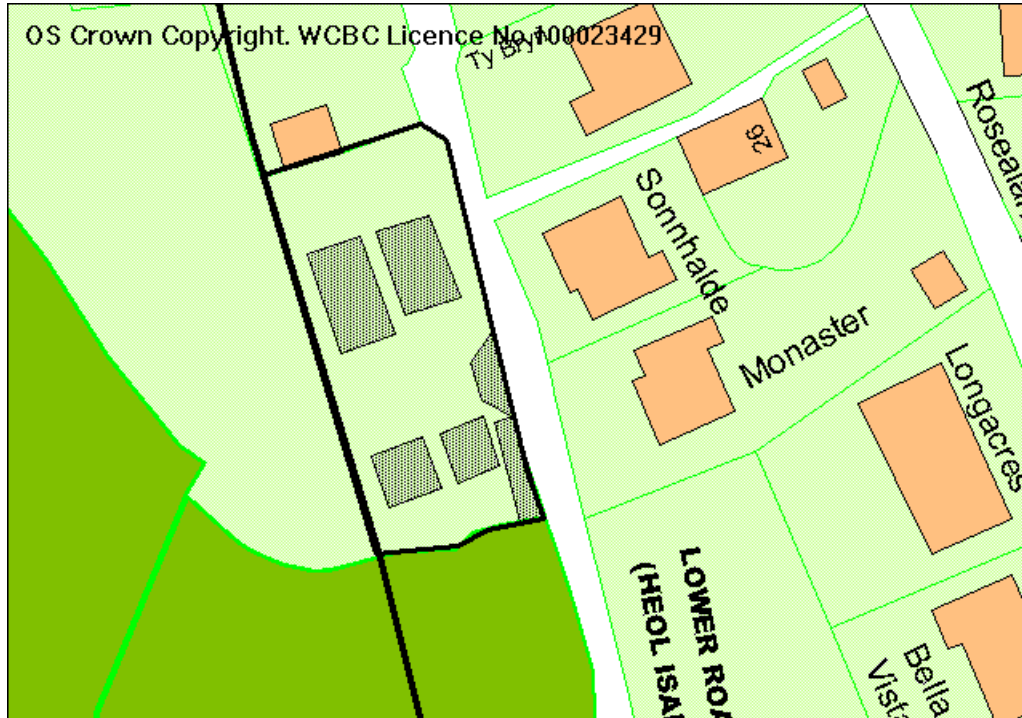
**AGENT NAME:**  
BLUEPRINT LTD  
MR DAFYDD EDWARDS

**APPLICANT(S) NAME:**  
MR M DAVIES

---

## THE SITE

Site lies to the south of Nant Cottage and adjoins Lower Road Coedpoeth. The land directly opposite to the east and to the north of the site consists of residential properties and the remaining boundaries are surrounded by open countryside. The site lies considerably lower than the land to the east.



## PROPOSAL

As above

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**

**5<sup>th</sup> MARCH 2018**

### **RELEVANT HISTORY**

P/2004/1374	Erection of dwelling and attached garage. Approved 10/01/2005;
P/2006/1029	Erection of dwelling with detached garage. Approved 09/10/2006;
P/2010/0743	Erection of dwelling with detached garage. Approved 07/10/2010;
P/2014/0331	Erection of dwelling with detached garage. Approved 18/06/2014.

### **DEVELOPMENT PLAN**

The site is within settlement limit. Policies PS1, PS2, PS3, PS4, H2, T8, T9, EC4, EC6 and GDP1 apply. Local Planning Guidance Notes Nos. 16 'Parking' and 21 'Space around Dwellings' are also relevant.

### **CONSULTATIONS**

Community Council:	Objects on the following grounds: <ul style="list-style-type: none"><li>• the access road is narrow and cannot accommodate 6 additional cars;</li><li>• Lower Road is not a through road and all the traffic will have to come back up Middle Road;</li><li>• Erection of 1 no. dwelling is more in keeping.</li></ul>
Local Member:	Notified 24/11/2017
Highways:	No objections subject to conditions (see Special Considerations below).
Public Protection:	Recommend conditions regarding construction noise, dust and contamination.
NRW:	No objections.
Welsh Water:	Recommend drainage conditions.
Site Notice:	Expired 18/12/2017
Neighbours:	4 online comments received raising the following matters: <ul style="list-style-type: none"><li>• Loss of view;</li><li>• Loss of light,</li><li>• Loss of privacy;</li><li>• Visually overbearing /obtrusive;</li><li>• Buildings are too high;</li><li>• Noise and vibrations;</li><li>• Ground stability;</li><li>• Houses will be an eye sore;</li><li>• Impact upon wildlife – hedgehogs and squirrels etc;</li><li>• Dwellings will be out of character with the appearance of the locality;</li></ul>



