

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

APPLICATION NO:
P/2019 /0714

LOCATION:
LAND ADJACENT TO VICARAGE
HILL COURT VICARAGE HILL
MINERA WREXHAM
LL11 3YN

DATE RECEIVED:
19/09/2019

COMMUNITY:
Minera

CASE OFFICER:
MR

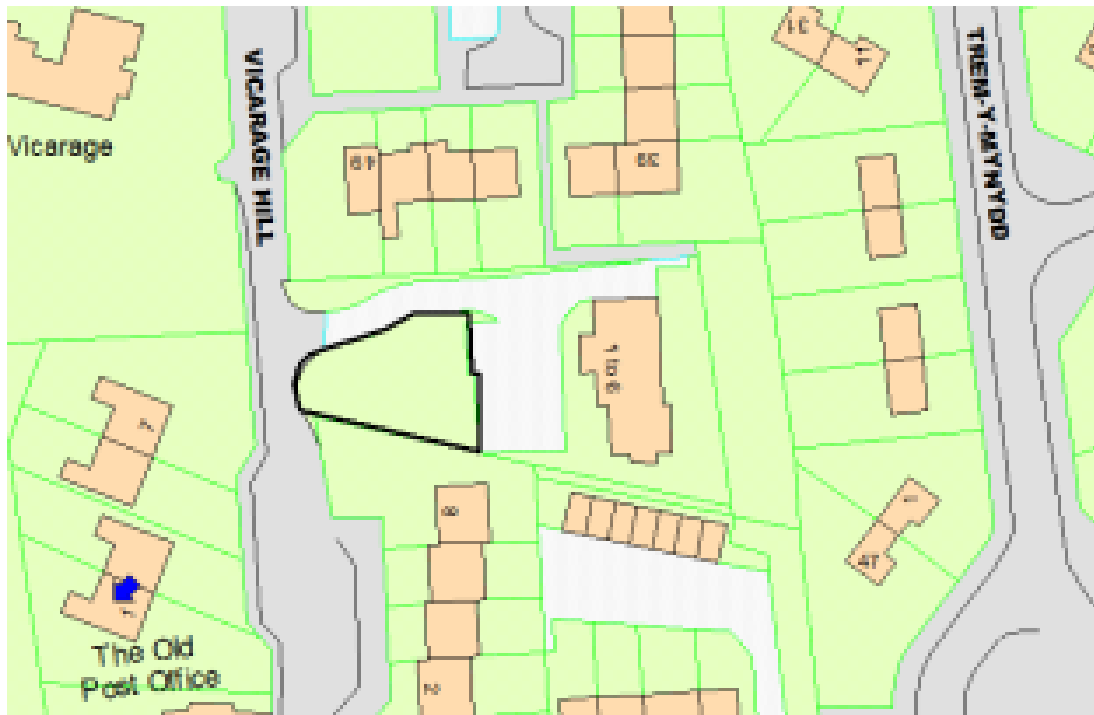
WARD:
Minera

DESCRIPTION:
ERECTION 1 NO. TWO BED
BUNGALOW WITH IMPROVEMENTS
TO EXISTING CAR PARKING AND
EXTERNAL WORKS

AGENT NAME:
BARRON DESIGN LTD
CRAIG BARRON

APPLICANT(S) NAME:
MR JOHN SMALL
DMR NORTH WALES LTD

SITE



PROPOSAL

The application seeks full planning permission for the construction of a single storey dwelling.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

HISTORY

P/2018/0645 Erection of block of 2 no. two bedroom flats with improvements to existing car parking and associated external works.
Refused 11/09/2018.

DEVELOPMENT PLAN

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

CONSULTATIONS

Community Council:	No objection.
Local Member:	Notified 19.09.2019.
NRW:	No comments to make.
Flood:	SAB Approval may be required.
Welsh Water:	No objection. Condition recommended to ensure no surface/land water connected to the local drainage network.
Trees:	No objection subject to a tree protection condition.
Highway Authority:	No objection subject to a condition to secure parking layout.
Public Protection:	No objection subject to conditions.
Contaminated Land:	No objection subject to conditions.
Site Notice:	Expired 15.10.2019.
Neighbours:	1 no. representation received objecting to the proposal. Concerns raised include loss of views, adverse impacts on ecology.

