

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE
HELD IN COUNCIL CHAMBER, GUILDHALL ON MONDAY, 5 NOVEMBER 2018**

MEMBERS

Councillor M G Morris, Chair
Councillor * Marc Jones, Vice-Chair

Councillor	Bryan Apsley	Councillor	John McCusker
"	I David Bithell, MBE	"	Paul Pemberton
"	Michael Dixon	"	John Phillips
"	Frank Hemmings	"	Ronnie Prince
"	Adrienne Jeorrett	"	John Pritchard
"	Gwenfair Jones	"	Paul Roberts
"	Paul Jones	"	Graham Rogers
"	David Maddocks	"	* Paul Rogers
"	Tina Mannering	"	* Andy Williams

*Absent

Also Present – Councillors Brian Cameron, D J Griffiths, R Alun Jenkins, Mark Pritchard, J R Skelland and Robert Walsh.

33 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Marc Jones, Paul Rogers and Andy Williams.

34 CONFIRMATION OF MINUTES

The Minutes of the meeting held on 1 October 2018 were submitted.

Correction to Minutes: Councillor Tina Mannering had been marked as absent and Councillor Graham Rogers had been marked as present.

RESOLVED – That, subject to the above, the Minutes of the meeting held on 1 October 2018 be signed as a correct record.

35 DECLARATIONS OF PERSONAL INTERESTS, IF ANY

Members were reminded of their responsibility, under paragraph 11 of the Members' Code of Conduct, to declare any interests in relation to any business to be transacted at this meeting. The following declarations were made:

Agenda Item 4 - Development Control Applications

Councillor Adrienne Jeorrett – Personal not prejudicial – Application Code No. P/2018/0772 being a resident of Beechley Road but lived at the other end of the street. The Councillor stayed in the meeting for this item and took part in the discussion and voting thereon.

Councillor Gwenfair Jones – Personal not prejudicial – Application Code No. P/2018/0738 being a Member of Gwersyllt Community Council. The Councillor stayed in the meeting for this item and took part in the discussion and voting thereon.

Councillor Tina Mannering – Personal – Application Code No. P/2018/0426 having pre-determined the application. The Councillor, in her role as one of the Local Members, made representations pursuant to Part 3, Section 14(2) of the Wrexham County Borough Council Code of Conduct for Members, indicating her support for the proposed development, then withdrew from the meeting, taking no part in the discussion and voting thereon.

Councillor Tina Mannering – Personal and prejudicial – Application Code No. P/2018/0738 as she rented land off the owner of the site. The Councillor had already left the meeting prior to consideration of this application.

Councillor Mike Dixon – Personal and prejudicial – Application Code No. P/2018/0836 the applicant being known to him. The Councillor withdrew from the meeting for this item, taking no part in the discussion and voting thereon.

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DEVELOPMENT CONTROL APPLICATIONS

The Head of Environment and Planning submitted a report (HEP/11/18) for Members' consideration of planning applications and attention was drawn to his Addendum report where relevant.

Application Code No. P/2018/0426 – Conversion and change of use to single dwelling (previously granted under Code No. P/2012/0735) at Disused Mill, Bradley Mill, Bradley, Wrexham.

(Member declaration of interest in relation to this application is set out in Minute 35 above).

Mr Matt Gilbert (Agent) spoke in support of the application.

During consideration of the application reference was made to the planning history and that the plans submitted with this application were identical to the ones previously approved (December 2012) in terms of design, access and parking. In addition, there have been no changes to local planning policy in respect of the conversion of rural buildings since permission was previously granted. Since that date the Welsh Government have issued further guidance on the interpretation of Technical Advice Note 15: Development and Flood Risk which has resulted in the NRW consultation response being that planning permission should be refused. This has resulted in the Committee Report recommendation to refuse planning permission.

It was suggested that consideration of the application be deferred to allow the Head of Environment and Planning time to seek further technical advice from NRW in

respect of any additional technical assessments required and/or flood mitigation requirements that are required from the applicant. This was agreed by the Committee.

RESOLVED – That consideration of the application be DEFERRED to allow the Head of Environment and Planning time to seek further technical advice from NRW in respect of any additional technical assessments required and/or flood mitigation requirements in the event of planning permission being granted so that the application could be considered by the Committee on the basis of the fullest information possible.