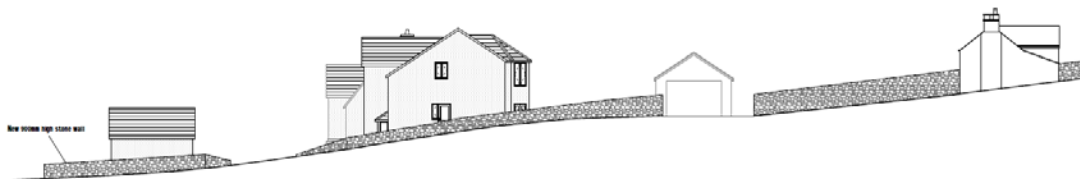
**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**5<sup>th</sup> MARCH 2018**

- The previously approved dwelling was less intrusive;
- Heavy plant machinery will damage nearby properties;
- Amended scheme does address the concerns raised.

**SPECIAL CONSIDERATIONS/ ISSUES**

**Background:** This is a full application for the erection of 2 no. dwellings and associated new vehicular access off Lower Road. Planning permission has been granted on 4 previous occasions for 1 no. dwelling (see history above). 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:** The site is a rectangular piece of land with levels falling from east to west. Access to the site would be from Lower Road with side gable facing this highway. The dwellings located within the area and along Lower and Middle Road vary considerably in design, type, size and use of materials and there is no particular pattern of development. The proposed development reflects several housing layouts of the area and there are a variety of houses types with individual properties orientated to address the street scene. The proposed dwellings are unique and do not particularly reflect the design and appearance of existing buildings within close proximity. This is however appropriate for the characteristics of the area. Most properties in the locality have an aspect to the west and south, and this proposal reflects this taking advantage of the solar gain, topography of the site and the available views, successfully dealing with the sloping nature of the site.



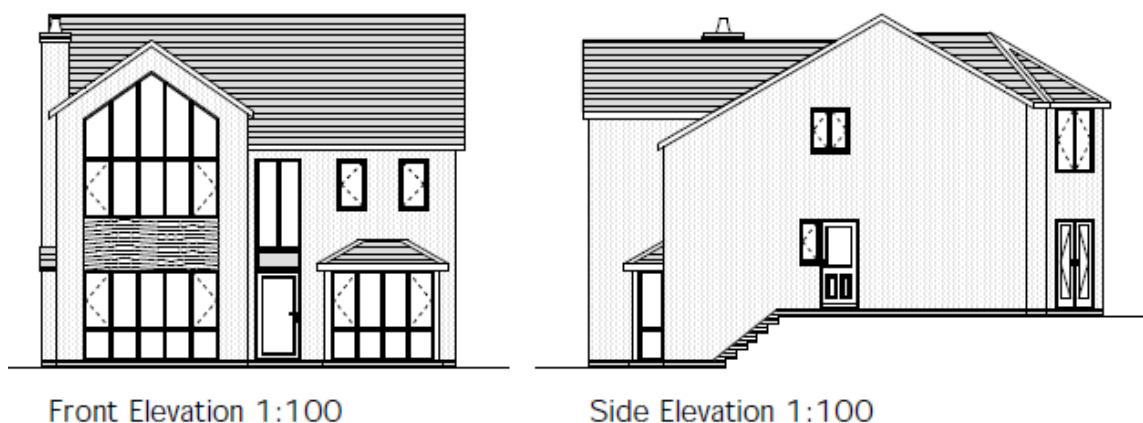
**Figure 1 – Street Scene**

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**5<sup>th</sup> MARCH 2018**



**Figure 2 – Site Layout**

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**5<sup>th</sup> MARCH 2018**



**Figure 3 – Plot 1 (adjacent to highway)**

**Residential Amenity:** The site is considered large enough to accommodate 2 no. dwellings together with outdoor space of adequate size in accordance with LPGN No.21 'Space around Dwellings'. Having considered also the properties around the site, the proposed development is in accordance with the Council's separation distances and guidance on 'Space around Dwellings'. As such no significant loss of light or privacy (subject to a condition securing obscure glazing in the side elevation of Plot 1) would occur to existing surrounding properties.

