

AGENDA ITEM NO. 4

REPORT TO:	Planning Committee
REPORT NO.	HCWD/01/14
DATE:	6 January 2014
REPORTING OFFICER:	Head of Community Wellbeing & Development
CONTACT OFFICER:	David Williams (Ext 8775)
SUBJECT:	Development Control Applications
WARD:	N/A

PURPOSE OF THE REPORT

To determine the listed planning applications.

INFORMATION

Detailed reports on each application together with the recommendations are attached.

RECOMMENDATION

See attached reports.

BACKGROUND PAPERS

None.

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Community	Code No	Applicant	Recommendation	Page No
WOR	P/ 2012/0728	MR S PAINTER	GRANT	2 - 8
LLR	P/ 2013/0476	MR GARETH WILLIAMS AND MRS JAY LEESON	GRANT	9 - 21
ABE	P/ 2013/0671	MINISTRY OF JUSTICE / NATIONAL OFFENDER MANAGEMENT SERVICES	GRANT	22 - 51
WRR	P/ 2013/0703	MR MARK JARVIS	GRANT	52 - 60
GRE	P/ 2013/0707	EARDLEY PROPERTY CO LTD MR COLIN HEARD	GRANT	61 - 70
WRO	P/ 2013/0726	MR BEKIR BOZLAK	GRANT	71 - 75
BRO	P/ 2013/0759	MR DAVID SMYTH	GRANT	76 - 85
GRE	P/ 2013/0771	MR LEE WARBURTON	GRANT	86 - 94

Total Number of Applications Included in Report: 8

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APPLICATION NO:
P/2012 /0728

LOCATION:
HALGHTON HOLDINGS
WHITCHURCH ROAD BANGOR ON
DEE WREXHAM
LL13 0BD

DATE RECEIVED:
19/10/2012

COMMUNITY:
Willington and
Worthenbury

CASE OFFICER:
DSW

WARD:
Bronington

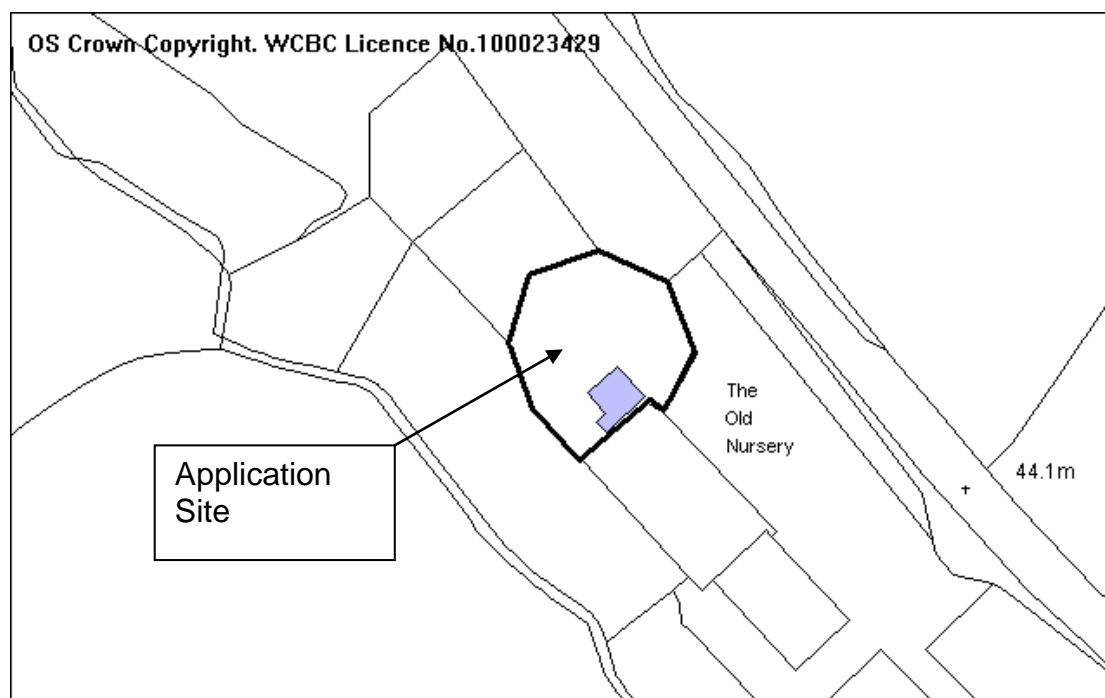
DESCRIPTION:
ERECTION OF AGRICULTURAL
WORKERS DWELLING

AGENT NAME:
FITZSIMON P & D LTD
MR D FITZSIMON

APPLICANT(S) NAME:
MR S PAINTER

THE SITE

The site forms part of the existing poultry rearing and sales business located off the south west side of the A525 Bangor to Whitchurch Road.



PROPOSAL

This is a full application for the erection of an agricultural workers dwelling. The application includes a detailed agricultural appraisal.

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HISTORY

P/2013/0517	Erection of building incorporating Hatchery, Kitchen, Sales and Bird Preparation. Granted 2.12.13.
P/2012/0145	Erection of building incorporating hatchery, kitchen, sales and bird preparation areas. Refused 31.07.12
P/2008/0181	Reversion of site to agriculture and erection of temporary mobile home. Granted 09/09/08
P/2007/0051	Retention of 1 no. static caravan and erection of 1 no. chick hatchery/incubator and 1 storage shed. Granted 31.05.07
CB2863	Erection of polytunnel. Granted 19.02.99
18086	Erection of general purpose building and wc for use with nursery and installation of septic tank. Granted 19.04.90
16176	Construction of new vehicular and pedestrian access. Granted 16.02.89
15680	Construction of new vehicular and pedestrian access. Refused 10.10.88

DEVELOPMENT PLAN

The site lies outside settlement limits and located within a Special Landscape Area. Policies PS1, PS2, GDP1, EC5 and H6 apply.

CONSULTATIONS

Community Council:	Notified 22.10.12. Re-notified 20.12.13
Local Member:	Notified 22.10.12. Re-notified 20.12.13
Public Protection:	No comments
Highways:	No objections subject to the implementation of recent access improvements.
Welsh Water:	No objections. Advise the applicants contact the Natural Resources Wales in respect of the septic tank facility.
Environment Agency (NRW):	No objections subject to guidance on private sewage treatment.
Other Representatives:	3 objections received expressing the following concerns: <ol style="list-style-type: none">1. Question the financial need, given the size of the holding.2. Concerns over the disposal of waste.3. Concern over the incremental growth and expansion of the site.4. The proposed scale of the dwelling.
Site Notice:	Neighbours re-notified 20.12.13 Expired 21.11.12

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SPECIAL CONSIDERATIONS/ISSUES

Background: The applicant acquired Halghton Holdings in 2005 and has been operating a rural agricultural business since that time. The business involves the rearing of free range poultry for direct sale to the public, rearing of pheasants for sale to local shoots, free range egg laying and the growing of fresh market garden vegetable for direct sales. Halghton Holdings extend to 6.25 acres in total and was previously a retail nursery having the benefit of planning consent for such a use. The business employees two full-time workers and one part-time. The applicant and his family currently live in a caravan located at Halghton Holdings. Temporary permission was granted for the caravan on 9 September 2009 (Ref P/2008/0181), although this is now time expired.

Since the submission of the application, we have received some amended plans to show alterations to the position of the dwelling. Further consultations regarding this revision have been undertaken, but the date for this consultation will be after the date of the planning committee, and this will need to be examined as part of any recommendation.

Policy: Policy H5 permits agricultural workers dwellings where there is a proven need for one. TAN6 is more up to date and permits 'rural enterprise dwellings' subject to the following criteria being met.

"New permanent dwellings should only be allowed to support established rural enterprises providing:

- a) there is a clearly established existing functional need;*
- b) the need relates to a full-time worker and does not relate to a part-time requirement;*
- c) the enterprise concerned has been established for at least three years, profitable for at least one of them and both the enterprise and the business need for the job is currently financially sound and has a clear prospect of remaining so;*
- d) the functional need could not be fulfilled by another dwelling or by converting an existing suitable building already on the land holding comprising the enterprise, or any other existing accommodation in the locality which is suitable and available for occupation by the worker concerned; and*
- e) other normal planning requirements, for example siting and access, are satisfied."*

Having reviewed the appraisal and the submitted documentation, I would summarise compliance with these criteria as follows:

- a) The submitted appraisal clearly establishes an existing functional need for a permanent residential dwelling at Halghton Holdings. The nature of the business requires a 24 hour on site presence.
- b) The requirement/need is for a full-time worker (the applicant) as determined by the functional test and labour requirements set out in

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- TAN6. The business presently employs two full-time workers and one part-time.
- c) The enterprise has been established for in excess of three years and has been profitable for more than one of them, and is established on a sound financial basis as confirmed by the submitted Accountants report. It also has a clear prospect of remaining so as the business has shown signs of growth.
 - d) There are no dwellings on the holding at present and the nearest settlement is Bangor, over two miles away. None of the existing buildings are suitable for conversion and there are no other available residential properties within close proximity of the site. The applicant has lived in a caravan for over four years and this is clearly not suitable as long term residential accommodation.
 - e) All other normal planning requirements are satisfied or can be addressed by the imposition of appropriate planning conditions. These are addressed in more detail below.

Siting and Design: Amended plans have been received which reduce the impact of the proposed dwelling significantly when viewed from the A525. The scale of the dwelling is reduced and it has been re-sited into a visually less prominent position to the rear of the holding. The revised siting ensures that the dwelling is no further forward than any other buildings on the site. Whilst there is a small gap between the dwelling and the main buildings it will still appear close to an integral part of the existing complex sitting comfortably within the landscape. In design terms the proposed dwelling is well proportioned and simply designed. It will be finished in a rendered cream finish under a slate tile roof. All windows and doors will be timber. The amended house type displays more rural characteristics than the original submission and in this regard will not be duly prominent. I am satisfied that sufficient care has been taken to ensure that the siting, scale and design does not harm the Special Landscape Area. Further landscape and sensitive boundary treatment should also help assimilate the dwelling into its surroundings.

Highways: The dwelling will be served by the existing access into Halghton Holdings, the visibility of which has been recently improved in accordance with highways recommendations. Highways have confirmed that the use of this access to serve an additional dwelling would not have any adverse impact upon highway safety.

Conclusion: The development accords with UDP and national policy in respect of the circumstances where new housing is permitted in the countryside. Subject to a Section 106 Agreement tying the dwelling to the land holding, preventing it from being sold off separately and the inclusion of appropriate conditions I would recommend accordingly.

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RECOMMENDATION A

Should no additional issues be raised as part of the re-consultation process expiring on 13.1.2014, that the Council enters into an obligation under Section 106 of the Town and Country Planning Act 1990 to ensure that the agricultural workers dwelling is tied to Halghton Holdings and cannot be sold independently.

The Head of Community Wellbeing and Development be given delegated authority to determine the final form and content of the obligation.

RECOMMENDATION B

That planning permission be granted on completion of the obligation, subject to planning conditions:

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) dated 24 October 2013 (amended) and as contained within the application documentation.
3. No part of the development shall commence until samples of all external facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.
4. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3. The development shall be carried out entirely in accordance with the approved assessment and certification
5. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.
6. Prior to the occupation of the individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.
7. No part of the development shall commence until full details of a hard and soft landscaping scheme together with a five year Maintenance Plan and timescale for the implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

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8. Within six months of first use of the development the planting scheme submitted and approved in connection with condition no. 7 shall be fully implemented in all respects.
9. The planting scheme implemented in connection with condition no. 8 shall be permanently retained. Any planting which becomes 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 within the next available planting season by trees or shrubs of similar size and species to those originally required to be planted.
10. 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 to G of Schedule 2 Part(s) 1, other than the development hereby granted permission.
11. The occupation of the building(s) hereby approved shall be restricted to those:
 - a) Persons solely or mainly working, or last working on a rural enterprise in the locality where this is / was a defined functional need; or if it can be demonstrated that there are no such eligible occupiers, the occupancy shall be restricted to those:
 - b) persons who would be eligible for consideration for affordable housing under the local authority's housing policies; or if it can be demonstrated that there are no persons eligible for occupation under either (a) and (b);
 - c) widows, widowers or civil partners of the above and any resident dependants.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure that the development fully complies with the appropriate policies and standards.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
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7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
10. Due to the restricted application site and its relationship with adjoining properties it is considered important to ensure that no additional development

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as described in the condition is carried out without the permission of the Local Planning Authority.

11. To ensure that the dwelling is only occupied by a family of a bona fide agricultural worker in accordance with the Council's established planning policies governing residential development in the countryside.

NOTE(S) TO APPLICANT

The accuracy of the detailed plans and drawings forming part of the application documents hereby approved shall remain the responsibility of the applicant/developer.

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

You are advised that this grant of planning permission was made following the completion of an Agreement under Section 106 of the Town and Country Planning Act. Before undertaking any work under this permission you are advised to obtain full details of the Agreement and ensure that you are able to comply with its terms.

RECOMMENDATION C

If the Agreement is not completed within six months of the date of the Committee decision, the Head of Community Wellbeing and Development be given delegated powers to refuse the application for the following reason:

1 To allow the proposed without the tie to the land would allow the dwelling to become separated and independent from the landholding without any restriction. This situation would not fully satisfy the criteria set out in Welsh Government TAN6 or UDP Policy H5 in establishing an existing functional need.

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APPLICATION NO:
P/2013 /0476

LOCATION:
ADJOINING AND SOUTH OF 1 AND 2
BRYN CELYN GARTH TREVOR
ROAD GARTH WREXHAM
LL20 7YD

DATE RECEIVED:
09/07/2013

COMMUNITY:
Llangollen Rural

CASE OFFICER:
MP

WARD:
Llangollen Rural

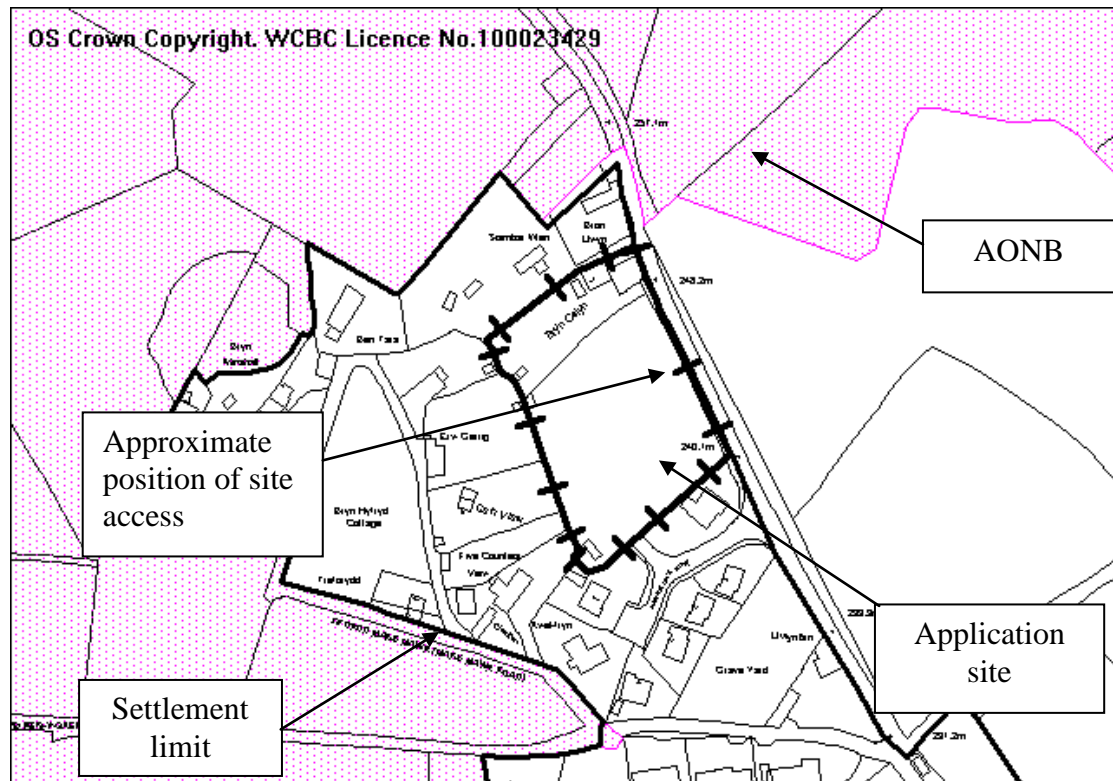
DESCRIPTION:
OUTLINE PERMISSION FOR
RESIDENTIAL DEVELOPMENT
COMPRISING THE ERECTION OF
NINE DETACHED DWELLINGS AND
FORMATION OF NEW VEHICULAR
AND PEDESTRIAN ACCESS

AGENT NAME:
THE PLANNING
CONSULTANCY
MR MATT GILBERT

APPLICANT(S) NAME:
MR GARETH WILLIAMS AND MRS
JAY LEESON

THE SITE

As above.



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PROPOSAL

Outline planning permission is sought. Approval for the site access is sought at this stage. Details concerning appearance, landscaping, layout and scale reserved for subsequent approval.

HISTORY

No recent history.

DEVELOPMENT PLAN

Within settlement limit and Pontcysyllte World Heritage Buffer Zone. Policies GDP1, EC4, EC11, H2 and T8 are applicable. The site lies outside of but close to the boundary of the the Clwydian Range & Dee Valley Area of Outstanding Natural Beauty.

CONSULTATIONS

Community Council:

Object for the following reasons:

1. The development appears incongruous with adjacent properties, both in terms of its high density and rather ornate appearance. Surrounding properties are reasonably simple in style and many are simple country cottages with good green space.
2. There are some concerns over the increase in traffic up and down Garth Road that will affect the existing community. As indicated in the letter dated 29th August 2012 from the Head of Community Wellbeing and Development (Appendix 2, Design and Access Statement), Garth Road is “a rising twisting lane” with “no roadside footways”.
3. It is anticipated that this development will impact upon the safety of pedestrians and other road users. In particular there are concerns for the safety of school children at Ysgol Y Garth as we understand that the bus service to school from Trevor is to be cancelled by Wrexham County Borough Council. This will see an increase in traffic as parents transport children to school, but will also mean further children have to walk to school on these narrow twisting lanes with no roadside footways. This development will add significant increase to that risk and this wider issue needs careful consideration.
4. The infrastructure of the village of Garth is inadequate for a development of this size.