Application Code No. P/2018/0738 – Siting of shipping container for storage of football equipment to be used by Llay United Youth Football Club while using pitches together with the possible future fencing off of the container with green V mesh fence to provide additional security etc. at Cricket Ground, Park Wall Road, Bradley, Wrexham.

(Members' declarations of interest in relation to this application are set out in Minute 35 above).

Ms Louise Roberts (Representing Bowling Club) spoke against the application.

One of the Local Members (Councillor Tina Mannering) indicated her support for the application as the container is required for the storage of equipment and will support the long term sustainability of a local youth football team. In her opinion the location of the container will not have a detrimental impact on the visual amenity of the area and suggested that permission be granted.

The other Local Member (Cllr David Griffiths) indicated his objection to the application as the siting of the container could have a detrimental impact upon the security of the Bowling Club and result in the re-occurrence of anti-social behaviour which has been experienced in the past. In his opinion, there were more suitable locations for the positioning of the container within the site.

During consideration of the application several Members suggested that the application be deferred to allow the Head of Environment and Planning time to discuss alternative locations for the siting of the container with the applicant. This was agreed by the Committee.

RESOLVED – That consideration of the application be DEFERRED to allow the Head of Environment and Planning time to discuss alternative locations for the siting of the container with the applicant so that the application could be considered by the Committee on the basis of the fullest information possible.

Application Code No. P/2018/0772 – Change of use to House in Multiple Occupation (HMO) 6 No. bedrooms with 7 No. occupants in total at Garthwyn, 82 Beechley Road, Wrexham.

(Member declaration of interest in relation to this application is set out in Minute 35 above).

Mr John Harding (representing Resident's Association) spoke against the application.

RESOLVED – That a SITE VISIT be arranged for Members of the Committee to view the application site prior to determination of the application by the Committee.

Reason for Visit: To assess the impact of the proposed HMO on the surrounding area, in particular Beechley Road.

Application Code No. P/2017/0527 – Outline application (with all matters reserved apart from access) for roadside services incorporating a petrol filling station with ancillary kiosk and associated car parking works) on land West of Wrexham Golf Club, Holt Road, Llanypwll, Wrexham.

During consideration of the application reference was made to the proposed options submitted by the applicant to reduce the speed of traffic on the south bound approach to the roundabout. Several Members suggested that, if the Committee was minded to grant permission and in the interest of highway safety, proposed Condition No. 21 be amended to include the following measures:

- (i) The proposed 'Slow/Araf' road markings at the 300, 200 and 100 yard marker signs;
- (ii) Concentric road markings on the roundabout, and
- (iii) Highway directional signage.

This was agreed by the Committee.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18 together with the following amendment to Condition No. 21:

Amend Condition No 21

No part of the development shall be brought into use until the measures detailed on drawings nos.10304-002 Proposed Roundabout Concentric Markings, 10104-003 Proposed Road Markings and 10104-004 Proposed Signage have been implemented in full.

Application Code No. P/2017/0642 – Application for variation of Condition No.2 imposed under Planning Permission Code No. P/2015/0372 to allow substitution of house types on Plot Nos. 1 – 13 at Former School Building, High Street, Brymbo, Wrexham.

RESOLVED

- 1 That the Council amends the original Section 106 Agreement to link the agreement to the amended layout and
 - (i) Include a clause to allow the need for an education contribution to be calculated at the time it is due; and**
 - (ii) Confirm the commuted sum for the Public Open Space (POS) is payable as previously required;**and that the Head of Environment and Planning be given delegated authority to determine the final form and content of the Obligation.**
- 2 Upon completion of the Obligation, planning permission be GRANTED in accordance with the conditions as set out in report HEP/11/18**
- 3 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 Environment and Planning be given delegated authority to REFUSE the application for the following reasons:**

Reason

No contribution has been made towards the provision of public open space. In the absence of a contribution the development does not accord with policy CLF5 of the Wrexham Unitary Development Plan.

Application Code No. P/2017/0687 – Outline application to erect 2 No. Two-storey dwellings (to be accessed off Britannia Close) on land to the rear of Nos. 61 & 63 Henblas Road, Rhostyllen, Wrexham.

Mr Mark Becker (representing residents of Britannia Close) spoke against the application.

The Local Member (Councillor Mark Pritchard) commented upon the site history and when planning permission was granted for the neighbouring development of Britannia Close, it was always the intention to develop this remaining parcel of land for housing. In his opinion, the erection of two extra dwellings would not generate a significant amount of traffic and it would be possible create a safe vehicular access to the site from Henblas Road. He requested that Members visit the site prior to making a decision on the application.