**Highways:** The site is situated on a narrow unclassified road where vehicular speed is no greater than 15 mph due to the geometry of the road. The recommended visibility splay (2.4 x 17m) is achievable at the site as is the gradient required to facilitate a safe vehicular access. Construction details will be required by planning condition for further approval. Ground investigation works will also be required prior to commencement of development. Given the restricted width of Lower Road it is considered that a passing place should be provided along the site frontage, located south of the proposed access. Submission of a detailed scheme is also required by condition.

**Other Matters:** Concerns raised in relation to the potential loss of view are not relevant planning considerations. Although the impact of the construction phase is not a relevant planning consideration (as it is covered by other legalisation) a condition will be attached to the permission to restrict working hours in the interests of protecting the amenities of the local residents.

**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 creation of a passing place will be to the benefit of all road users. The residential development of the site would not be significantly detrimental to residential amenity in terms of loss of light or privacy and I recommend accordingly.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**5<sup>th</sup> MARCH 2018**

**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 D086/008 Rev C, D086/005 Rev B, D086/006 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. With the exception of those shown on the approved plan and 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 windows or other openings shall be inserted in any elevation of the building.
5. Any garage erected under this permission shall be used only for a purpose incidental to the use of the dwelling as a single dwelling house provided that such use shall not preclude the garaging of a private motor car.
6. The vehicular parking and turning areas as shown on approved drawing(s) No(s). D086/008 Rev 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.
7. The gradient access from the edge of the existing carriageway shall be a maximum of 1:8.
8. The proposed access shall have visibility splays of 2.4 x 17 m in both directions measured to the centre line of the adjoining highway within which there shall be no obstruction in excess of 1.0m in height.
9. The proposed access shall be surfaced using hard bound materials for a minimum distance of 5 metres behind the highway boundary. Any gates to be erected at the proposed access shall be a minimum of 5m from the edge of the adjacent carriageway.
10. No part of the development shall commence until further details of site investigation works in relation to the stability of the embankment and wall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with any measures as approved.
11. 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) Passing bay
  - 2) Retaining wallThe scheme as is approved shall be fully implemented prior to first use of the development.

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**5<sup>th</sup> MARCH 2018**

12. Each part of the site subject to the remediation under the scheme approved as part of condition 11 and 12 of planning permission ref: P/2014/0331 shall not be occupied / used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.
13. 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.
14. 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.
15. 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.
16. The landscaping scheme submitted and approved in connection with condition no. 15 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
17. The landscaping scheme as carried out in connection with condition no. 16 shall be permanently retained. Any planting becoming 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 with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.
18. The vehicular access hereby approved shall be a minimum width of 4.8 metres.
19. 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), any window or opening in the elevation facing East (Plot 1) shall only be glazed or re-glazed using obscure glass which shall thereafter be permanently retained.

**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. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. To protect the amenities of the occupiers of nearby properties.
5. To ensure that the garage is not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties and to ensure that facilities for the garaging of a car remain available at this address at all times.

## **REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**

**5<sup>th</sup> MARCH 2018**

6. 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.
7. In the interests of highway safety.
8. In the interests of highway safety.
9. In the interests of highway safety.
10. In the interests of highway safety.
11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
12. In the interests of the amenities of the future occupants of the buildings
13. To protect the amenities of the occupiers of nearby properties.
14. 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.
15. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
16. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
17. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
18. To ensure the formation of a safe and satisfactory access.
19. To protect the amenities of the occupiers of nearby properties.

### **NOTE(S) TO APPLICANT**

Further advice on compliance with condition no. 12 may be obtained by contacting the Council's Environmental Protection Team on 01978 315733. Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Housing and Public Protection Department prior to commencement of works on site.

This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as ""conditions precedent"". You should be aware that it is important that you comply with any ""conditions precedent"". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

The applicant is advised that compliance with condition no. 13 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

**REPORT OF THE HEAD OF ENVIRONMENT AND PLANNING**  
**5<sup>th</sup> MARCH 2018**

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 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.