SPECIAL CONSIDERATIONS

Principle: The application site lies within Minera Settlement Limit as identified on Policy Map 3 INSET 5.

The principle of development is acceptable and would comply with UDP Policy H2, subject to adherence with other relevant planning policies and criteria.

Design and Layout: There is no defined vernacular or pattern of development in the area with some dwellings fronting onto the road, some dwellings set back from the road and a mixture of dwellings comprising single and two storey.

The siting of the dwelling in front of the flats to the rear would not appear discordant in this respect, being roughly in line with properties to the north and set slightly in front of the building line to the south.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

The scale of the dwelling is considered to be appropriate to the plot size and would not appear cramped or over developed.

A detailed hard and soft landscaping scheme would be conditioned as part of any grant of planning permission to ensure the dwelling integrates with the surrounding area.

Boundary treatments would also be conditioned to ensure clear delineation between public and private spaces, in particular across the site frontage. This would also help to strengthen the sites legibility and sense of presence along the street scene.

The proposal is considered would comply with UDP Policy GDP1.

Residential Amenity: Spacing standards to neighbouring properties are considered to be appropriate.

The dwellings small scale and single storey height are not considered would result in adverse impacts to neighbouring properties, by virtue of overshadowing or overbearing.

The amount of amenity space serving the proposed dwelling would meet the standards set out in LPG 21. To avoid any further development which may result in the loss of amenity space, a condition removing permitted development rights is considered reasonable.

Windows serving habitable rooms facing the highway would achieve sufficient natural surveillance. A condition to secure boundary treatments would further strengthen the properties defensible space.

The proposal would comply with UDP Policy GDP1.

Access and Car Parking: Highway Authority raises no objection subject to a condition to secure the parking layout.

Drainage: Welsh Water raise no objection subject to a condition to prevent any surface/land water connecting to the drainage network.

The applicant is advised that SAB approval may be required.

Trees: No objection subject to a tree protection condition for the category 'c' ash located just outside the application site.

Contaminated Land: No objection subject to conditions.

CONCLUSION

The proposal is considered to be acceptable in principle and subject to conditions would not adversely impact on visual or residential amenities of the locality.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

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 1:1000 Site Location Plan, 1:200 Proposed Site Plan Rev C2, 1:100 Proposed Elevations Rev C1, 1:100 Street Elevation, 1:100 Ground Floor and Roof Plan 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. No part of the development shall commence until full details of a hard and soft landscaping scheme, which shall include design and siting of all boundary treatments, together with a timescale for the implementation of works have been submitted to and approved in writing by the Local Planning Authority.
5. The landscaping scheme submitted and approved in connection with condition no. 4 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
6. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 1:200 Proposed Site Plan 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification), no further development shall take place under Classes A - E of Schedule 2 Part 2, other than the development hereby granted permission.
8. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

9. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 8 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.
10. No surface water and / or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
11. 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:
 - a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
 - b) 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;
 - c) 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;
 - d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
 - e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
 - f) Method for protecting retained trees during demolition works;
 - g) Details of all proposed tree works, including felling and pruning.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
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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 in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
7. Due to the restricted application site and its relationship with adjoining properties it is considered important to ensure that no additional development

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

as described in the condition is carried out without the permission of the Local Planning Authority in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

8. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

9. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

10. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of visiting residents and to ensure no pollution of or detriment to the environment.

11. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

Further advice on compliance with condition no. 8 may be obtained by contacting the Council's Environmental Protection Team on 01978 298989 or contaminatedland@wrexham.gov.uk

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.

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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.

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY
2nd DECEMBER 2019

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.