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5. Question whether the sewerage system is capable of taking on the extra pressure from these nine new homes.

Object to the amended proposals for the following reasons:

1. There are some concerns over the increase in traffic up and down Garth Road that will affect the existing community. As indicated in the letter dated 29th August 2012 from the Head of Community Wellbeing and

Development (Appendix 2, Design and Access Statement), Garth Road is “a rising twisting lane” with “no roadside footways”.

2. It is anticipated that this development will impact upon the safety of pedestrians and other road users. In particular there are concerns for the safety of school children at Ysgol Y Garth as we understand that the bus service to school from Trevor is to be cancelled by Wrexham County Borough Council. This will see an increase in traffic as parents transport children to school, but will also mean further children have to walk to school on these narrow twisting lanes with no roadside footways. This development will add significant increase to that risk and this wider issue needs careful consideration.

3. The Councillors have stated that they consider the infrastructure of the village of Garth is inadequate for a development of this size.

4. Councillors have questioned whether the sewerage system is capable of taking on the extra pressure from these nine new homes.

Local Member:

Has expressed concerns about:

- the additional traffic generated by the development, particularly given the lack of footpaths and the fact that the road is an unsafe route to Garth school;
- the capacity of local infrastructure, particularly sewers.

AONB JAC:

No objection in principle to development of this site for residential purposes, and supports the intention to retain and incorporate the two existing traditional stone cottages into the scheme. Retention of the two existing mature trees and stone boundary walls as important features in the local landscape is also welcome. However, the JAC considers the design, layout and scale of the proposed new housing development to be rather suburban in

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nature and out of character with the rural setting and traditional local vernacular. In addition, the JAC is disappointed to note that there appears to be no proposals to incorporate affordable housing for local people in the scheme.

Comments on the amended scheme:

The revised description is noted, and the JAC confirms that it has no objection in principle to development of this site for residential purposes. The eventual design of the housing scheme should reflect the local vernacular, respect its rural setting and retain and incorporate the two existing traditional stone cottages. In addition, the JAC would emphasise the need to retain the two existing mature trees and as much as possible of the stone boundary walls as important features in the local landscape. Although the proposed scale of development falls outside the current policy requiring the inclusion of affordable housing for local people, the JAC would hope that the developer will make such provision in the subsequent scheme.

Public Protection:

Recommend a condition and advisory notes regarding construction noise.

Highways:

Have the following comments:

- proposed access provides adequate visibility;
- the access will be constructed to an adoptable standard with adequate width and kerb radii allowing good manoeuvrability in and out of the site;
- traffic speeds into and out of the site will be restricted by an accessway ramp approximately 6m from the junction onto the main road;
- it is unlikely the Highway Authority would wish to adopt any more than the first 6m of the access road back from Garth Trevor Road. A private management company should maintain the rest;
- proposed private footway allows safe access onto the main road for the whole of the site;
- Garth Trevor Road varies in width between the site and A539 Llangollen Road, there is only limited footway provision along its length.
- The road serves approximately 160 dwellings. In statistical terms a development of 9 dwellings would only be marginally more than a 5% increase in vehicle movements – which TAN18 indicates as being material. It may

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therefore be difficult to justify a refusal on grounds of a material increase in traffic.

- Natural Resources Wales: Do not wish to comment.
- Welsh Water: Recommends drainage conditions.
- Education: No contribution required.
- Site Notice: Expired 9.8.13
- Other Representations: 114 objections expressing the following concerns:
- too many houses;
 - overbearing and overlooking of nearby dwellings;
 - no detail of boundary walls adjoining neighbouring property;
 - traffic increase/highway safety problems – especially for children;
 - request committee visit the site;
 - Greenfield development – consider all Brownfield sites in this beautiful area;
 - Capacity of sewerage system;
 - Impact upon quality of life of all residents and character of the village;
 - Lack of infrastructure – poor broadband;
 - World Heritage Site and AONB designations;
 - Harm to the character of the area;
 - Is the site in a Green Barrier;
 - Garth should be protected from unnecessary development – no need for the development;
 - Two trees on site subject to TPOs;
 - Development will dominate the view of the area;
 - Noise;
 - School capacity;
 - Village has no shops, doctor, leisure facilities – cars will be used continually;
 - Lack of public transport;
 - Density of the development;
 - Increased risk of road accidents in winter;
 - Will water supply cope;
 - Site was put forward as a UDP housing allocation but withdrawn;
 - Horse riders use Garth Road;
 - At harvest and market days large agricultural equipment use the road, as well as businesses run from the village involving heavy plant;
 - Roads currently has regular traffic from tourists;
- Notified about amendments: 11.11.13

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SPECIAL CONSIDERATIONS

Background: The applicant initially sought full planning permission for 9 dwellings however both the proposed layout and the appearance of the dwellings would have detracted from the rural character of the site and its surroundings.

It is my understanding that the applicants do not intend to develop the site themselves and have therefore concluded it is unnecessary to obtain approval for the final layout and form of development at this stage. The application has therefore been amended to seek outline planning permission thus leaving layout and appearance for consideration at reserved matter stage.

Policy: This is an unallocated site within the settlement limit of Garth. Policy H2 permits residential development on such sites subject to developments also according with policy GDP1.

Layout and design: Whilst the design of the development will be subject to more detailed consideration at reserved matters the application is nevertheless accompanied by an indicative site layout plan. This plan demonstrates that the site can accommodate 9 dwellings. The indicative layout is broadly acceptable although it will need more detailed consideration at reserved matter stage.

The site does not lie within the Clwydian Range & Dee Valley Area of Outstanding Natural Beauty (AONB) but is only a short distance from AONB boundary. It also lies within the Pontcysyllte World Heritage Site buffer zone. Provided care is taken at reserved matters stage to ensure the layout and appearance of the development (including any prominently located boundary treatment) respects the rural character of the area it will not harm the immediate setting of the AONB or the setting of the Pontcysyllte World Heritage Site.

There are two significant trees on the site, an Ash tree adjacent to the boundary with Garth Road and a Sycamore adjacent to the rear boundary. Both make an important contribution to the amenity of the area particularly the latter given its size (>25m high) and both are protected by Tree Preservation Order WCBC no.2013. The indicative plan shows both being retained with dwellings located so as to not adversely impact upon them. An Arboricultural Method Statement will be required by condition.

Amenity: The full impact of the development upon nearby properties can only be assessed at reserved matters stage. Nevertheless I am satisfied that the indicative plan demonstrates that, even taking into account the significant ground level differences across the site, it will be possible for it to be developed without unduly compromising the standard of amenity afforded to the occupiers of nearby dwellings whilst also providing a satisfactory standard of amenity to future occupiers of the site.

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Other than for a relatively short period of time during construction, I see no reason why the development should cause undue disturbance as a result of noise. The impact of construction can be mitigated by limiting hours of work and by careful site management – conditions and advisory notes will be attached dealing with these matters.

Access and Parking: The vehicular access will be mid-way along the site frontage with Garth Road (not Harrison Row) and will be provided with adequate visibility in both directions. Footways from the highway into and along the frontage of the site will also be provided thus ensuring a safe means of pedestrian access.

I fully understand the concerns expressed by the Community Council, local member and local residents in respect of highway safety. Garth Trevor Road varies in width from its junction with the A539 Llangollen Road, has only limited footway provision and already serves around 160 dwellings. However the development will result in a traffic increase of just over 5%. Whilst this may be considered a material increase, Highways have not objected to the development.

The variation in width and limited footway provision together with 30mph speed restrictions along most Garth Trevor Road should all aid in keeping the speed of both existing and future traffic relatively low. In practical terms the additional traffic is therefore unlikely to result in any significant highway safety issues.

There is sufficient space within the site to provide off-street parking and turning for the proposed dwellings.

Drainage: Welsh Water have not expressed any concerns about local sewer capacity and I therefore have no reason to conclude that the sewer network cannot accommodate the development.

Local infrastructure/facilities: Education has confirmed that contributions to primary and secondary school provision are not required. The development does not exceed the thresholds set out in UDP policies or Local Planning Guidance notes that require developer contributions towards or provision of other infrastructure (for example affordable housing or public open space).

Conclusion: The development accords with the relevant UDP policies.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced:
 - a. the layout of the building(s)
 - b. the scale of the building(s)

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- c. the appearance of the building(s)
- d. the landscaping of the site
- 2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
- 3. The development hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
- 4. Submitted Drawing no. BC-05 Block Plan As Proposed has been considered for illustration purposes. The granting of this permission should not be taken as implying approval for the layout shown on that drawing.
- 5. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3. The development shall be carried out entirely in accordance with the approved assessment and certification
- 6. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.
- 7. Prior to the occupation of the individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.
- 8. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:
 - 1) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2005;
 - 2) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
 - 3) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
 - 4) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;

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- 5) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
- 6) Method for protecting retained trees during demolition works;
- 7) Details of all proposed tree works, including felling and pruning.
9. 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.
10. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment shall be submitted in writing to the Local Planning Authority. Where a SuDS scheme is to be implemented, the submitted details shall:
 - i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
 - ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
 - iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
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:
 - i) Detailed layout, design, drainage and construction of the proposed site access;
 - ii) The proposed access way ramp;
 - iii) Pedestrian guardrails for the shared private footway.The scheme as is approved shall be fully implemented prior to first occupation of any dwelling.
12. The details required by condition 01 shall include details vehicular parking and turning facilities that shall be provided within the site. Parking and turning provision shall be fully laid out, surfaced and drained in accordance with the details as approved prior to first use occupation of each dwelling and shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times.
13. The details submitted in respect of condition 01 shall include proposed ground levels and proposed finished floor levels. The site shall be developed in strict accordance with the ground and floor levels as approved.
14. No dwelling shall be occupied until a long term management scheme for the internal estate roads has been submitted to and approved in writing by

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the Local Planning Authority. The roads shall thereafter be managed and maintained in strict accordance with the scheme as approved.

15. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.

16. 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.

17. 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 10 metres behind the adjoining highway.

18. The vehicular access hereby approved shall be a minimum width of 4.8 metres.

19. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 43 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.

20. 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.

21. 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.

22. 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 gate, fence, wall or other means of enclosure shall be erected, constructed or placed across the access within 5 metres of the highway boundary under Class A, of Schedule 2 Part 2

REASON(S)

1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012
2. To comply with Section 92 of the Town and Country Planning Act, 1990.
3. To comply with Section 92 of the Town and Country Planning Act, 1990.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
5. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
6. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))

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7. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
8. To ensure the work is carried out to accepted arboricultural practices for the long term well being of the tree(s).
9. 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.
10. To ensure satisfactory drainage of the site and to avoid flooding.
11. In the interests of highway safety.
12. 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.
13. To ensure a satisfactory standard of development in the interests of the visual amenities of the area and the amenities of the occupiers of nearby properties.
14. In the interests of highway safety.
15. In the interests of highway safety.
16. 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.
17. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.
18. To ensure that adequate visibility is provided at the proposed point of access to the highway.
19. To ensure that adequate visibility is provided at the proposed point of access to the highway.
20. In the interests of highway safety.
21. To protect the amenities of the occupiers of nearby properties.
22. In the interests of highway safety.

NOTE(S) TO APPLICANT

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

The applicant is advised that compliance with condition no. 21 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

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

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prosecution. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The separate written consent of the Local Highway Authority must be obtained before any work is carried out within the confines of the highway.

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional

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hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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APPLICATION NO:
P/2013 /0671

LOCATION:
FORMER FIRESTONE FACTORY
SITE BRIDGE ROAD WREXHAM
INDUSTRIAL ESTATE WREXHAM
LL13 9QA

DATE RECEIVED:
01/10/2013

COMMUNITY:
Abenbury

CASE OFFICER:
MP

WARD:
Holt

DESCRIPTION:
OUTLINE PLANNING APPLICATION
FOR THE CONSTRUCTION OF A
PRISON (MAXIMUM FLOORSPACE
OF 76,370 SQM GROSS EXTERNAL
AREA) WITHIN A SECURE
PERIMETER FENCE TOGETHER
WITH ACCESS, PARKING, VISITOR /
SUPPORT BUILDING, ENERGY
CENTRE, LANDSCAPING,
CONSTRUCTION COMPOUND AND
ASSOCIATED ENGINEERING
WORKS.

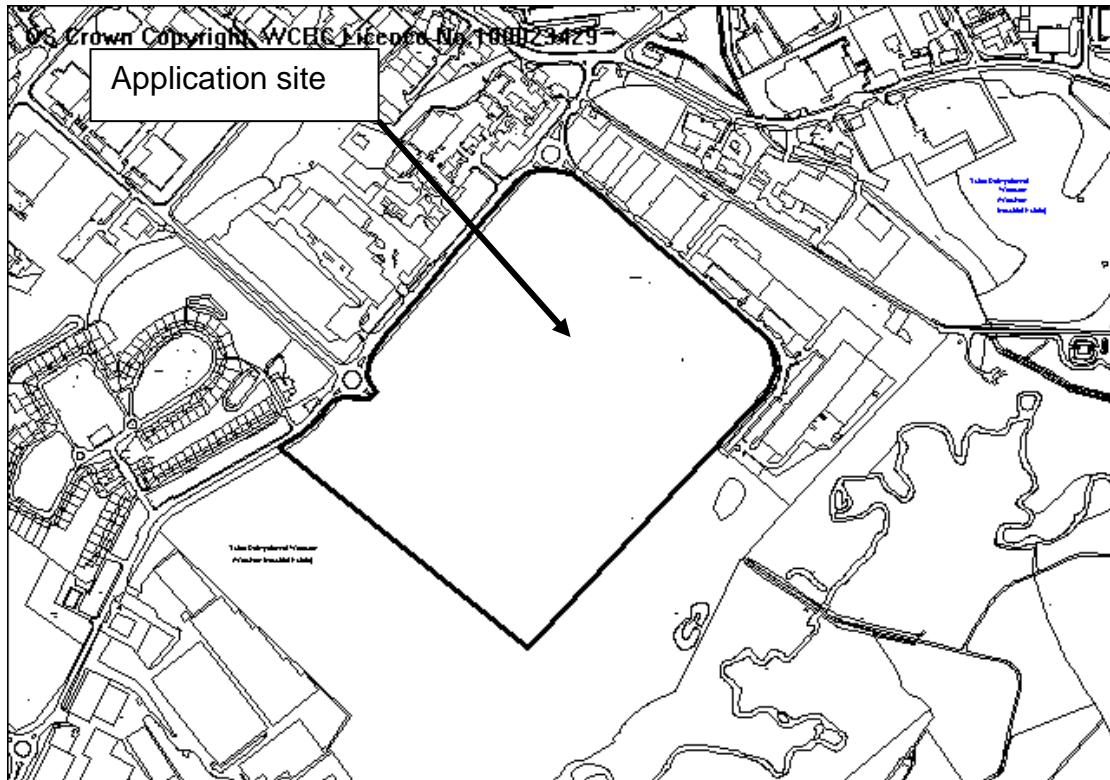
AGENT NAME:
GVA
MR NICK HARDY

APPLICANT(S) NAME:
MINISTRY OF JUSTICE /
NATIONAL OFFENDER
MANAGEMENT SERVICES

THE SITE

The development will occupy 26 hectares of the former Firestone south which is located on the south-east side of Bridge Road on the Wrexham Industrial Estate.

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PROPOSAL

Outline planning permission is sought for a prison with a capacity for approximately 2,100 adult males. Approval for access and scale is sought at this outline planning stage with layout, appearance and landscaping being reserved for subsequent approval.

The prison will be built to hold Category C inmates but its perimeter fence, entry building and house blocks will be built to Category B standards. This is consistent with other recently constructed prisons and provides long term flexibility for the Ministry of Justice should there be a change in demand for price places over time.

Whilst full details of the layout and appearance of the site will be subject to a reserved matters application the application seeks to obtain permission for gross floor area of 76,370 square metres.

The prison will comprise of:

A Secure Compound and Perimeter Fence

A secure compound will be occupied by three prison accommodate buildings together with eight buildings that will be used for specific purposes including:

- kitchen;
- health centre;
- reception;

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- education;
- sports centre;
- faith centre;
- staff training.

The buildings will range in height from 6-18 metres.

Within the secure compound there will also be Multi Use Games areas and an all weather sports pitch.

The secure compound will be enclosed by an outer perimeter fence 5.2 metres high fence faced with galvanised steel sheet from ground level to a height of 2.4 metres. The remainder will be steel mesh. There will also be an inner fence also 5.2m high and constructed of steel wire mesh only. The outer perimeter fence will be illuminated by lighting columns located outside of the secure perimeter. The lighting columns will also have CCTV cameras monitoring the outer fence. The inner fence will also be illuminated and monitored by CCTV cameras.

A 'Public' Zone

This area will be located outside of the secure compound. Two buildings will be located within this area – an Energy Building which is designed to ensure a continuous supply of heating and power supply to the prison. The other building will be reception facilities for visitors to the prison and will also provide welfare facilities for staff.

The main vehicular access off Bridge Road will provide access to the public zone. A car park of up to 420 spaces will also be provided within this area. There will also be a secondary access off the estate road serving the Spectrum Business Park. This will be barrier controlled and primarily used by delivery/service vehicles.

Expansion Land

The perimeter fence will enclose an area of land approximately 4.6ha in area immediately to the south-west of the prison. This land will be used as a contractors compound during the construction of the prison. There are no current plans for the development of this land once the building contractors have vacated it. However it will be retained to provide sufficient flexibility for the Ministry of Justice to allow for any future needs to be catered for. The development of this land would be subject to future planning applications.

HISTORY

No recent relevant site history.

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DEVELOPMENT PLAN

The site lies within the settlement boundary of the Wrexham Industrial Estate. It is not allocated for any specific use by the UDP and as such policies GDP1, E4 and T8 are directly applicable. Due to the ecologically sensitive nature of the site and wider industrial estate policy EC6 is also directly applicable.