Some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water's maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water, the applicant is advised to contact the Operations Contact Centre at Dwr Cymru on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

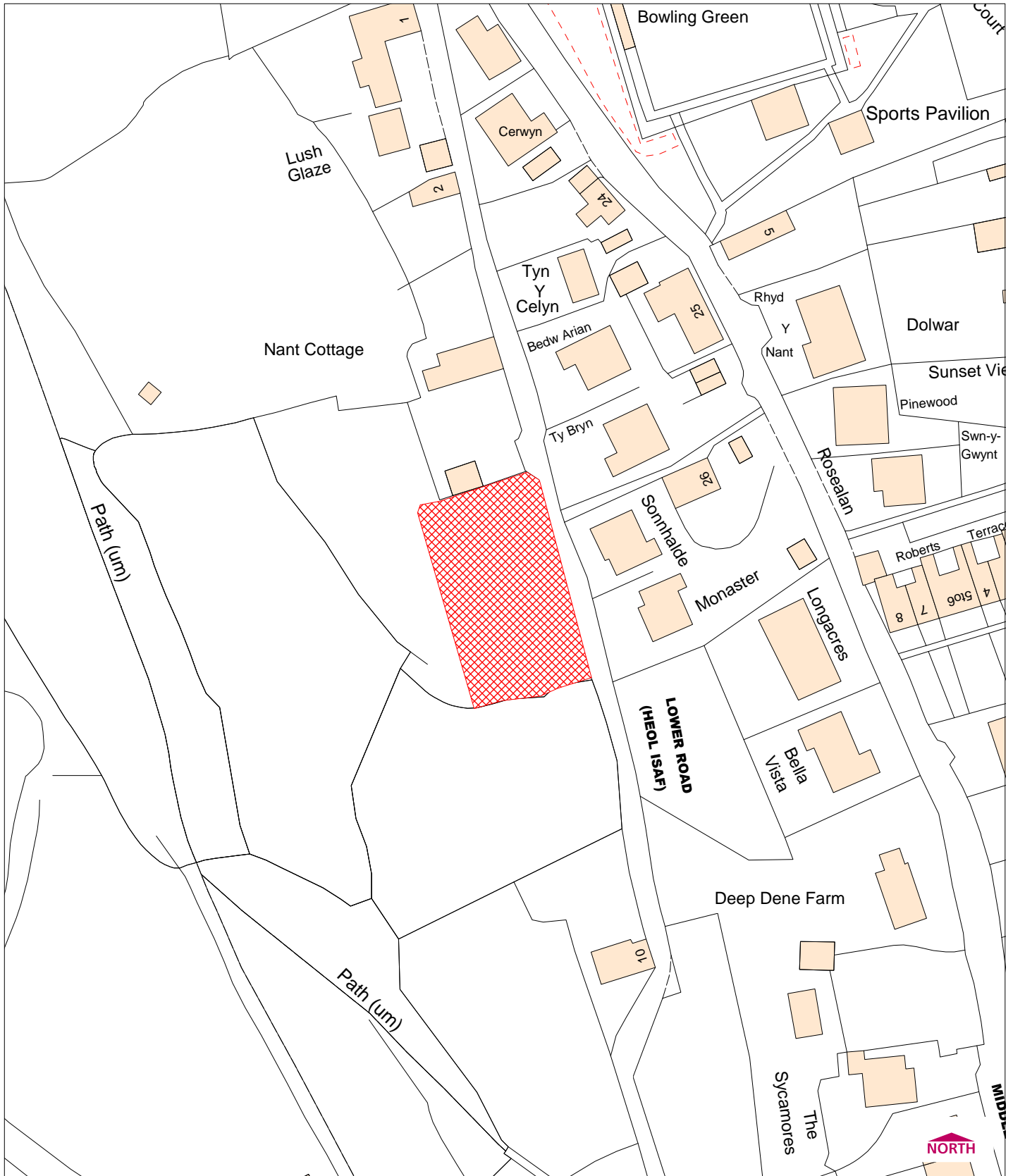
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**PLANNING COMMITTEE - 5 MARCH 2018**  
**ADDENDUM**

**Pages 58 - 66** **WRC P/2017/0967**

Land South of Nant Cottage, Coedpoeth  
SPEAKER: FOR – Stuart Hatherall (Agent)





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**Town & Country Planning Act 1990**  
**Appeal Site Location Plan**



P/2017/0967  
 LAND SOUTH OF NANT COTTAGE, LOWER ROAD  
 COEDPOETH, WREXHAM  
 COUNCILLOR KRISTA CHILDS  
 COUNCILLOR MICHAEL DIXON