RESOLVED – That permission be REFUSED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2017/0843 – Erection of 6 No. dwellings with ancillary off-street parking and construction of additional parking spaces to serve adjoining gym on land North of Total Fitness, Stansty Road, Wrexham.

RESOLVED -

- (1) That an Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 be required to secure:
- (i) Payment of a financial contribution towards Rhosddu Primary School in accordance with the formula set out in Local Planning Guidance Note 27; and
 - (ii) A financial contribution of £6000 towards the upgrading of Rhosddu Road play area;
- and that the Head of Environment and Planning be given delegated authority to approve the final form and content of the obligation.
- (2) Upon completion of the Section 106 obligation permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18 together with the further amendments to Conditions 02, 07, 08, 10, 12 and 13 contained within the Addendum Report.
- (3) That, if Section 106 obligation is not completed within 6 months of the date of the Committee resolution, the Head of Environment and Planning be given delegated authority to REFUSE planning permission for the following reason(s):

Reasons

1. No contribution has been made towards the provision of additional primary school facilities. Without this additional provision, there is insufficient school capacity to cater for the development. As such the development does not accord with policy GDP2 of the Wrexham Unitary Development Plan.
2. No contribution has been made towards the provision of public open space. In the absence of a contribution, the development does not accord with policy CLF5 of the Wrexham Unitary Development Plan.

Application Code No. P/2018/0138 – Erection of 5 No. detached dwellings including means of access and associated works on land at Bedwell Road, Cross Lanes, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2018/0277 – Outline application for erection of 10 No. dwellings and construction of new access point at Willow Cottage, Park Street, Ruabon, Wrexham.

Mr Stuart Hatherall (Agent) was present having indicated his intention to speak in

support of the application, however, in the event, he did not do so.

RESOLVED -

- (1) Subject to the Welsh Government lifting their holding objection in respect of noise mitigation, an Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 be required to secure a financial contribution of £10,000 towards the upgrading and improvement of Pont Adam play area and that the Head of Environment and Planning be given delegated authority to approve the final form and content of the obligation.**
- (2) Upon completion of the Section 106 obligation permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18 together with the further Conditions and Note to Applicant contained within the Addendum Report.**
- (3) That, if Section 106 obligation is not completed within 6 months of the date of the Committee resolution, the Head of Environment and Planning be given delegated authority to REFUSE planning permission for the following reason(s):**

Reason

No contribution has been made towards the provision of public open space. In the absence of a contribution the development does not accord with policy CLF5 of the Wrexham Unitary Development Plan.

Application Code No. P/2018/0462 – Erection of steel framed building to store feed and shelter cattle at Woodcroft, Hollybush, Bangor on Dee, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2018/0599 – Outline application for demolition of existing dwelling and erection of 2 No. new dwellings with all detailed matters reserved at Tintern, Pystyll Hill, Marford, Wrexham.

Mr Stuart Hatherall (Agent) spoke in support of the application.

RESOLVED – That permission be REFUSED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2018/0640 – Outline application for residential development on land adjacent to 18 Pont Adam Crescent, 18, Pont Adam Crescent, Ruabon, Wrexham.

Mr Stuart Hatherall (Agent) was present having indicated his intention to speak in

support of the application, however, in the event, he did not do so.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2018/0664 – Re-surfacing existing agricultural track (in retrospect) at Bowling Bank Farm, Mulsford Lane, Worthenbury, Wrexham.

Mr Dorian Hopkins (Agent) was present having indicated his intention to speak in support of the application, however, in the event, he did not do so.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2018/0684 – Conversion of existing First Floor and construction of mezzanine floors to create 55 No. Apartments (52 No. one bedroom and 3 No. two bedroom), associated works and external alterations at Henblas Square, Henblas Street, Wrexham.

Mr David Marjoram (Agent) spoke in support of the application.

One of the adjoining Local Members (Councillor R Alun Jenkins) commented that, although he welcomed the proposal to provide additional housing in the town centre, he had concerns that there would be no provision for on-site car-parking. The Council's adopted car parking guidance equated to a maximum parking provision of 84 spaces for the development as proposed. In his opinion, the proposed development would increase on-street parking within the vicinity of the site to the detriment of other highway users. In addition, he commented upon the existing congested nature of the local highway network and limited on-street parking spaces within the town centre generally. There was potential for many other similar developments within the town centre, therefore, he suggested that this application should be deferred until the issue of on-site car parking provision was resolved.