CONSULTATIONS

Abenbury Community Council: Strongly objects and asks Wrexham Planning Committee to reject the application for the following reasons:

- There has been insufficient consultation with the local community, either during the process of identifying the site or after the announcement of the selection of the former firestone site.
- There are significant gaps and insufficient commitment on how much of the application will in fact be implemented or how the local community will be consulted on the outstanding issues should outline permission be granted. There is no draft S106 Planning Obligation Heads of Terms outlined. There appears to be a lack of commitment and no clear indication as to the mechanisms for securing the mitigation measures and benefits of the development;
- We have real concerns with the conclusions of the traffic surveys and assessments particularly the impact on Cefn and Abenbury Roads as well as on Bridge Road particularly during the construction of the prison. We would wish for Bridge Road (south) to become the access road for Pentre Maelor only with no through way to the roundabout;
- Questions as to the sustainability of the site in terms of accessibility. Given the restrictions to the local bus service in terms of evening and Sunday services it can be questioned whether the current facilities do actually provide a realistic option for staff and visitors. In addition if improvements to the bus service are to be considered as part of the S106 package this should have been set out clearly in the application along with a commitment that a wider Travel Plan updates will be consulted on with the Community Council;
- There are a wide range of negative impacts upon the ecology of the site. Whilst a mitigation strategy is proposed, the mechanisms as to how this will be tied to any permission at the application site needs to be clarified as the land will be outside the ownership of the MoJ. Will there be a legally enforced agreement with WCBC and if so how will local people be aware and give their views?

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- We are extremely concerned over what has been buried throughout the site. How contamination will be dealt with is unclear and what planning conditions and supervision will there be.
- Lack of detail and commitment in relation to the assessments undertaken which indicate that during the construction period increased noise levels would be an issue. It is proposed that a Construction Environmental Management Plan is prepared to address these impacts. Whilst the requirement to prepare a CEMP is supported it should be a pre-commencement condition and Abenbury Community Council should be consulted during its preparation;
- Concerned whether there will be a condition imposed on any consent that ensures the noise levels emanating from the service plant are within the acceptable noise levels outlined in the ES;
- There are no explanations or mechanisms outlined as to how the local jobs opportunities will be promoted and training opportunities made available. The Prison has been “sold” to local people because of the benefit that the application will bring to the local area and it is important that these benefits are actually available to the local residents. There is insufficient detail to convince the Council that there will be a robust method or indeed any jobs for local people.

Should the Committee choose to ignore the strongly held views of the local people then the Council **REQUIRE** the Committee to set such conditions to address these concerns and to ensure the Community is involved and consulted on the details of the elements where we have expressed our concerns:

- A set of draft S106 Heads of Terms to be submitted to enable negotiation during the determination period;
- There needs to be a restriction on the compound/extension area to ensure that planning permission is required prior to development taking place on this parcel of land;
- Details of lighting are to be dealt with via planning condition which means that these details would not normally be consulted upon, therefore we ask that it must be.
- The requirement to prepare a Construction Environmental Management Plan to minimise impacts during construction whilst positive this is required prior to commencement of development and involves consultation with Abenbury Community Council during its preparation;

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- A condition should be imposed on any permission to ensure that noise levels emitting from service plant are acceptable and agreed with the Community Council;
- The Travel Plan should be clear as to how the use of public transport will be encouraged and the improvements /additional service that will be offered. This Plan and the monitoring of results of the Travel Plan should also be shared with Abenbury Community Council;
- Traffic restrictions along Cefn, Abenbury and Bridge (south) roads. Particularly the stopping up of the latter with no access to the prison;
- Request a Car Park Management Strategy to be submitted to explain in further detail how the car park will be managed to ensure there is sufficient capacity;
- The developer/contractors should sign up to a Local Employment Charter as part of the S106 package; a second is a public statement by the MoJ as to how posts will be recruited;
- There is a need to ensure the Ecological Mitigation Strategy and Habitat Management Plan is linked to the development and should form part of the S106 package with a legal commitment that it will be maintained for a specific period of time. There are concerns that part of the Ecology Area is earmarked for future development and therefore raises questions as to whether the mitigation area, if reduced, will be of a sufficient size to properly mitigate the impacts on ecology;
- We do not want the Prison, if given the go ahead, named after the local area.

Marchwiel Community Council: Consulted 1.10.13

Sesswick Community Council: The complexity of the application makes it difficult to comment, especially as much of the detail will be determined at reserved matters.

This is a venture of national significance being imposed as a fait accompli on a local community who are largely against the application and feel their views have been ignored by the Country Council and others.

- traffic congestion during construction and once prison opens. It is estimated that 80% of people will arrive by road. Unsure who the remaining 20% would travel as public transport to Pentre Maelor is not plentiful and cycle routes from Wrexham are less than ideal. Real reservations about the ability of the local road infrastructure to cope. Traffic still goes down the narrow B5130 Holt Road even with improved signage to the Industrial Estate and expect similar instance going to the prison via Cross Lanes;

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- Impact on services as a result of 2100 inmates plus staff, visitors and commercial potential new clients. The Maelor Hospital always seems under pressure. Other services such as dentists may see a large influx of NHS patients. Sewerage facilities at Five Fords may have some difficulty coping. All affected in the area should be approached and their comments published before the application is determined. Will the Prison have its own Combined Heat and Power Station rather than take supply from the Grid. This could be a green project;
- Dubious about the claims that this will be a jobs bonanza for Wrexham. Concerned that the vast majority of work will go to businesses outside the area;
- Ambiguity about the prison. Who would take the decision to locate higher risk prisoners at the site and if there would be any public consultation beforehand. Potential for the distinction between the two classes to change in future. Wrexham may be home to more dangerous prisoners in future without public consultation.
- This is being lauded as a 'Welsh' prison which will serve Welsh speaking inmates and accommodate local needs. This is an exaggeration as Abenbury and Wrexham are once of the most Anglophone areas in one of the most Anglophone parts of Wales. Wrexham is only 20 minutes away from England so it is not the most convenient location for people from Anglesey, Gwynedd or Ceredigion. No evidence that this complex is for local requirements as the Secretary of State for Justice also announced the closure of other prisons. This prison is for national use and will see inmates from across the country incarcerated there in a rationalisation exercise.
- Land included that could be used at a later date. One wonders how the much this prison has the potential to grow and what consultation there will be on any future application.
- Site needs to be fully investigated for and cleared of contamination before any permission to build is granted.
- Reservations over the adequacy of ecological considerations;
- Not sure if a mega prison is the answer to Britain's prison crisis and don't know whether constructing on this size is more conducive to offender rehabilitation than smaller complexes;
- Only able to support the application provided there are guaranteed tangible benefits for the local area:

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- Public consultation is far better. Will the opinions of those living in Pentre Maelor be listened to at each stage of the planning process?;
- Quotas to guarantee a certain number of permanent jobs are reserved for local people;
- Construction stage is monitored and controlled so those living near the site do not suffer from excessive noise and disruption;
- Adequate road signage is put in place;
- Public transport is improved;
- Some sort of compensation (e.g. funding of a park or other amenities) is considered for Abenbury;
- A process is put in place to determine how future uses of the prison would be changed and how the local population would be consulted;
- Apprenticeships/training programmes established to facilitate employment of local people.

Isycoed (Adjoining Community Council): Made the following comments:

- Would like to see improvements to the road junction by the old Redwither Pub - possibly construction of a roundabout;
- there should be additional landscaping (an embankment with trees on it) by Bridgeway East prior to construction starting.

Councillor Michael Morris (local member): Has made the following comments:

- Concerned about the impact upon amenity of local residents;
- Request additional landscaping on Council owned land in front of the Bridgeway East properties;
- Existing mature vegetation must be protected as far as possible;
- At reserved matters stage, consideration should be given to bunding the Bridgeway South Boundary along with supplementary and dense new planting to mitigate the effects of looking at a sea of cars and intrusive illumination;
- The Traffic Assessment has used 2001 census data for Holt to establish a rate of travel by car of 78.6%. Perhaps a more accurate reflection could have been obtained from the 2011 census;
- An assumption of 40% of visitors travelling by public transport is over ambitious. If as stated a prisoner can have up to 3 visitors and they are coming a considerable distance, it is more likely that one will have access to a car which they will share;
- HGVs wanting to turn right to access Bridge Road South from Coed Aben Road have difficulty maneuvering around vehicles existing Bridge Road South towards Redwither Road. Consideration should be given to improving this junction;
- No survey undertaken of the junction of Clywedog Road East and Clywedog Road South;
- Discussed with Highways the possibility of making Bridge Road South, from its junction with Clywedog Road South access only for Pentre Maelor, Frank Lloyd (Penley) and Clwyd Precision Engineering, with a

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physical barrier preventing access at the Clywedog Ropad East roundabout. This would be environmentally friendlier for the residents and make access to Frank Lloyds safer;

- Whilst public transport services Monday to Friday are reasonably adequate there is nothing to address the issue of a non-existent Sunday Service and a much reduced Saturday service. Even when buses are running frequently it takes in excess of five hours to travel to and from Chester and undertake the visit. This is hardly attractive and will result in a greater reliance on the car. Similarly staff members are excluded from using public transport to attend work at weekends;
- It is widely recognised that the site is rich in ecology and previous reports have indicated that 50% of the site should be safeguarded for mitigation;
- There is the unusual situation whereby the applicant and application site is not providing any ecological mitigation land. The developer is reliant on third parties providing and maintaining the ecology land;
- The part of the site earmarked for ecology does not equate to 50% and given that an adjoining occupier has expressed an interest in acquiring an area of this land for expansion, leaves a considerable shortfall;
- I would be interested to read the comments of the appropriate statutory consultees;
- Prior to any consents being issued it is imperative the foregoing is addressed and there is a written undertaking from the owners of the land that it will be transferred to the Council for safeguarding for the future;
- An area likely to give rise to inconvenience and disturbance for residents is the construction phase given that the compound is opposite the houses. Conditions need to be imposed in terms of hours of work and deliveries as well as contractor parking;
- It will be necessary to prevent contracted parking on the estate roads at Pentre Maelor;
- Concerned over capacity of services such as sewerage, surface water run-off, energy and water;
- What measures are going to be incorporated into a planning agreement to ensure that local jobs do in fact become a reality.

Councillor John Pritchard (adjoining local member): Notified 1.10.13
Public Protection: Accept the findings of the Environmental Statement in respect of Local Air Quality Management are accepted. Conditions in respect of dust management, noise, contamination investigation and remediation recommended.

Highways: Have made the following comments:

Access

- There will be 2 access points. An access point of the Bridge Road/Clywedog Road East roundabout. A secondary access will be constructed off the unclassified road to the north of the site. Splays of 2.4 x 70m to the north west and 2.4 x 120m to the south east are required. Any barriers will need to be set back a suitable distance from the highway;

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- The Transport Assessment demonstrates the Redwither Road/Coed Aben Road/Bridge Road junction, the Bridge Road/Spectrum Business Park roundabout and the Bridge Road/Clywedog Road/Site access roundabout operate within acceptable capacity with the development;
- Personal Injury Accident data has been obtained for the last 5 years. The number of accidents is low and show no obvious patten or common causes.

Directional Signage

- A scheme of directional signage to the prison from strategic locations will need to be submitted for further approval;
- When leaving the site it is considered preferable to direct staff/visitors along Clywedog Road East and onto Clywedog Road South;

Parking

- Based on shift patters and anticipated car usage of 78.6% there would appear to be a potential for 355 staff to be on site at any one time requiring a parking space. Assuming an additional parking spaces being required for visitors this equates to a total parking requirement for 415 spaces. A total of 420 parking spaces are proposed;
- It is difficult to predict what level of parking provision would be adequate. The submitted plans show an overspill parking area. Recommend an overspill parking area is provided as part of this application;
- Recommend any submitted Travel Plan includes measures to monitor parking demand. If post-occupation parking surveys indicate parking provision is inadequate measures should be imposed to require additional parking on-site;
- If post-occupation parking surveys indicate parking provision is inadequate a Traffic Regulation Order should be required to implement parking restrictions in the vicinity of the site. A contribution of £3000 would be required for this;

Construction Traffic Management Plan including Contractor Parking

- Recommend the submission of a Construction Traffic Management Plan;

Pedestrian Crossing Provision

- Given the size/nature of the development and the number of visitors/pedestrians anticipated, it is appropriate to request the provision of a pedestrian crossing facility access Bridge Road;

Public Transport

- Bus stop and new bus shelters required on Bridge Road;
- Contribution of £20,000 per annum for 3 years required to extend bus services from the Wrexham Bus Station to Wrexham General Railway Station;
- Contribution of £15,000 per annum for 3 years required to extend bus services for 3 years to provide a Sunday bus service;

Outline Travel Plan

- TAITH's have advised that if post-occupation parking surveys highlight issues with parking this will need to be addressed by creating additional parking provision

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- Monitoring fee for travel plan requested by TAITH.

Conclusion

No objection in principle. Conditions recommended.

Welsh Water: It is unlikely that sufficient capacity exists in the public sewerage system. Welsh Water are confident that a solution is available and do not want this to impact upon the planning application. Drainage conditions recommended.

Natural Resources Wales: NRW has no objection in principle, provided possible impacts on natural heritage or environmental interests are avoided in the short and long term.

Statutory Sites

- The proposal will not affect the features, ecological integrity or functionality of any statutory sites of ecological, geological and/or geomorphologic interest or the character or integrity of any statutory protected or nationally important landscapes.

Protected Species

- Ecological assessment considered the submitted ecological assessment to be satisfactory
- The proposal is not likely be detrimental to the maintenance of the favourable conservation status of the great crested newt population provided any consent is subject to the imposition planning conditions and/or obligations to secure:
 - The implementation of submitted amphibian avoidance, mitigation and compensation schemes;
 - The submission and implementation of a biosecurity risk Assessment;
 - The submission and implementation of an ecological compliance Audit scheme to the satisfaction;
 - The submission and implementation of a long term site security scheme;
 - The submission and implementation of a long term site management, wardening and monitoring scheme.

Ground Water Protection

- Would normally object to underground storage of fuels/hazardous substances;
- Underground storage is only acceptable if a condition is imposed requiring further details to be submitted for approval.

Previous land uses

- Require conditions in respect of the potential contamination.

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Flood Risk and Surface Water

- surface water run-off should be managed through the use of Sustainable Drainage Systems (SuDS). Surface water drainage scheme should be required by condition;

Flood Defence Consent

- The Flood Defence Consent of the Lead Local Flood Authority (Wrexham County Borough Council) is required for the any culverting or diversion of an ordinary watercourse and for the construction of weirs dams or other flow control structures, both temporary and permanent.

Water Resources

- The developer should contact the local water undertaker to ensure that there is adequate "headroom" in their existing abstraction licences in order to be able to supply this development.

Industrial Processes

- It would be advisable that the proposed development (design) takes into consideration the noise from Hydro Aluminium Ltd's operations.

Biosecurity

- We welcome proposed measures in respect of bio-security. We would welcome the implementation of biosecurity measures being subject to regulation by condition to ensure compliant implementation.

Invertebrate Interests

- The site represents a component of a larger site that supports notable populations of invertebrate, (principally dinky and grizzled skipper). However, it is noted that the application was supported by limited surveillance in respect of species and groups of invertebrate that were subject to survey.
- Advise that any consent is subject to the following conditions in respect of invertebrates:
 - The submission for approval and subsequent implementation of on-site and off-site measures to safeguard identified invertebrate species throughout and post construction operations; and
 - The submission and implementation of long term management prescriptions for identified species of invertebrate.

Butterfly Conservation Wales: Object for the following reasons:

- Brownfields (open mosaic habitats on previously developed land) are a UKBAP and Section 42 habitat and as such are a priority for conservation
- The Environmental Statement does not consider the proposed development site as part of a wider network of wildlife habitats and

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therefore the broader impact that the proposals have on wildlife of the industrial estate as a whole;

- The Wrexham Industrial Estate is the key landscape for the Grizzled Skipper butterfly in North Wales and one of only five robust populations left in Wales. The Firestone Site supports the largest population on the Estate with the other areas being much smaller in size and supporting low densities of the butterfly;
- The development equates to a large reduction (60% of the current area) in suitable habitat for Lepidoptera and other wildlife;
- Inadequate surveys to inform the true value of the site;
- Inadequate mitigation/compensation;
- Butterflies need to be considered at the 'network' or landscape scale rather than at the single site level;
- Timing of proposed mitigation works - inadequate time for the additional vegetation to establish and for species which currently occupy the development site to (hopefully) move, into the Ecology Area. Habitat creation for butterflies would be carried out at the same time as the clearance of the development site which is unsatisfactory;
- Habitat creation work will also mean that a considerable amount of disruption will take place in the Ecology Area which could be detrimental to the species there;
- Monitoring should follow established methodologies e.g. butterfly transects for adults. Monitoring Schemes to see whether local trends are showing real responses to habitat change;
- Monitoring needs to be focussed at the metapopulation level rather than solely on one site. The lack of baseline monitoring for the species on the Estate will make the task of fully evaluating success more difficult;
- In terms of suitable contractors to undertake the monitoring and management of the site it is extremely important that suitably qualified people (i.e. ecologists with appropriate experience) are appointed.

Bug Life: Object for the following reasons:

1. Loss of Open Mosaic Habitat on Previously Developed Land

- The Firestone site brownfield land of 'high environmental value' as it contains Open Mosaic Habitat on Previously Developed Land (OMHPDL);
- OMHPDL is listed under Section 42 of Natural Environmental and Rural Communities Act (Wales) as a priority for conservation due to its high value for invertebrates. The development will result in approximately a 60% loss of OMHPDL on the site;
- The site is part of a known and established network of habitats and its loss will influence other sites around the industrial estate. The Firestone Site is the largest area of Open Mosaic Habitat within the industrial estate.

2. Inadequate Mitigation

- No mitigation has been put forward for the loss of OMHPDL. There should be no net loss of habitat;

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- Insufficient number of surveys carried out to inform means invertebrates associated with brownfield land are not recorded. Not only does this undervalue the site but it is extremely difficult to design an effective mitigation strategy without knowing which species are using the site;
- Both the Local Authority and the Ministry of Justice have a duty to have regard for biodiversity under the Natural Environment and Rural Communities Act (Wales). Technical Advice Note 5 also requires that '*securing necessary measures to protect, enhance, mitigate and compensate through planning conditions and obligations*' will help to achieve protection and enhancement of nature conservation required by Planning Policy Wales. We do not feel the plans, in their current form, meet these objectives and requirements.

North Wales Wildlife Trust: Concur with the issues already raised by Butterfly Conservation and Buglife regarding this development and opposes it in its current form.

Wales and West Utilities: No objections however their apparatus may be at risk during construction and should the application be approved then they require the promoter of the works to contact them directly to discuss their requirements.

North Wales Police: Have Consulted with Police forces such as South Wales and Staffordshire who suggest recorded crime levels in the area will increase. NWP have made a number of recommendations in respect of the design of the prison to assist in designing out potential crime associated with the prison and ensure the security of the site.

Press Notice (EIA and Major Development): Expired 1.11.13

Site notices (x8): Expired 28.10.13

Other Representations: 13 representations in total (as of 6.12.13) with the following concerns/objections:

- impact on wildlife/adequacy of mitigation proposals;
- will there be public access to the wildlife area?;
- securing long term preservation, financing and management of mitigation area;
- prison lights;
- increase in traffic, traffic congestion;
- impact of prison visitors – increase in crime and anti-social behaviour;
- category of prisoners to be held;
- security
- safety of local residents;
- unclear who will manage the prison;
- proximity to an existing residential area;
- emotional impact upon residents of Pentre Maelor;
- height of the buildings;
- crime in North Wales is on the decrease. More appropriate to build such a massive prison where crime is on the increase;

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- weak argument that prisoners and their families would benefit by having a prison nearer home. Travelling facilities are better than they have ever been;
- other institutions that it would be nice to have in North Wales that ought to take priority over this prison;
- if North Wales is desperate to have the prison it does not speak well of North Wales in general;
- Devaluation of property;
- Feeling unsafe living in Pentre Maelor;
- Strangers in the area;
- Impact on local infrastructure – local hospital and ambulance service at full capacity;
- Inadequate road system notably Abenbury Road, Cefn Road and Kiln Lane;
- Water Treatment works at full capacity;
- Prison could be managed by an out-sourced private company with a track record that leaves a lot to be desired;
- Hazardous site/hazardous materials on the site;

SPECIAL CONSIDERATIONS

Need: New prison capacity is needed in the Ministry of Justice's (MoJ) prison estate in order to allow older inefficient prisons to be closed and to bring down the overall running costs of the prison system.

Fifteen sites in North Wales and the North West of England were put forward for consideration. The Firestone Site was found to best meet the MoJ's site selection criteria.

The proposed development will be the first prison to be built in North Wales and will allow offenders from the region to be held closer to home than is currently the case. This is considered to be an important factor in reducing re-offending rates.

It is outside of the scope of this application for the Council to consider whether this proposal is the most appropriate solution to the long term provision of prison places or to management of the MoJ's prison estate.

Planning Policy:

National policy/guidance

Circular 17/98 'Planning for Future Prison Development' provides the following specific guidance in respect of site selection for new prisons;

- the sites should be large enough to accommodate the type of prison proposed – typically around 16 hectares, regular in shape, reasonably level and capable of taking foundations for 2, 3, or 4 storey buildings;

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- Brownfield sites are to be preferred;
- Sustainable development is promoted, including the need to reduce unnecessary travel. Good access to the motorway or main arterial trunk road network is an added advantage;
- It should be possible to connect to services such as gas, water and electricity without unreasonable cost.

The former Firestone Site broadly satisfies all of the above criteria.

The Circular also advises Local Planning Authorities to have regard to the economic benefits of new prisons given that they create jobs on site as well as through purchasing goods and services in the community.

Planning Policy Wales (chapter 7) advises that economic land uses include the traditional employment land uses (those falling within Classes B1, B2 and B8) as well as uses such as retail, tourism, and public services.

Planning Policy Wales also advises local planning authorities are encouraged to adopted positive and constructive approach to applications for economic development. Key factors to taking into account when assessing the economic benefits of the development include:

- the numbers and types of jobs expected to be created or retained on the site;
- whether and how far the development will help redress economics advantage or support regeneration priorities, for example by enhancing employment opportunities or upgrading the environment;
- a consideration of the contribution to wider spatial strategies, for example for the growth or regeneration of certain areas.

Local Policy

Prison developments fall outside of the scope of any of the policies of the UDP. However the site lies within a defined settlement limit and on land that is not allocated for any specific use. As such there is no policy objection in principle to *any* form of development of site.

Policy E4 supports employment development on unallocated sites within settlement limits subject to compliance with policy GDP1. Traditionally, employment development has often narrowly been defined as uses falling with Use Classes B1 (business), B2 (general industrial) and B8 (storage and distribution) only. A prison falls under the C2A (secure residential institution) category of uses in the Town and Country Planning (Use Class Order) 1987.

I will refer to the economic benefits of the development in more detail below based on the advice given by PPW, the development is a economic land use and therefore accords with objectives of policy E4.

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Economic Benefits: The prison itself represents a £248 million investment in Wrexham on a site located in one of the main areas of employment development in the County Borough. Once fully operational the prison is expected to employ up to 764 people of whom 54% (equivalent of 413 jobs) are expected to come from the local area. Expenditure by the prison on goods and services is also expected to be beneficial to the local economy having the potential to create the equivalent of 82 full time jobs.

It is outside of the scope of planning control to require or ensure that a specific number of jobs are filled by local people. This would place unreasonable restrictions on the ability of the future operators of the prison to secure the staff best suited to the roles they need to fill.

Notwithstanding the above, the selection of the site for of an important piece of national infrastructure is a significant and positive endorsement of both the Wrexham Industrial Estate and the County Borough. Furthermore, the location of a major employer in the County Borough will result in job opportunities for local people that currently do not exist.

Visual impact: The perimeter fence will be some 160 metres from the nearest residential properties in Pentre Maelor and the nearest prison building some 240 metres distance. The character of the wider locality within which the dwellings are located is already dominated by industrial/employment uses. The prison buildings will be no closer to Pentre Maelor and the warehouse buildings of the F Lloyd Penley site or buildings of the Hydro Aluminium site. The development will nevertheless inevitably significantly change the outlook from these houses but the perimeter fence and buildings are far enough away that they will not prove overbearing or cause significant loss of daylight. There is no right to a view across the site.

The detailed design of the buildings will be considered at reserved matters stage but indicative plans and supporting information indicate they will range in height from 6 metres to 18 metres. The latter is higher than the buildings in the immediate vicinity of the site but buildings of 18 metres or more are not without precedent elsewhere in the Industrial Estate. Redwither Tower (excluding telecommunication antennae) is around 23 metres high and the Kelloggs buildings (excluding exhaust stacks) are just over 30 metres high.

Whilst the development will undoubtedly result in a significant change in the appearance of the site and its immediate surroundings the former Firestone site is bounded on three sides by existing industrial development ensuring the development will be viewed in this context from both near and distant viewpoints. The indicative plans suggest that the buildings will not be dissimilar in appearance to many of the buildings found elsewhere on the industrial estate. The Landscape and Visual Impact section of the Environmental Statement also demonstrates that the development will not have a significant impact upon the wider landscape.

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The indicative plans show a landscaped site frontage of approximately 15 metres deep and I have been assured that existing mature vegetation will be retained wherever possible. The exact form of the landscaping will depend upon the security requirements of this part of the site and will be considered in more detail at reserved matters stage.

Whilst it may be beneficial to the appearance of the Pentre Maelor Estate, there is no justification on planning grounds to require the MoJ to finance additional landscaping works on the opposite side of Bridge Road in front of the houses in Bridgeway East. Unlike the situation as found further along the road by Frank Penley the proposed entrance of this site is not directly in front of the houses. Clearly, additional offsite landscape works might be desirable but views towards the site can be effectively landscaped within the site area, and landscaping details are still reserved. Given the distance between Bridgeway East and the development additional landscaping is also unnecessary to address amenity impacts. The lack of proposals for or contributions to landscaping along the frontage of Bridgeway East would not be a valid reason to refuse permission.

The indicative plans show the anticipated position of lighting columns, however the final position of them will be determined at reserved matters stage. External lighting in the context of the site's location within an industrial is not inappropriate. The distances to the dwellings in Pentre Maelor are such that the lighting will not significantly impact upon residential amenity particularly as the area is already lit at night by street lights.

Noise: The main potential for noise will arise from construction work itself. However with adequate mitigation these works should not significantly impact upon the amenity of residents of Pentre Maelor. A Construction Environmental Management Plan will be required by condition.

The operation of the prison, including associated traffic, is not expected to result in any significant additional levels of noise and as such will not harm the amenity of nearby residents. Nevertheless, a condition limiting the level of noise arising from the operation of the site as measured at the nearest noise sensitive properties (i.e. Pentre Maelor) will be imposed.

Highways:

Site Accesses

The proposed vehicular accesses points are acceptable and can safely be used by the types of vehicles likely to need access to the site.

Developer Contributions

The MoJ are prepared to make the following contributions towards improved transport infrastructure:

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- i) funding to increase the services of bus services on Sundays
- ii) funding to ensure that the bus services to/from the Industrial Estate stop at Wrexham General Station;
- iii) a signalised pedestrian and cyclist crossing on Bridge Road;
- iv) funding for a Traffic Regulation Order (double yellow lines) on Bridge Road if the first annual monitoring report of the implementation of a Travel Plan finds that a TRO is necessary to discourage on-street parking;
- v) two new bus shelters on Bridge Road.

Highway Safety

Once fully operation the prison is expected to generate a total of 579 traffic movements into and out of the site per day. During the morning peak period (7am to 8am) there are expected to be 179 movements to the site and 20 leaving and during the evening peak period (5.30pm to 6.30pm) up to 220 traffic movements leaving the site.

The capacity of the junctions of Bridge Road with Redwither Road/Coed Aben Road, the Spectrum Business Park and Clywedog Road have been assessed and all three junctions found to be capable of accommodating the traffic associated with the development. I do not anticipate the development resulting in significant capacity problems elsewhere.

There have been no accidents resulting in serious personal injury at Bridgeway Road/Redwith junction, along Bridge Road or Bridgeway East in Pentre Maelor in the last 5 years. Whilst 5 accidents that resulted in slight or minor personal injury have been recorded in the vicinity of the site over the same period there were no common causes suggesting that there are no obvious safety issues with the local road network. This and the fact that the road network in the locality of the site has been demonstrated to have sufficient capacity, I am satisfied the proposals will not unacceptably impact upon highway safety and that road improvements are unnecessary in order to accommodate the development.

In light of the above and the fact that traffic noise is not expected to significantly increase noise levels, there would be no valid reason to require Bridge Road (south) to be reduced to an access only road for Pentre Maelor, F Lloyd (Penley) and Clwyd Precision Engineering and for traffic to be directed along Clwydog Road East and Clywedog Road South.

The signalised pedestrian crossing funded by the MoJ will allow pedestrians to safely cross Bridge Road in order to catch passing buses.

Signage will be provided both within the Industrial Estate and beyond to ensure that people are directed to the site along major roads thus minimising the risk of additional traffic using minor roads. A scheme of signage will be required by condition.

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Construction traffic will be managed through the Construction Environmental Management Plan.

Parking

LPG16 provides no guidance on parking provision for prison developments. For uses where no specific standards are provided LPG16 advises that the parking requirements will be determined on the basis of local circumstances and the potential demand for parking associated with that use.

A maximum of 420 parking spaces are to be provided for the development of which 300 would be for staff and 120 for visitors. The parking requirements have been determined with reference to the level of local car usage in the locality which suggests that the majority of people travelling to the site will do so by car.

Whilst the prison will employ up to 764 people, staff will be employed in shifts, so will not all be on site at the same time. Furthermore an Outline Travel Plan proposes measures that will help in reducing demand for parking provision, including promoting car sharing and encouraging staff to use public transport.

Category C inmates are normally allowed one visit per month. Visits to inmates by family members will be booked in advance and visiting hours will be between 9.30am and 7pm. The prison visiting facilities will be designed to accommodate 40 inmates in open conditions (inmates sitting face to face with visitors at desks) and 5 closed visitor spaces (inmates and their visitors separated by a partition). Each inmate can be visited by up to 3 people at a time – although the MoJ suggest as few as 20% of visits are attended by the maximum of three visitors.

The MoJ suggests that where prisoners received more than one visitor at a time they are typically family members/partners/children who travel from the same location and for convenience travel together. The Transport Assessment has calculated visitor parking requirements on the assumption that majority of visitors sharing cars. I believe this is reasonable and I am therefore satisfied that it has been demonstrated that adequate provision for visitor parking has been made, even though this will not include an overspill parking area. Although Highways considers that this area is necessary, I believe that this may only serve to encourage greater car usage and perhaps it is more important to ensure that the landscaping scheme provides an area that can be used without forming hard surfaces if demand requires. It must be noted that the Outline Travel Plan also proposes encouraging visitors to travel to the site by public transport by providing information including bus route and timetable information.

The Wrexham Industrial Estate is currently reasonably well served by public transport – with buses every half and hour to Wrexham. Despite this are some weaknesses in public transport provision poor connections with rail services Wrexham General Station and a lack of services on Sundays. I

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appreciate the concerns expressed about whether 40% of visitors will travel to the site by public transport. The MoJ have sought to address these concerns by agreeing to fund improvements to bus services to provide improved connections at Wrexham General and the provision of a Sunday service. They have also agreed to fund the provision of two bus shelters in front of the site.

The proposed improvements to public transport should help to ensure this is a viable means of accessing the site. The improvements will also be of benefit to the wider Industrial Estate and residents of Pentre Maelor, hopefully encouraging higher levels of bus usage, which in turn should make services more sustainable in the long term with less need for subsidy.

Travel Plan Monitoring

I do not intend to require monitoring fees for TAITH to monitor the Travel Plan. I believe the costs of monitoring its implementation by the Council will be adequately covered by the monitoring fees normally charged for Planning Obligations.

Ecology: The former Firestone site is a site of high ecological value and is known to support a wide range of plant and animal species notably Great Crested Newts, 28 bird species and a number of UK Biodiversity Action Plan species of butterfly, including the Grizzled Skipper. Part of the south-eastern boundary also provides a foraging and commuting habitat for bats.

The development (including expansion land) will occupy 26 hectares of the former Firestone site inevitably leading to a loss of habitat as well as to a degree of disturbance to the species that rely on it. Whilst this may be the case the site is not currently managed nor is it subject to any obligation or requirement to be managed. Over time the quality of habitat for some or all of the species identified will degrade. The development provides a significant opportunity to deliver a beneficial scheme of habitat enhancement and long term management within the undeveloped land surrounding the site in a manner beneficial to the species that currently rely on habitat within the site. There are currently **no** other proposals to secure the long term management of the site to maintain biodiversity should the development not to go ahead.

Within land not subject to this application (essentially the land wrapping around the south-eastern and south-western boundaries of the application site) it is proposed for habitat mitigation works to take place. These works will include:

- i) the creation of ponds to provide additional breeding habitat for Great Crested Newts);
- ii) constriction of hibernaculata to increase the winter habitat for Great Crested Newts;

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- iii) management of the site to ensure there is an optimum balance of scrub habitat and open grassland which will be of benefit to both bird and invertebrate species;
- iv) eradication of Himalayan Balsam – an invasive species;
- v) installation of bird and bat boxes;
- vi) the creation of new areas of butterfly habitat;
- vii) the translocation of some existing habitat to new locations within the mitigation area;
- viii) An office site captive breeding programme for the Grizzled Skipper. The butterflies will thereafter be released onto suitable habitat on site and/or other suitable sites within north-east Wales.

In addition to the above the application site and outside of the perimeter fence of the prison there will be 2.4 hectares soft landscaped areas that are to be maintained so as to be favourable to butterfly species.

The mitigation strategy also includes commitments to:

- i) regular monitoring;
- ii) an ecological compliance audit to ensure the mitigation works have been carried out correctly;
- iii) site security - access to the land subject to mitigation will be prevented in order to allow the habitats and species to become established without disruption;
- iv) Management of the land subject to mitigation in a way that ensures it will continue to benefit the species referred to above.

Since the habitat mitigation area is not controlled by the applicant, a planning obligation will be needed to ensure implementation of the mitigation work and for its long term management to be secured.

The delivery of the habitat mitigation measures proposed and to the long term management of the areas of enhanced habitat the development will:

- protect and conserve the Favourable Conservation Status of Great Crested Newts;
- will provide and maintain habitat in a manner beneficial to butterflies and should ensure that populations of Grizzled Skipper are maintained in north-east Wales.
- Provide and maintain habitats beneficial to bird and bat species.

On the basis of the above, I am satisfied the ecologically sensitive nature of the site has been adequately taken into account and that there are adequate proposals to mitigate the impacts of the development.

Drainage: Welsh Water has indicated that, based on current estimates, public sewers do not have the capacity to accommodate the development. However they are confident that there will be a solution that, if implemented, will be able

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to provide foul drainage from the site. Conditions will be attached that require schemes of both foul and surface water to be submitted. Subject to the approval and implementation of these schemes I am confident that the site will not give rise to either foul or surface water drainage problems in the locality.

Contamination: I note some concerns have been expressed about the site potentially being contaminated. The possible presence of contaminated material on a site is not a reason to withhold planning permission for development and, provided appropriate remediation is carried out, should not prevent a site from being reused.

The site has already been subject to remediation when the former Firestone factory was demolished and the site subsequently cleared. However the remediation carried out is likely to have anticipated that the site being re-used for industrial purposes rather than as a prison. Conditions requiring the site to be investigated and, if necessary, further remediation to be carried out will be attached.

Demand for Healthcare and Education: The healthcare needs for inmates will, other than for emergencies, be met onsite. Similarly education/training provision for inmates will also be provided on-site. The development will therefore not place significant or unsustainable pressure on local health and education services.

Security and Site Management: North Wales Police have, after consultation with other Police forces, expressed some concern about the potential for increased crime in the area. A number of the representations received from local residents have also expressed concerns about their safety.