During consideration of the application several Members commented that the proposal was in accordance with the aspirations of the adopted Wrexham Town Centre Masterplan and that the development was in a highly sustainable location with easy access to public transport modes.

RESOLVED -

- (1) That an Obligation pursuant to Section 106 of the Town and Country Planning Act 1990 be required to secure the provision of affordable housing in accordance with Local Planning Guidance Note No. 28 at a rate of 25% of the dwellings or financial contribution to off-site provision of affordable housing, as deemed appropriate in consultation with the Affordable Housing Officer and that the Head of Environment**

- and Planning be given delegated authority to approve the final form, amount and content of the Obligation.
- (2) Upon completion of the Section 106 obligation permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.
 - (3) That, if Section 106 obligation is not completed within 6 months of the date of the Committee resolution, the Head of Environment and Planning be given delegated authority to REFUSE planning permission for the following reason(s):

Reason

Lack of adequate affordable housing provision and that the Head of Environment and Planning be given delegated authority to determine the final form and content of the reason(s) for refusal.

Application Code No. P/2018/0719 - Extension to form MOT Testing Station at 8 Rivulet Road, Wrexham.

The Local Member (Councillor Brian Cameron) referred to the congested nature of the existing local highway network and the potential of increased traffic generation from the construction of the new apartments at the bottom of Rivulet Road. In his opinion, the proposed development could have a detrimental impact on highway and pedestrian safety at this location. He suggested that consideration of the application be deferred until some of the apartments have been occupied to allow them to be involved in any planning application.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2018/0724 – Application for variation of Condition 7 of Planning Permission P/2017/0053 to seek an exclusion to vehicle movements timescales for bird delivery and collections to enable the operation to be undertaken 24 hours per day and relaxation of the Bank Holidays restriction at Talwrn Farm, Talwrn Road, Legacy, Wrexham.

The Local Member (Councillor Mark Pritchard) indicated his objection to the application as the condition had initially been imposed by the Planning Inspectorate to protect the amenity of the occupiers of neighbouring properties and highway safety. The variation of the condition would result in unrestricted HGV movements to and from the site to the detriment of the amenity of local residents and he requested that the application be refused. The Committee concurred with the views of the Local Member.

RESOLVED – That permission be REFUSED

Reason

The proposals will result in traffic entering and leaving the site during the night and

early hours of the morning to the detriment of the standard of amenity afforded to the occupiers of nearby residential properties. The proposals therefore conflict with policy GDP1(f) of the Wrexham Unitary Development Plan.

Application Code No. P/2018/0740 – Extension to rear of public house to provide additional seating area at Tyn Y Capel Inn, Church Road, Minera, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2018/0762 – Two-storey rear extension at 30 Kempton Way, Wrexham.

Correction to report – Special Considerations: The property to the south should read “No. 28” not “No.30”

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2018/0793 – Use of building as warehouse facility for Wrexham Foodbank for the receiving and storing of non-perishable food donations at Family Centre, Dean Road, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2018/0795 – Erection of detached dwelling and garage with associated parking on land south of Boundary House, Horseman’s Green, Whitchurch.

The adjoining Local Member (Councillor Rodney Skelland) commented that the site was part of a smallholding which had been in the applicant’s ownership for over thirty years and that the applicant’s intention was to build a small retirement dwelling. The site was close to the Settlement Limit and neither the Highways Authority, NRW, Senior Flood Officer or Public Protection had raised objections to the proposed development. In his opinion, the proposal would not have a detrimental impact on the surrounding area and he asked Members to consider the application accordingly.

After hearing the views of Members, during which the Local Member (Councillor John McCusker) indicated his support for the Officer recommendation to refuse permission, it was

RESOLVED – That permission be REFUSED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2018/0825 – Closure of existing access and construction of new access (away from junction) and extension to residential curtilage at East way, Bowling Bank, Wrexham.

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Application Code No. P/2018/0836 – Change of use of holiday let to form self-contained dwelling at The Lodge, Cross Cottage, Castle Street, Holt, Wrexham.

(Member declaration of interest in relation to this application is set out in Minute 35 above).

RESOLVED – That permission be GRANTED in accordance with the recommendation of the Head of Environment and Planning as set out in report HEP/11/18.

Councillor M G Morris
Chair