Circular 17/98 'Planning for Future Prison Development' recognises that new prisons may give rise to a fear of increased crime in the immediate vicinity. However it advises that such feelings in the case of a secure establishment have been found not to be a material consideration at previous Public Inquiries. Furthermore the Circular advises that there is no evidence to suggest that new prisons lead to increasing crime levels.

Whether the site will be operated by the public sector or by a private company is outside of the scope of planning control. It will be for the MoJ to ensure that the organisation/organisations involved in the future running of the prison are competent.

Good site design is one of the main ways in which the risk of crime can be minimised. The detailed layout and design of the site will be considered at reserved matters stage.

One particular concern of North Wales Police is the possible challenges of policing the external fence of the site. I understand these are a result of problems experienced at Her Majesty's Prison Oakwood in Staffordshire. Some of the problems associated with that site are a result of the layout of the

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site which is very different to how the Wrexham site will be developed. The applicants have also confirmed that security issues raised by officers at HMP Oakwood have been taken into account when putting this application forward.

The requirements to police the site are outside of the scope of planning control and should be discussed by the MoJ and North Wales Police separately. I understand that there have already been discussions between the MoJ and North Wales Police and that the MoJ and that there is also a commitment from both parties for on-going dialogue.

Expansion Land: Some concern has been expressed about the possible future uses of this land. It is not unusual for a developer to purchase more land that is necessary to accommodate development for their current requirements.

Under the current proposals the site will be enclosed by the outer perimeter fence and could only be used for purposes ancillary to the use of a prison. The granting of this permission does not mean that future proposals for development will automatically be granted permission. The impacts of additional development will be subject to future planning applications and the potential impacts considered at that time.

Publicity: Whilst noting the concerns about the level of pre-application consultation with local residents, there is no statutory requirement for an applicant to carry out pre-application consultation/publicity – although it is considered good practice. Whether pre-application publicity has taken place is also not a material consideration. Nevertheless, the proposals were subject to publicity prior to the submission of this application.

As can be seen above, this planning application has also been subject to extensive publicity. In addition to statutory consultees, all of the residents of Pentre Maelor (103 properties) and 40 nearby business premises were notified in writing. The application has also been published by way of a press notice and by 8 site notices posted around the site boundary and within the Pentre Maelor Estate.

The Council does not publicise submissions made in respect of planning conditions. However internal and external consultation with Highways, Public Protection, Natural Resources Wales and Welsh Water are undertaken where it is necessary to have their advice before determining whether the requirements of conditions have been adequately met. Post-decision correspondence is held on the application file which is publicly accessible.

Conclusion: These proposals will deliver significant investment in a site on the Wrexham Industrial Estate that has been vacant for a lengthy period of time and deliver much needed additional employment opportunities in the area. The development will inevitably result in ecological, highways, short term noise and visual impacts. However I am satisfied that on balance, the impacts will not be significantly harmful and/or can be adequately mitigated

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and that the development accords with both national and local planning policies.

RECOMMENDATION A

That the Council enters into an Obligation under Section 106 of the Town and Country Planning Act 1990 to secure:

- a) An annual payment of £15,000 for a period of 3 years to fund a Sunday bus service;
- b) An annual payment of £20,000 for a period of 3 years to fund the extension of bus services to Wrexham General railway station.
- c) A financial contribution of £3,000 towards the implementation of a Traffic Regulation Order along Bridge Road. The contribution will be paid if, upon the submission the first annual monitoring report of the implementation of the Final Travel Plan, car parking surveys identify a shortfall in parking and evidence of on-street parking on Bridge Road;
- d) Implementation of a scheme of ecological mitigation measures for land adjoining the site (as identified within submitted application documents), including details to confirm its long-term management for that purpose.

The Head of Community Wellbeing and Development be given delegated authority to approve the final form and content of the obligation.

RECOMMENDATION B

Upon completion of the Planning Obligation that permission be **GRANTED** subject to the following conditions:

CONDITION(S)

1. Approval of the following details shall be obtained from the Local Planning Authority before each part of the development is commenced:
 - a) the appearance of the building(s);
 - b) the layout of the building(s);
 - c) the landscaping of the site.
2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
3. The development hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
4. Each new non-residential building hereby permitted shall be constructed to achieve a minimum [Building Research Establishment Environmental Assessment Method (BREEAM)] overall 'Very Good' standard and achieve the mandatory credits for 'Excellent' under issue Ene1 -

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Reduction of CO2 Emissions (or subsequent equivalent quality assured scheme) in accordance with the requirements of BREEAM 2011. The development shall be carried out entirely in accordance with the approved assessment and certification.

5. Construction of any building hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum BREEAM overall 'Very Good' standard and the mandatory credits for 'Excellent' under issue Ene1 - Reduction of CO2 Emissions (or subsequent equivalent quality assured scheme) has been achieved for that individual building in accordance with the requirements of BREEAM 2011.

6. Prior to the occupation of the individual buildings, or within a timescale otherwise agreed in writing with the Local Planning Authority, a 'Final Certificate' shall be submitted to the Local Planning Authority, certifying that a minimum BREEAM overall 'Very Good' standard and the mandatory credits for 'Excellent' under issue 'Ene1 - Reduction of CO2 Emissions' (or subsequent equivalent quality assured scheme) has been achieved for that building in accordance with the requirements of BREEAM 2011.

7. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating how foul water, surface water and land drainage will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in accordance with a timescale to be agreed as part of the submitted details and maintained thereafter.

8. Prior to the submission of the details required by condition 07, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment shall be submitted in writing to the Local Planning Authority.

Where a SuDS scheme is to be implemented, the submitted details shall:

i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;

ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,

iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

9. No part of the development shall commence until a scheme to deal with potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a phased investigation approach to identify the extent of contamination and any measures required to remediate the site, including post-development monitoring.

10. No part of the development shall be occupied until a Verification Report which demonstrates that the remedial works approved as part of condition no.

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
6 January 2014

9 above have been satisfactorily carried out, has been submitted to and approved in writing by the Local Planning Authority.

11. Development shall not commence until a Construction Environment and Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction shall thereafter be carried out in strict accordance with the details as approved.

12. No underground tanks for the storage of fuels, oils or gas shall be installed until full structural details of the installation, including details of: excavation, the tank(s), tank surround, associated pipework and monitoring system have been submitted to and approved in writing by the Local Planning Authority. Any tanks for fuels, oils or gas storage shall thereafter only be installed in strict accordance with the details as approved.

13. The details required by condition 01 shall include details of the location and layout of vehicular parking, turning facilities and loading/unloading areas and a timetable for the provision of the parking, turning and unloading areas. Vehicular parking, turning and loading areas shall be laid, surfaced and drained in strict accordance with the details as approved and thereafter permanently retained and kept free of any obstruction, and made available solely for the parking, turning, loading and unloading of vehicles at all times.

14. The development shall not be brought into use until a signalised pedestrian and cyclist crossing has been provided on Bridge Road in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.

15. The development shall not be brought into use until two new bus shelters have been sited on Bridge Road in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.

16. The details submitted in respect of condition 01 shall include the siting, height and appearance of all lighting columns to be located outside of the perimeter fence.

17. The development shall not be brought into use until a Final Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Final Travel Plan shall include a programme of annual monitoring. Annual monitoring reports shall be submitted to the Local Planning Authority for written approval within one month of the anniversary of the first use of the development every year, up to and including the fifth anniversary. The Final Travel Plan shall be implemented in full.

18. The development shall not be brought into use until a scheme of directional signage from the A483, A534 and A525 and roads within the industrial estate has been implemented in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.

19. Prior to first use of the development hereby granted permission the vehicular access onto the unclassified road adjoining the north-eastern boundary of the site shall provide visibility splays of 2.4 metres x 70 metres to the north-west and 2.4 metres x 120 metres to the south-east measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction above the level of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

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20. The ENVIRON Ecological Mitigation Strategy and Habitat Management Plan dated September 2013 and the ENVIRON Addendum to Ecological Strategy and Habitat Management Plan dated December 2013 shall be implemented in full in accordance with the timescales referred to therein.

21. Prior to their appointment, details of the organisation(s) who will be responsible for implementation of the ENVIRON Ecological Mitigation Strategy and Habitat Management Plan and the ENVIRON Addendum to Ecological Strategy and Habitat Management Plan shall be submitted to the Local Planning Authority.

22. Once operational the rating level of any noise generated by reason of this development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at the nearest noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

REASON(S)

1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012
2. To comply with Section 92 of the Town and Country Planning Act, 1990.
3. To comply with Section 92 of the Town and Country Planning Act, 1990.
4. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
5. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
6. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
7. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.
8. To ensure satisfactory drainage of the site and to avoid flooding.
9. In the interests of the amenities of the future occupants of the buildings
10. In the interests of the amenities of the future occupants of the buildings
11. To protect the amenities of the occupiers of nearby properties.
12. The site is within 15m of the River Clywedog, which is a tributary of the River Dee, which is a Water Protection Zone, the site is on a Secondary A aquifer and in close proximity to a potable abstraction used for human consumption.
13. 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.
14. In the interests of pedestrian safety.
15. In the interests of providing public transport access to the site.
16. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

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17. To support the Council's approved Integrated Transport Strategy and to reduce dependency on the motor vehicle.
18. In the interests of highway safety.
19. To ensure that adequate visibility is provided at the proposed point of access to the highway.
20. In order to protect wildlife interests, which are afforded special protection.
21. In order to protect wildlife interests, which are afforded special protection.
22. To protect the amenities of the occupiers of nearby properties.

NOTE(S) TO APPLICANT

The submission made in respect of conditions 09 and 10 shall take full account of paragraphs 20 - 23 of the Natural Resources Wales letter dated December 2013.

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain

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situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

RECOMMENDATION C

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 Community Wellbeing and Development be given delegated authority to **REFUSE** the application for the following reasons:-

1. The development does not make adequate provision for access to the site by public transport and therefore does not accord with policy GDP1 (e).
-

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APPLICATION NO:
P/2013 /0703

LOCATION:
FORMER SITE OF 2 LODGE ROAD
STANSTY WREXHAM
LL11 2DD

DATE RECEIVED:
14/10/2013

COMMUNITY:
Rhosddu

DESCRIPTION:
ERECTION OF DETACHED
DWELLING AND DOUBLE GARAGE
WITH GAMES ROOM ABOVE

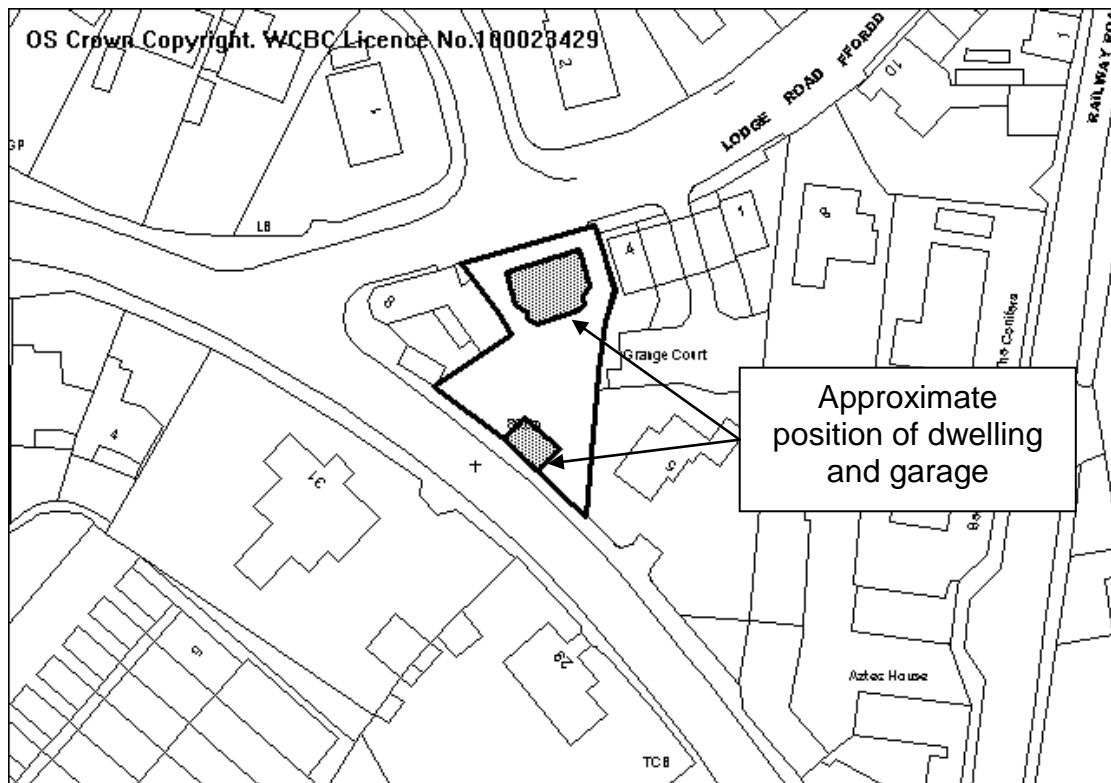
CASE OFFICER:
MP

WARD:
Stansty

APPLICANT(S) NAME:
MR MARK JARVIS

AGENT NAME:
HDS ARCHITECTURAL
SERVICES
MR CARL HUGHES

THE SITE



PROPOSAL

As above.

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HISTORY

P/2011/0792 Demolition of existing dwelling and erection of 3 no. 2 bedroom dwellings. Granted 6.2.12

P/2011/0870 Application for approval of details of prior notification of proposal to demolish 2, Lodge Road, Rhosddu. Prior approval not required 30.12.2011

DEVELOPMENT PLAN

Within settlement. The site lies adjacent to a Grade II listed building (no.8 Stansty Road). Policies GDP1, H2, EC9 and T8 are applicable.

CONSULTATIONS

Community Council:	Consulted 16.10.13
Local Member:	Made the following observations on the original submissions: <ul style="list-style-type: none">- first floor balcony – anyone standing on this could look into the property opposite (no5) and also no.8;- detached garage with games room – the space designated for a games room could be converted into a granny flat at a future date. Its external stair case could cause visul impact upon the property opposite (no.5);- the garage should have a flat roof in order to minimise impact of neighbouring properties.
	Notified about amended plans: 10.12.13
Public Protection:	Consulted 16.10.13
Highways:	Recommend conditions.
Welsh Water:	Recommend drainage conditions.
NRW:	No objection on the basis of foul water draining to mains sewer.
Site Notice:	Expired 13.11.13
Other Representations:	1 letter expressing the following objections: <ul style="list-style-type: none">- overlooking/loss of privacy from proposed balcony;- garage with first floor would be imposing and not in keeping with the area;- overlooking from 2nd floor window;- 1.8m wall along Stansty Road frontage would be oppressive and not in keeping with adjacent buildings;- A new permanent walled boundary should be erected between new build and adjacent property;- Planting between new build and neighbouring property to rectify previous removal of trees

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Notified about amended plans: 10.12.13

SPECIAL CONSIDERATIONS

Policy: This is an unallocated site within the settlement limit. Policy H2 permits residential development on such sites subject to compliance with policy GDP1.

Layout and design: The proposed dwelling will front onto Lodge Road and will be provided with a low wall with railings along the front boundary. This will continue and strengthen the built frontage already established by nos 1-4 Grange Court immediately to the east. The scale and design of the dwelling is acceptable will not harm the setting of no.8 Stansty Road, a Grade II listed building.

The dwelling will be just over 12m from the rear/Stansty Road boundary of the site. This, together with the orientation of the dwelling, the position of the proposed double garage and the wall to be erected along this boundary will ensure the dwelling will not have a significant impact upon the street scene of Stansty Road. Nevertheless the rear elevation will still be visible and as originally submitted was unattractive. Amendments have been received that significantly improve its appearance.

As noted above the proposed double garage will be located adjacent to the rear/Stansty Road boundary of the site. Whilst being designed to provide a useable room in the roof space its height is not excessive (3 metres to the eaves and 5.4m to the ridge) and it will not be an intrusive feature along Stansty Road. Indeed it will arguably strengthen the appearance of this boundary. The garage will be clearly subsidiary to the dwelling in scale and appearance and its relatively simple design is acceptable.

A wall comprised of 2m high brick pillars either side of brick plinths and timber panels that are cumulatively 1.8m high is to be erected along the rear boundary. In conjunction with the proposed garage this will strengthen the appearance of this boundary. The proposals are also an improvement over the 1.8m high concrete post and timber panel fence proposed under the extant permission.

Amenity:

Proposed Dwelling

The proposals will not result in unacceptable loss of light, privacy or prove overbearing for the occupiers of the dwellings located either side, no.4 Grange Court and no. 8 Stansty Road.

The dwelling is far enough away from the dwelling to the rear, no.5 Grange Court, so as not to result in loss of light or prove overbearing. The rear of the

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dwelling faces towards no.5 Grange Court although their relative orientation means that they will not directly face each other.

The impact of the proposed dwelling in respect of privacy and overlooking from its first floor window will not be significantly different to the extant permission.

The proposals originally included a balcony however this would have resulted in unacceptable loss of privacy for the occupiers of no.5 Grange Court. The balcony has now been deleted and the first floor rear elevation amended to incorporate a patio door style window with a Juliette balcony. This style of window will not result in a significantly greater degree of overlooking than normal sized windows.

The proposed dwelling will have a bedroom in the roof space served by a small second floor window. This window will not be any closer to no.5 Grange Court than the first floor window below it and will not afford any greater degree of overlooking.

Proposed Garage

The proposed garage will be just over 7m from the rear elevation of no.5 Grange Court. Whilst this is less than the 13m recommended by LPG21, the garage will not be directly behind rear windows of that property and as such its position will not result in proving overbearing nor causing significant loss of light. The garage is far enough away from no.8 Stansty Road that it will not prove overbearing nor will it result in significant loss of light.

The garage will have an external staircase to give access to the upper floor, a side facing window and roof lights in the front and rear roof slopes. The former will be enclosed with a combination of a brick wall and an obscurely glazed screen, the window will be fixed and obscurely glazed and the roof lights will have a cill height of 1.7m. The garage will therefore not compromise the standard of privacy afforded to the occupiers of neighbouring properties.

Access and parking: The development will have a safe means of access off Lodge Road. A footway will be provided along the site frontage to connect with the one crossing the frontage of 1-4 Grange Court. This will not only ensure pedestrians can safely access the site but will also be of benefit to those walking along Lodge Road generally.

On-site parking accords with LPG16.

Other Matters: The boundaries of the site are already enclosed by fences of sufficient height to protect the standard of privacy afforded to occupiers of neighbouring properties. I see no merit in requiring additional boundary treatment to that already proposed and referred to above.

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A landscaping scheme will be required by planning condition however I see no merit in specifically requiring trees to be planted. No such requirement was imposed on the extant permission.

Whilst noting the concerns the local member has about the possible use of the garage as an annexe the submitted plans do not suggest the garage will be used to provide additional accommodation. I am therefore only able to consider the application on the basis of the plans before me.

Conclusion: The development accords with UDP policies.

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. No part of the development shall commence until samples of all roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.
3. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3. The development shall be carried out entirely in accordance with the approved assessment and certification
4. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.
5. Prior to the occupation of the individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.
6. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment shall be submitted in writing to the Local Planning Authority. Where a SuDS scheme is to be implemented, the submitted details shall:

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i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;

ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,

iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

7. Prior to the first occupation of the dwelling hereby granted permission a footway shall be constructed across the full length of the site frontage in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority.

8. The walls to be erected along the Lodge Road and Stansty Road boundaries of the site as shown on approved drawings nos. MJJ-01 Revision B and MJJ-05 Revision B shall be erected in full prior to the first occupation of the dwelling hereby granted permission.

9. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.0 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.

10. The vehicular parking and turning areas as shown on approved drawing(s) No(s). MJJ-01 Revision 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 vehicles at all times.

11. 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.

12. 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.

13. Any first floor window fitted in the south-east facing elevation of the garage hereby granted permission shall only be glazed or re-glazed using obscure glass and shall be permanently fixed shut.

14. Prior to the use of the garage hereby granted permission, the staircase to access its first floor shall be provided with the brick screen and the obscurely glazed panel shown on drawing MJJ-04 Revision B. The brick screen and obscurely glazed panel shall thereafter be permanently retained

15. 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.

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16. 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 gate, fence, wall or other means of enclosure shall be erected, constructed or placed across the access within 5 metres of the highway boundary under Class A, of Schedule 2 Part 2

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
3. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
4. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
5. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
6. To ensure satisfactory drainage of the site and to avoid flooding.
7. In the interests of pedestrian safety.
8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
9. To ensure that adequate visibility is provided at the proposed point of access to the highway.
10. 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.
11. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.
12. In the interests of highway safety.
13. To protect the amenities of the occupiers of nearby properties.
14. To protect the amenities of the occupiers of nearby properties.
15. To protect the amenities of the occupiers of nearby properties.
16. In the interests of highway safety.

NOTE(S) TO APPLICANT

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

The applicant is advised that compliance with condition no. 15 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.

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The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional

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6 January 2014

hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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APPLICATION NO:
P/2013 /0707

LOCATION:
PLOT 12 QUARRY BROW
MARFORD WREXHAM
LL12 8SJ

DATE RECEIVED:
16/10/2013

COMMUNITY:
Gresford

DESCRIPTION:
ERECTION OF TWO DETACHED
HOUSES (HOUSE A AND B) AND
DETACHED GARAGE FOR HOUSE B

CASE OFFICER:
SEH

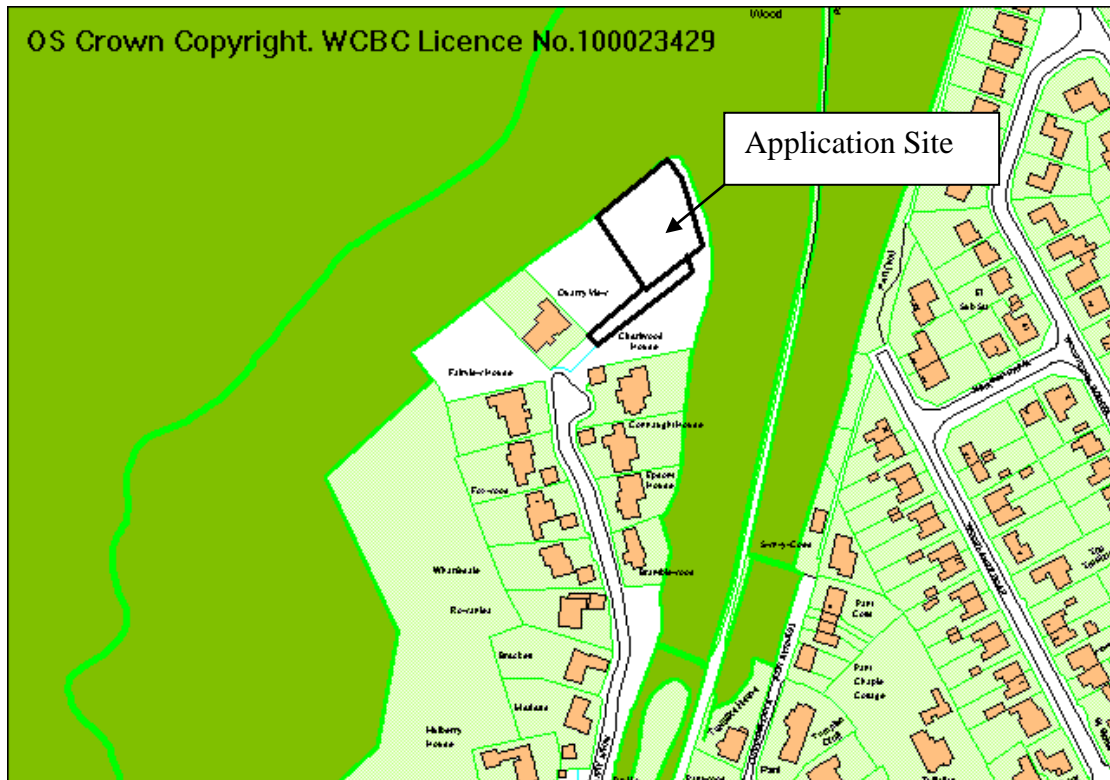
WARD:
Marford & Hoseley

APPLICANT(S) NAME:
MR COLIN HEARD EARDLEY
PROPERTY CO LTD

AGENT NAME:
EDW ARCHITECTURE
LTD
MR EDWARD WEBB

THE SITE

A rectangular shaped piece of land, measuring approximately 1,000 square metres, currently comprising of redundant land to the north east corner of Quarry Brow, Marford.



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PROPOSAL

As above

RELEVANT HISTORY

20175	Outline application for residential development (2 units)	Granted	8/11/1993
24094	Outline development (11 no. Building plots) and alteration to existing vehicular and pedestrian access	Granted	11/3/1996
CB1408	Outline application for erection of dwelling and alteration to existing vehicular access	Granted	6/10/1997
CB 2922	Erection of 1 no. dwelling and garage and construction of new vehicular and pedestrian access	Granted	19/3/1999
CB 3508	Construction of foul pumping station and associated control kiosk and compound to serve adjacent residential development	Granted	14/6/1999
CB 3700	Substitution of house type	Granted	24/11/1999
P/2000/0612	Erection of new dwelling, garage and associated external works	Granted	9/10/2000
P/2000/0715	Substitution of house type	Granted	26/9/2000
P/2000/0910	Substitution of house type on Plot 14,alteration to boundary and access serving Plot 13	Granted	28/11/2000
P/2001/0585	Substitution of house type	Granted	31/8/2001
P/2002/0168	Substitution of house type	Granted	12/4/2002
P/2004/1320	Erection of dwelling and double garage	Granted	1/12/2004
P/2010/0251	Erection of 2 dwellings	Granted	10/6/2010
P/2010/0861	Single storey extension to ground floor and first floor extension over existing living room	Granted	17/11/2010
P/2012/0199	Erection of 2 no. dwellings	Withdrawn	17/5/2012
P/2012/0579	Erection of two dormer bungalows and construction of private access road	Refused	24/10/2012
P/2012/0790	Erection of two dormer bungalows and construction of private access road	Refused	15/1/2013
P/2013/0272	Erection of one dormer bungalows and construction of private access road	Approved	

**REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
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DEVELOPMENT PLAN

Within defined settlement limit. UDP Policies PS1, PS2, PS3, PS4, GDP1, H2, EC4, EC6 and T8 apply. Local Planning Guidance Notes Nos. 17 'Trees and Development', 16 'Parking Standards', 21 'Space around Dwellings' and 32 'Biodiversity and Development' are also relevant.

CONSULTATIONS

Community Council:	Request that the case officer considers: <ul style="list-style-type: none">• Proximity of the woodland;• access road should be to adoptable standards;• development should accord with the street scene in terms of building line and height of units.
Local Member:	Notified 16.10.2013
Public Protection:	No objection subject to recommended conditions
Highways:	No objection subject to recommended conditions (see special considerations below)
Welsh Water:	No objection subject to recommended conditions
NRW:	Consulted 16.10.2013
Site Notice:	Expired 08.11.2013
Other Representations:	2 letters of objection received: <ul style="list-style-type: none">• The number of dwellings could preclude the sub-division of the adjacent piece of land which is currently being considered by the landowner;• The unadopted highway 'Quarry Brow' originally served 16 dwellings. If this application is approved, this will take the total number up to 21 dwellings. Quarry Brow cannot cater for the additional traffic movements.

SPECIAL CONSIDERATIONS/ ISSUES

Background: This is a full application for the erection of 2 no. detached dwellings and associated vehicular access off Quarry Brow. Two previous applications have been refused because of the close proximity to the woodland, and the orientation and design of the buildings. The main issues to consider relate to the impact of the development upon highway safety, visual amenities, and upon the nearby woodland.

Design and Residential Amenity: The site is considered large enough to accommodate the dwellings together with adequate private outdoor space. The buildings have been re-orientated so that the useable garden space is away from the woodland to avoid any excessive shading or over dominance of these areas. The dwellings are of simple design and materials of construction

**REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
6 January 2014**

common to the area are proposed. The dwellings are set in line with the pattern of existing built development and will maintain the scale and coherent street frontage, and the scheme would not be detrimental to the visual amenities of the area.

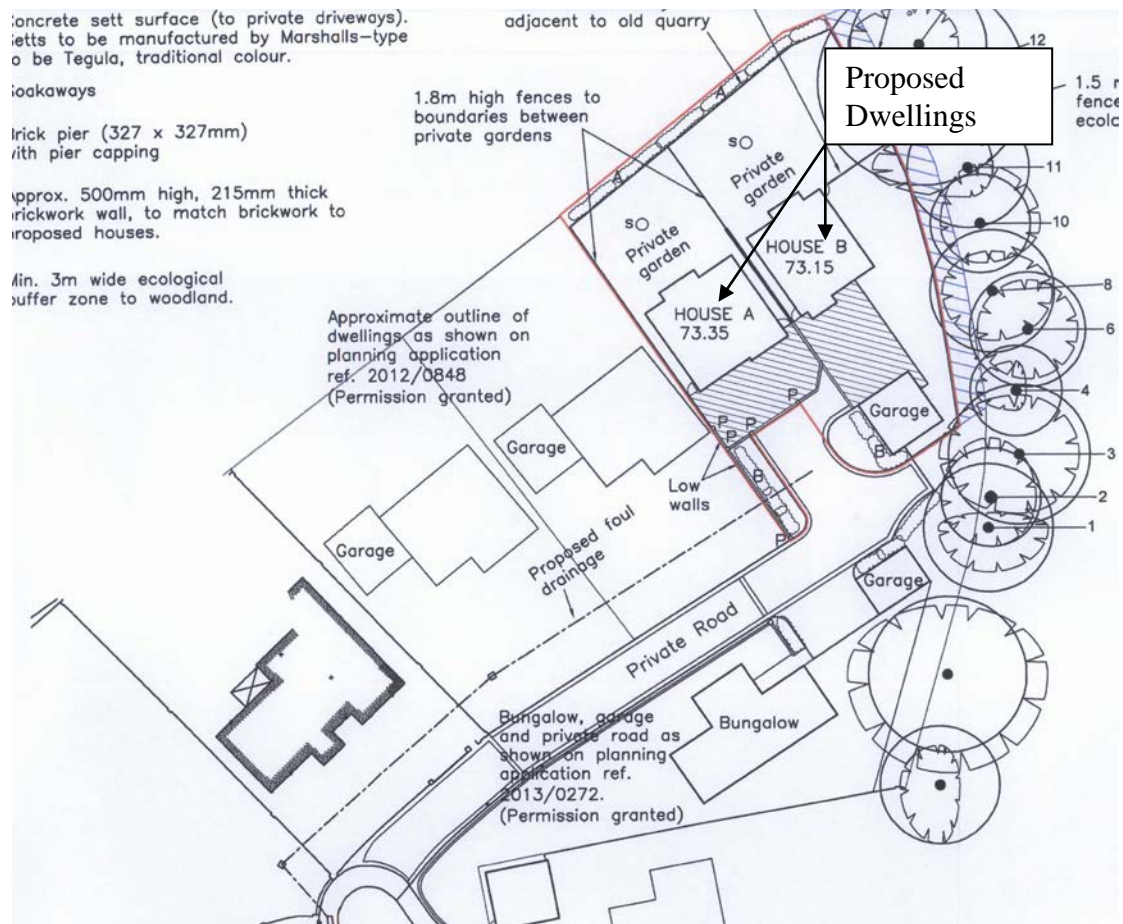


Figure 1. Layout plan showing the 2 no. proposed dwellings together with 3 no. dwellings which already have the benefit of planning permission but have not yet commenced (5 in total)

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 loss of light or privacy would occur.

Highway Access and Parking: The proposed development site is served by an unadopted highway known as Quarry Brow. As this road already serves in excess of 5 no. dwellings, further development would not normally be supported. I note though that Quarry Brow is to be constructed to adoptable standards and dedicated to the Highway Authority. A Grampian condition will be attached to any approval to secure this. The private drive off Quarry Brow is considered adequate to serve the development and the parking provision and turning areas as proposed are also acceptable. The development is therefore acceptable in terms of highway safety.

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
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Trees and Ecology: The site layout has been carefully designed in order to ensure that it would not impact upon the health or stability of the trees in the adjacent woodland which partly overhang the site. A buffer zone has also been designed into the layout which will be fenced off in order to protect the historic flora and fauna in this area. Conditions will be attached to any approval which will protect the buffer areas in the future.

Additional tree works should be undertaken e.g. remedial pruning of the tree works already undertaken on the protected trees by the applicant. A reduction in tree works than that prescribed in the submitted Arboricultural Impact Assessment is also required, and this will be secured by planning condition.

Other Matters: Concerns have been raised that this development will take the number of dwellings to more than (maximum) 5 served off the private driveway leading to Quarry Brow. I do not consider this to be the case as the closest existing (6th) dwelling will continue to be served by Quarry Brow and not by the private driveway. The impact of this development upon the future aspirations of the owner of the adjacent land is not a relevant planning consideration for this application, and any future sub-division of the land to increased unit numbers will be considered on its own merits should such a proposal be formally submitted.

Conclusion: The proposed development is acceptable in terms of scale and design, and would make a positive contribution to the appearance of the area. Adequate onsite parking has been provided together with safe and satisfactory vehicular and pedestrian access. The buffer zone along the site boundary will protect the trees and limit the impact of the development upon the biodiversity value of the site.

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. 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.
3. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3. The development shall be carried out entirely in accordance with the approved assessment and certification
4. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
6 January 2014

minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.

5. Prior to the occupation of the individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.

6. The landscaping scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing no. (033) 01 Rev C within three months of the first use of the development with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use

7. The landscaping scheme as carried out in connection with condition no. 6 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 and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

8. All boundary treatments as detailed on the approved amended site plan ref: (033) 01 Rev C shall be completed in all respect prior to first use of the development hereby approved.

9. The development shall be carried out in strict accordance with the methodology, findings and recommendations contained within the Badger Survey Report as carried out by J W Ecological Ltd referenced 1152B, and dated 14 October 2013 approved as part of this application.

10. 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 extensions or additions to the dwelling as approved shall be erected under Classes A, B, C, D, of Schedule 2 Part 1.

11. 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.

12. 12. The proposed ecological buffer zone as shown hatched in blue on approved amended site plan ref: (033) 01 Rev C shall be fenced off in accordance with the plan prior to commencement of development. This area shall thereafter be retained fenced off clear of any obstruction of any kind. For the avoidance of doubt, the residential curtilage/domestic use shall not extend into this area.

13. 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.

14. Prior to commencement of development, full details for the layout, design, drainage and construction of private driveway leading from Quarry

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
6 January 2014

Brow to the development site have been submitted to and approved, in writing, by the Local Planning Authority. The scheme as is approved shall be fully implemented prior to first use of the development.

15. The vehicular parking and turning areas as shown on approved drawing no (033) 01 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 vehicles at all times.

16. The existing trees, shrubs and hedges shown on drawing(s) No(s). (033) 01 Rev C to be permanently retained shall not be cut down, grubbed out, lopped or uprooted. Any trees, shrubs or hedges removed or being severely damaged or becoming diseased shall be replaced with trees, shrubs or hedging plants of the equivalent size and species.

17. No equipment, machinery, plant or materials of any kind in connection with the development shall be brought onto the site until tree protection fencing and ground protection measures have been implemented in strict accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The details should include specification and location for the fencing. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made.

18. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:

- 1) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2005;
- 2) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
- 3) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
- 4) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
- 5) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
- 6) Method for protecting retained trees during demolition works;
- 7) Details of all proposed tree works, including felling and pruning.

19. The tree protection fencing and ground protection measures approved in connection with condition no. 18 shall be kept in place until all external site works have been completed and the removal of the fencing has been approved in writing by the Local Planning Authority.

20. The following activities should not be carried out under any circumstances:

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
6 January 2014

- 1) No fires should be lit within 10 metres of the nearest point of the canopy of any retained tree.
- 2) No works, including earth works and the bringing onto site of machinery or materials shall proceed until the approved tree protection measures are put in place, with the exception of the approved tree works.
- 3) No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.
- 4) No mixing of cement or use of other materials or substances shall take place within tree root protection areas or tree construction exclusion zones, or close enough to these that seepage or displacement of those materials or substances could cause them to enter tree root protection areas or tree construction exclusion zones.
- 5) No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.
21. No part of the development shall commence until the highway serving the development, known as Quarry Brow, has been formally adopted by Wrexham County Borough Council, and a copy of the relevant adoption agreement has been submitted to and approved in writing by the Local Planning Authority.
22. 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.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
3. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
4. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
5. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
9. In order to protect wildlife interests which are afforded special protection.
10. Due to the restricted application site and its relationship with adjoining properties it is considered important to ensure that no additional development as described in the condition is carried out without the permission of the Local Planning Authority.

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
6 January 2014

11. To protect the amenities of the occupiers of nearby properties.
12. To ensure landscape features are properly considered and protected.
13. In the interests of highway safety.
14. In the interests of highway safety.
15. 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.
16. To ensure the amenity afforded by the trees is continued into the future.
17. To ensure that the retained trees are adequately protected during development in the interests of amenity.
18. To ensure the work is carried out to accepted arboricultural practices for the long term well being of the tree(s).
19. To ensure that the retained trees are adequately protected during development in the interests of amenity.
20. To ensure that hard surfacing does not cause harm to retained trees in the interests of visual amenity.
21. In the interests of highway safety.
22. 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.

NOTE(S) TO APPLICANT

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. 11 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
6 January 2014

construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;

- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The scheme of arboricultural supervision required in connection with condition no. @@ above shall make provision for a pre-commencement site meeting between the Local Planning Authority's Arboriculturist, the Developer/ Applicant/ Agent and their appointed Arboricultural Supervisor to agree matters of detail. It shall specify the frequency of arboricultural monitoring and reporting to the Local Planning Authority on the status of all tree protection measures throughout the course of the development and make provision for the submission and approval of a satisfactory arboricultural completion statement.

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
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APPLICATION NO:
P/2013 /0726

LOCATION:
ACTON GATE AUDIO LTD 4
RUABON ROAD WREXHAM
LL13 7PB

DATE RECEIVED:
23/10/2013

COMMUNITY:
Offa

DESCRIPTION:
CHANGE OF USE FROM RETAIL
(USE CLASS A1) TO TAKE-AWAY
SHOP (USE CLASS A3)

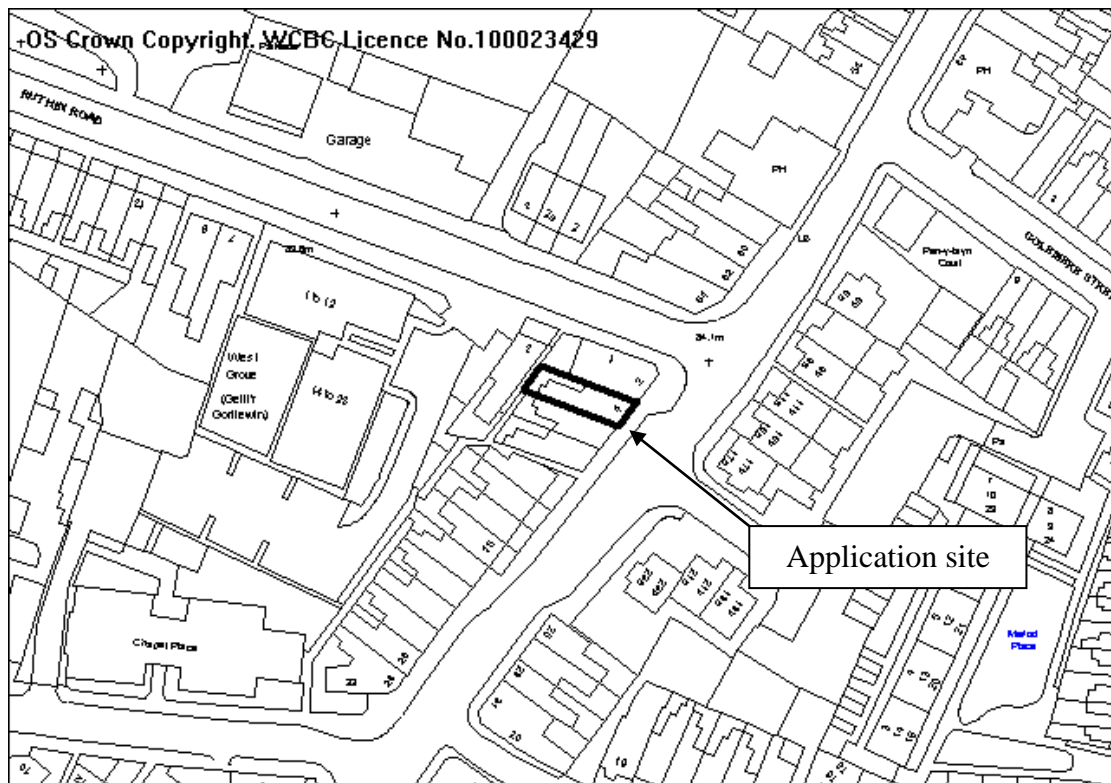
CASE OFFICER:
MP

WARD:
Offa

APPLICANT(S) NAME:
MR BEKIR BOZLAK

AGENT NAME:
ARCH PLANNING AND
LICENSING
MR A. ENDER CEMGIL

THE SITE



PROPOSAL

As above.

HISTORY

No recent history.

**REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
6 January 2014**

DEVELOPMENT PLAN

Within settlement limit and Penybryn District Shopping Centre. Policies GDP1, S5 and T8 apply.

Local Planning Guidance Note 9 Hot Food Takeaways is also relevant.

CONSULTATIONS

Community Council:	No objection.
Local Member:	Notified 25.10.13
Highways:	No objections on highways grounds.
Public Protection:	Recommend conditions requiring ventilation/odour control measures and a condition to limit the noise of that equipment.
NRW:	Low environmental risk.
Welsh Water:	Consulted 25.10.13
Site Notice:	Expired 20.11.13
Other Representations:	2 objections expressing the following concerns: <ul style="list-style-type: none">- vandalism;- vermin;- parking problems;- noise – it would be a gathering point;- fire safety.

SPECIAL CONSIDERATIONS

Policy: There are no specific UDP policies dealing with new A3 uses however policy GDP1 requires all new development to ensure convenient pedestrian and vehicular access to the site and ensure the amenity of the public. Policy T8 requires parking spaces to be provided for development in accordance with the Council's adopted standards.

Local Planning Guidance Note 9 provides guidance on locations where hot food takeaways should not be located and areas where they may be acceptable. Of direct relevance to this application is the advice that;

- i) hot food takeaways should not be located within 400 metres of the boundary of a school; and
- ii) hot food takeaways may be acceptable within non-principle shopping streets in the town centre and district shopping centers.

No specific guidance is provided where the town centre or district shopping centres lie within 400 metres of schools.

**REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
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Proximity to schools

The site is within 400m of 3 primary schools: St Giles Primary School, Poplar Road, St Mary's Catholic School, Lea Road and Victoria School, Poyser Street but is also within the Penybryn District Shopping Centre. District shopping centres are appropriate locations for a mix of retail and other commercial uses including hot food takeaways. Having a blanket restriction on this type of use would be overly restrictive.

Each of the schools referred to above is already 400 metres of one or more takeaways. It is therefore doubtful whether refusing permission for this development would have significant impact in terms of limiting children's access to takeaways.

Vitality and Viability of the District Shopping Centre.

Policy S5 only seeks to prevent changes of use within district shopping centres where they adversely affect vitality and viability. There are currently only 2 other hot food takeaways within the Pen y Bryn district shopping centre. The application site is around 40 metres from one and 93m and on the opposite side of the road to the other. The proposals will not result in an overconcentration of this type of use in within the district shopping centre so as to detract from its vitality and viability.

Amenity: Despite being in a district centre and adjoined by other commercial premises there are also residential properties opposite, adjoining and to the rear of the site as well as flats above adjoining commercial premises.

The submitted plans include proposals for odour control measures and an air extraction system that will be vented via an external flue at the rear of the building. I am satisfied that the position of this equipment should adequately control the impact of cooking odours so they do not adversely impact upon nearby occupiers. The associated fan equipment will be inside the building so should not give rise to excessive noise.

I appreciate that this type of use can generate a degree of noise during the evenings as a result of customers arriving to pick up orders. However the site is on a main vehicular and pedestrian route to/from Wrexham town centre and is only 50 metres from a public house so there will already be a reasonable amount of activity in the immediate vicinity during the evenings. I do not believe the proposals will significantly increase the level of this activity to an extent that it will prove harmful to residential amenity.

The applicant has proposed opening hours of 3pm to 11pm Monday-Saturday and 3pm-10.30 pm on Sundays. These hours accord with LPG9 advice for sites in district shopping centres where there is housing adjacent to or close to the site.

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Appearance: The external flue for the extraction system will be discreetly located and will not impact upon the wider street scene. No other changes to the external appearance of the building are proposed.

Parking: LPG16 would allow a maximum of 4 spaces for the existing use and 3 spaces for the proposed use. There are short stay parking bays/lay bys in front of and opposite the site on Ruabon Road as well as around the corner on Ruthin Road. These should be adequate to accommodate parking requirements arising from the development. I note Highways have no objections and as such I am satisfied the proposals will not give rise to parking or highway safety problems in the locality.

Other Matters:

Vandalism

I have no reason to believe that takeaways give rise to significantly higher level of vandalism than other uses.

Vermin

Control of vermin is outside of the scope of planning control. In any case, effective management of the site and proper disposal of waste should minimise the risk of the development giving rise to vermin problems.

Fire Safety

It is for the site owner/operator to take adequate precautions in respect of fire safety.

Conclusion: The development accords with UDP policies.

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 use hereby granted permission shall not commence until equipment for the ventilation, extraction and dispersal of cooking odours shown on approved drawings nos. 13.0174.01 Revision B, 13.0174.02 Revision B, 13.0174.03 and 13.0174.04 has been fully installed and made operational. The equipment shall thereafter be permanently retained in an operational condition.
3. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at the nearest noise sensitive premises, and measurements and assessment shall

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
6 January 2014

be made in accordance with BS4142:1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

4. The use hereby permitted shall not be open to customers outside the hours of 15.00 to 23.00 Monday to Saturday and 15:00 to 22:30 on Sundays.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To protect the amenities of the occupiers of nearby properties.
3. To protect the amenities of the occupiers of nearby properties.
4. To protect the amenities of the occupiers of nearby properties.

NOTE(S) TO APPLICANT

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
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APPLICATION NO:
P/2013 /0759

LOCATION:
TYN Y CWM PENDWLL ROAD
MOSS WREXHAM
LL11 6EU

DATE RECEIVED:
05/11/2013

COMMUNITY:
Broughton

DESCRIPTION:
OUTLINE APPLICATION FOR
DEMOLITION OF EXISTING DOUBLE
GARAGE, ERECTION OF NEW
DWELLING WITH DOUBLE GARAGE
AND REPLACEMENT DOUBLE
GARAGE TO EXISTING DWELLING

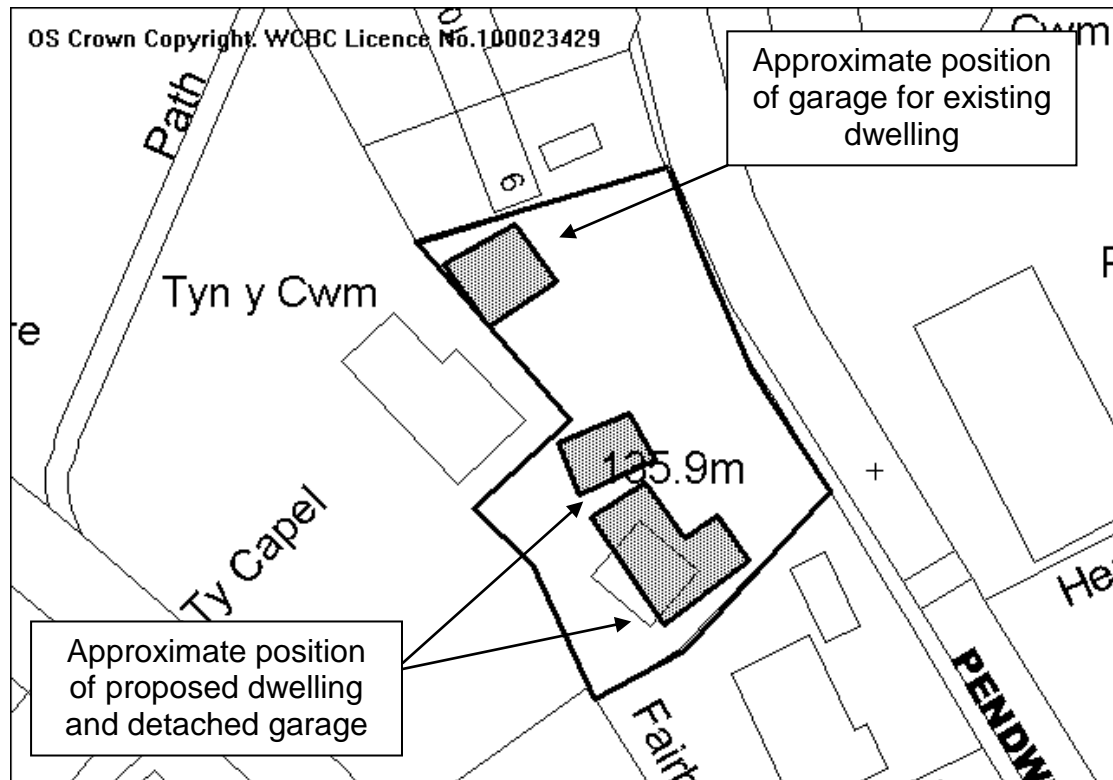
CASE OFFICER:
MP

WARD:
Bryn Cefn

AGENT NAME:
HDS ARCHITECTURAL
SERVICES
MR CARL HUGHES

APPLICANT(S) NAME:
MR DAVID SMYTH

THE SITE



REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
6 January 2014

PROPOSAL

Outline permission is sought. Approval for access and layout is sought at outline permission stage, with appearance, landscaping and layout reserved for subsequent approval.

HISTORY

P/2013/0536 Outline application for demolition of existing double garage and erection of 2 no. dwellings and associated parking. Refused 17.9.2013.

DEVELOPMENT PLAN

Within settlement. Policy GDP1, H2, EC4 and T8 apply.

CONSULTATIONS

Community Council:	Consulted 7.11.13
Local Member:	Notified 7.11.13
Public Protection:	Recommend condition in respect of working hours for construction and advisory notes in respect of the impact of construction.
Highways:	Recommends conditions
Welsh Water:	Recommend drainage conditions.
NRW:	It is unlikely the structure to be altered will accommodate bats however their presence cannot be ruled out. Therefore the following should be taken into account to ensure no hibernating/resting bats are disturbed or injured; <ul style="list-style-type: none">- roofing materials removed with care by hand;- door and window frames removed with care;- internal structure members removed with care;- should bats be discovered at any stage, all works should stop and NRW contacted for further advice. The development as proposed is not likely to have an adverse impact on the interests referred to above. NRW does not object.
Site Notice:	Expired 3.12.13
Other Representations:	2 objections expressing the following concerns: <ul style="list-style-type: none">- impact on the character of the area- removal of well established trees and plants;- potential for the plot to look crowded;- noise from an access serving two dwellings;- increase in traffic and impact upon highway safety;

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- Permission P/2006/1054 does not set a precedent because it was not on Pendwll Road;
- Accesses will take away space for on-street parking;
- Increase in vehicles parking on the road;
- Safety of accesses due to steepness and lack of turning provision;
- Overdevelopment;
- Overlooking;
- Loss of light;
- Over dominance;
- Flooding – potential spring crossing the site and loss of soak away area;
- Noise;
- Ground stability/land slippage;
- Location of development will require car usage rather than public transport;
- Over development;
- 2 houses on Pendwell Road are unoccupied suggesting it is difficult to sell houses in the area. New development may exacerbate the problem, and the subsequent impact upon community safety.

SPECIAL CONSIDERATIONS

Background: An application seeking outline permission to erect 2 dwellings on the site was refused in September on the grounds that the development would have looked cramped and detracted from the character of the area. This application seeks to address the reason for refusal by reducing the development to 1 dwelling.

Policy: This is an unallocated site within the settlement limit. Policy H2 permits residential development on such sites subject to developments also according with policy GDP1.

There is no requirement for the applicant to prove a need for the development. Whilst representations have been received that refer to difficulties in the ability to sell other nearby dwellings this is not material consideration. All property development proposals present applicants/developers with a degree of risk and it is a private matter for them to determine whether the potential returns outweigh those risks. It is only necessary for the Council, as Local Planning Authority, to consider the planning merits of a proposal.

Layout/design: The existing dwelling is set within a considerably larger plot (over 700 sq.m) than most neighbouring properties, is set back around 20m from the Pendwll Road and has a floor level in the region of 6m higher than it. Existing trees and hedges largely obscure views of the dwelling from Pendwll

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Road. As such the site appears as a large gap in the otherwise continuous built frontage along the site west side of the road.

The proposed dwelling and its garage will be set back a similar distance from the highway to the dwellings immediately to the south and will be of a comparable width. As such it will not look be unduly prominent or at odds with the general character of the street.

The replacement garage for the existing dwelling will sit between it and the road and have a finished floor level nearly 3 metres above the level of the road. This arrangement is not dissimilar to some other properties to the south and will not result in the garage being an inappropriate intrusion into the street scene.

The sloping driveways proposed for the new dwelling and existing dwelling are characteristic of the dwellings immediately to the south and will not detract from the wider street scene.

All but one of the existing trees in front of the new dwelling will be removed. The trees are of low quality and their removal will not result in significant harm to the character to the area particularly as relatively open frontages predominate on Pendwell Road.

The trees in front of the existing dwelling, which are all of moderate quality, will be retained. The trees will provide a degree of screening of the replacement garage. Protection measures will be required whilst works to erect the new garage take place.

Amenity: The dwelling will not prove overbearing or result in significant loss of light to main windows of nearby dwellings.

Because the design of the property is reserved for subsequently approval the position of the windows serving habitable rooms is not yet known. Nevertheless I would anticipate that main windows will face east (front) and west (rear) facing so will not unacceptably overlook Fairholme to the south.

There is a dwelling directly opposite the site that is already overlooked so some extent by Fairholme as well as from Pendwell Road itself. Whilst I appreciate the proposed dwelling will be located on higher ground it will not significantly increase the existing overlooking to the extent that the standard of privacy afforded to its occupiers is unacceptably compromised.

The position of the replacement garage for the existing dwelling will not prove prejudicial to the standard of amenity afforded to the occupiers of no.9 Pendwell Road.

I have no reason to believe a single dwelling will give rise to additional noise either as a result of its occupiers or the modest additional level of traffic that the development will generate. The impact of construction can be mitigated

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by limiting the hours of work and by careful site management – conditions and advisory notes will be attached dealing with these matters.

Access and Parking: The existing access to the site will be widened and altered so as to provide access to two separate but parallel driveways to the new dwelling and to Tyn Y Cwm. Adequate visibility is achievable.

Both driveways will have a relatively steep gradient typical of other dwellings on the west side of Pendwell Road. I am unaware that causes any particular safety issues.

Pendwell Road is an unadopted highway that is in a well maintained condition and whilst is generally of adequate width to permit two vehicles to pass simultaneously does have narrower sections. It also lacks pedestrian footways. Nevertheless the road already serves 30 dwellings and it is unlikely the relatively modest increase in traffic associated with one additional dwelling will have a significant and detrimental impact upon highway safety.

The proposed driveways will not provide turning areas. Whilst the ability to turn within a site is always desirable they are only normally necessary where sites are accessed off particularly busy classified roads. Pendwell Road is a comparatively lightly trafficked unclassified, unadopted road where traffic speeds are generally slow. A number of the driveways serving other dwellings, including sloping driveways, also lack turning facilities and I am unaware of that this causes any particular problems. Accordingly I am satisfied that the lack of on-site turning will not give rise to significant highway problems in this instance.

I note that concern has been expressed that alterations to the site access will prevent vehicles parking in front of the site on the highway. There are no dedicated parking spaces in front of the site and any parking that does take place is of an informal nature. The submitted plans demonstrate that both the new dwelling and existing dwelling will have adequate parking so I have no reason to believe the development will give rise to a significant increase in on-street parking either in front of the site or elsewhere along Pendwell Road.

Slope Stability: Concerns have been expressed about the impact the development will have on the stability of the site. I am aware that the site has experienced a land slip in the past and that retaining walls have previously been erected towards the rear of the site to stabilise the site.

Whilst I fully appreciate the concerns of nearby residents it is for the applicant or a future developer to secure the stability of the site during and after construction. I have no reason to believe that there is not an engineering solution to ensure the stability of the site and the proposed dwelling as well as to protect nearby dwellings.

Watercourse: Natural Resources Wales have not raised any concerns in respect of watercourses nor do I have any records to suggest there are

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springs or watercourses crossing the site. It will be for the applicant or a future developer to thoroughly assess ground conditions before starting building works and to take full account of site drainage requirements. A scheme of surface water drainage will be required by condition.

Conclusion: The development accords with UDP policies.

RECOMMENDATION: That permission be **GRANTED**

CONDITION(S)

1. Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced:
 - a. the scale of the building(s)
 - b. the appearance of the building(s)
 - c. the landscaping of the site
2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
3. The development hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
4. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3. The development shall be carried out entirely in accordance with the approved assessment and certification
5. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.
6. Prior to the occupation of the individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.
7. The site shall be developed in accordance with the ground and / or floor levels indicated on the approved plans. No changes to floor levels or external ground levels shall be made without the prior written approval of the Local Planning Authority.
8. 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

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shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:

- 1) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2005;
- 2) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
- 3) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
- 4) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
- 5) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
- 6) Method for protecting retained trees during demolition works;
- 7) Details of all proposed tree works, including felling and pruning.
9. 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.
10. The vehicular parking and turning areas as shown on approved drawing(s) No(s). DS-02 Revision 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 vehicles at all times.
11. Prior to first use of the development hereby granted permission, both vehicular accesses shown on approved drawing no. DS-02 Revision A 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.
12. 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.
13. 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.
14. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday.
15. 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 gate, fence, wall or other means of enclosure shall be erected, constructed or placed across the

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accesses within 5 metres of the highway boundary under Class A, of Schedule 2 Part 2.

REASON(S)

1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012
2. To comply with Section 92 of the Town and Country Planning Act, 1990.
3. To comply with Section 92 of the Town and Country Planning Act, 1990.
4. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
5. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
6. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
7. To ensure that the development fully complies with the appropriate policies and standards.
8. To ensure the work is carried out to accepted arboricultural practices for the long term well being of the tree(s).
9. 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.
10. 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.
11. To ensure that adequate visibility is provided at the proposed point of access to the highway.
12. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.
13. In the interests of highway safety.
14. To protect the amenities of the occupiers of nearby properties.
15. In the interests of highway safety.

NOTE(S) TO APPLICANT

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

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

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Complaints and legal action may be taken where appropriate.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

Your attention is drawn to Highway Supplementary Notes Numbered 1, 3, 4 and 5 on the enclosed "Applicants' Rights and General Information".

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.

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- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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APPLICATION NO:
P/2013 /0771

LOCATION:
LAND ADJOINING AND TO THE
SOUTH OF BALDRUMMA 87
WYNNSTAY LANE MARFORD
WREXHAM
LL12 8LH

DATE RECEIVED:
06/11/2013

COMMUNITY:
Gresford

CASE OFFICER:
MP

WARD:
Marford & Hoseley

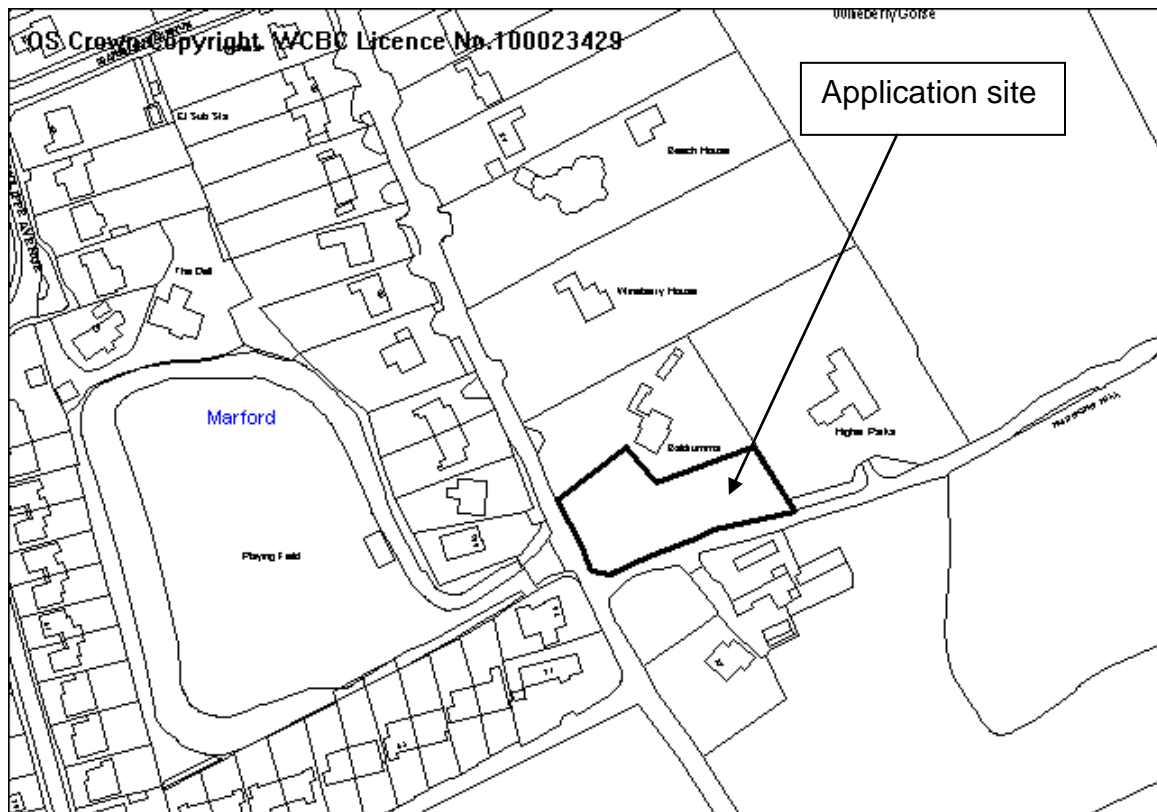
DESCRIPTION:
ERECTION OF FIVE BEDROOM
DWELLING WITH DOUBLE GARAGE

AGENT NAME:
MR LEE WARBURTON

APPLICANT(S) NAME:
MR LEE WARBURTON

THE SITE

The application site forms part of the extensive garden of no.87 Wynnstay Lane, Marford. The application site comprises the southern half of the plot and has frontages on both Wynnstay Lane and Hudsons Hill.



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PROPOSAL

As above.

HISTORY

Application site:

- WRDC/5931 Erection of 1 detached bungalow and garage. Refused 25.3.1971. Appeal dismissed 22.2.1972.
- ALL/4022 Erection of dwelling and construction of new vehicular and pedestrian access. Refused 29.6.78.
- MAH/10649 Erection of detached house, construction of new pedestrian access and alteration to existing vehicular access. Refused 26.11.85
- GRE/23486 Erection of dwelling and construction of new vehicular access. Refused 31.7.1995
- P/2011/0875 Erection of single storey dwelling. Granted 17.2.2012.

DEVELOPMENT PLAN

Within settlement. Policies GDP1, EC4, H2 and T8 apply.

CONSULTATIONS

- | | |
|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Community Council: | Consulted 13.11.13 |
| Local Member: | Notified 13.11.13 |
| Public Protection: | Recommend condition in respect of working hours for construction and advisory notes in respect of the impact of construction. |
| Highways: | Recommend conditions. |
| Welsh Water: | Recommend drainage conditions. |
| Environment Agency: | Standard advice applies. |
| Site Notice: | Expired 12.12.13 |
| Other Representations: | 1 representation expressing the following concerns: <ul style="list-style-type: none">- loss of amenity as a result of the change of planning application previously granted on this site for a 2 bedroom bungalow to the new application for a 5 bedroom two storey house;- the revised application regarding the frontage of the property and the condition to pull the front hedge back by 2 metres to the junction with Hudsons Hill and limit the height of any shrubbery to 1 metre maximum;- The overall aspect of the area means that the trees currently on the boundary are an important character consideration and it should |

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- be a condition for any application that is considered;
- If the current trees are removed replacement of significant trees is made a condition for the new application. This would preserve the overall look of the area and the boundary with our property.

SPECIAL CONSIDERATIONS

Policy: The site lies within the settlement and is not allocated for any specific use/development nor are there any policies which afford the gardens of existing dwellings specific protection. In accordance with policy H2, there is no objection in principle to the development. The also benefits from planning permission for the erection of a dwelling, albeit a much smaller property than the one proposed. It is therefore only necessary to consider whether merits of the current proposal in so far as they differ from the extant permission.

Layout and Design: The general character of the eastern side of Wynnstay Lane comparatively large dwellings set back some distance from the highway within large plots of land.

Whilst being considerably larger than dwelling previously granted permission the dwelling now proposed will only occupy around 10% of the plot. It will be set back 20 metres from the boundary with Wynnstay Lane, there will be a gap of 13m between it and Baldrumma and a gap of 5 metres between it and the southern boundary of the site with Hudsons Hill. With the exception of hard standings for parking and turning the remainder of the plot will be garden. The proposals therefore accord with the general form and character of development to the north.

The proposed 5 bedroom two storey house will inevitably be more prominent than the bungalow previously granted permission. However its scale, form and appearance reflect the general character of properties found elsewhere along Wynnstay Lane.

Trees: Most of the trees within the site have been removed and those that remain are of relatively low quality. Tree removal was accepted when the previous planning permission was granted subject to a condition that a scheme of compensatory planting was implemented. I remain of the opinion that the character of the site will benefit from tree planting to compensate for the loss of the trees that have been removed. A condition requiring the submission, approval and implementation of a tree planting scheme will be imposed.

Amenity: The position of the dwelling will ensure that there is adequate separation between it and nearby properties thus it will not give rise to loss of light, privacy nor prove overbearing.

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The dwelling will have a significant curtilage and therefore affords future occupiers with an acceptable standard of amenity.

Access/Parking: The proposed access arrangements are acceptable. Visibility to the north crosses the frontage of Baldrumma which is now in separate ownership to the application site. Whilst I would normally require a Planning Obligation to secure a splay crossing land outside of an applicant's ownership I do not consider it necessary in this instance.

The previous permission was granted when the application site and Baldrumma were in the same ownership and is also subject to a condition requiring a visibility splay that crossed the frontage of the latter. The provision of the splay was secured via the terms of the sale of the application site to the applicant. The land required to provide the splay forms part of this application and the appropriate notice has been served on the owners of Baldrumma by the applicant to inform them of this. The owners/occupiers of Baldrumma were also notified by the Council about the planning application. I have not received any representations to suggest that they are unwilling to allow the splay to be provided and maintained.

The previous planning permission was subject to a condition requiring the access to be moved further towards the junction of Wynnstay Lane and Hudson's Hill. In doing so, the provision of visibility splays for the site access would have also improved visibility at the junction of Wynnstay Lane and Hudson's Hill.

The current proposals show the site access in the same position as the one originally proposed for the previous development. However the applicant has proposed to remove the boundary hedge between the site access and Hudson's Hill and to maintain a 2 metre wide verge thus significantly improving visibility for drivers existing Hudson's Hill onto Wynnstay Lane.

The proposed dwelling will have adequate space for parking and turning.

Conclusion: I am satisfied that the proposed development accords with the relevant Unitary Development Plan policies.

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. 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.
3. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1

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credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3. The development shall be carried out entirely in accordance with the approved assessment and certification

4. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.

5. Prior to the occupation of the individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.

6. Within three months of the date of commencement of development a scheme of tree and hedge planting shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i) details of the position and species of trees to be planted within the garden areas of the dwelling; and
- ii) the planting specification of a hedge that shall be planted along the full length of the site frontage set back behind the visibility splays required by conditions 10 and 11.

The tree and hedge planting scheme shall thereafter be implemented in full during the first planting season (November to March) following the first occupation of the dwelling.

7. The landscaping scheme as carried out in connection with condition no. 06 shall be retained for a minimum of 5 years. Within this timescale, 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 and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

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. Prior to the first occupation of the dwelling hereby granted permission all obstructions to visibility in excess of 1 metre in height above the level of the carriageway of Wynnstay Lane within 2 metres of the boundary of the highway shall be completely removed along the full length of the site frontage between the site access and the junction of Wynnstay Lane and Hudsons Hill. Thereafter nothing exceeding that height shall be erected or allowed to grow within that area.

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10. 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.
11. The vehicle and parking areas shown on the approved Block Plan shall be laid out, surfaced and drained prior to the first occupation of the dwelling. These areas shall thereafter be permanently retained and kept free of any obstruction, and made solely available for the parking and turning of vehicles at all times.
12. Prior to first use of development a verge crossing to the site shall be constructed in strict accordance with a scheme which has been submitted 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.
14. 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 gate, fence, wall or other means of enclosure shall be erected, constructed or placed across the access within 5 metres of the highway boundary under Class A, of Schedule 2 Part 2
15. Measures to prevent vehicles from parking, manoeuvring or driving within the visibility splays required by condition 08 shall be implemented prior to the first occupation of the dwelling in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. The measures shall thereafter be permanently retained.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
3. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
4. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
5. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 5 (2012))
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
8. To ensure that adequate visibility is provided at the proposed point of access to the highway.
9. To ensure that adequate visibility is provided at the proposed point of access to the highway.
10. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.

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11. 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.
12. In the interests of highway safety.
13. To protect the amenities of the occupiers of nearby properties.
14. In the interests of highway safety.
15. In the interests of highway safety.

NOTE(S) TO APPLICANT

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

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 deemed necessary, and failure to comply with such a Notice can result in prosecution. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The hedge planting scheme required by condition 06 shall comprise of the following: 80 -100cm high bare root transplants - common hawthorn (70%), blackthorn (10%), hazel (10%), and holly (3litre container) planted within a double staggered row at 30cm intervals (5 plants/ linear m), with spiral rabbit

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guards, support canes and 1m wide hessian weed control roll with anchor pegs.

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

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The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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LIST OF DELEGATED DECISIONS ISSUED

BRO P/2012/0523 GRANTED on 09/12/2013	GATEWEN VILLAGE GATEWEN ROAD NEW BROUGHTON WREXHAM LL11 6YP	VARIATION ON CONDITION NO. 9 OF OUTLINE PLANNING PERMISSION P/2008/0790 TO REDUCE THE AMOUNT OF ON-SITE AFFORDABLE HOUSING
BRO P/2013/0277 WITHDRAWN on 29/11/2013	LAND SOUTH OF NOS 3 AND 4 CASTLETOWN ROAD MOSS WREXHAM LL11 6DW	ERECTION OF DWELLING AND FORMATION OF VEHICULAR ACCESS
COE P/2013/0605 GRANTED on 03/12/2013	OUTBUILDINGS AT THE BARN HIGHER BERSE HIGHER BERSE ROAD SOUTHSEA WREXHAM LL11 6PW	CONVERSION OF OUTBUILDINGS TO PROVIDE TWO RESIDENTIAL DWELLINGS
RUA P/2013/0610 GRANTED on 25/11/2013	RUABON PUBLIC PROTECTION OFFICE HIGH STREET RUABON WREXHAM LL14 6BL	APPROVAL OF DETAILS OF PRIOR NOTIFICATION TO DEMOLISH RUABON PUBLIC PROTECTION OFFICE AND PUBLIC CONVENIENCE
COE P/2013/0611 GRANTED on 25/11/2013	TELE COTTAGE AND OLD COOKERY BUILDING TABOR HILL COEDPOETH WREXHAM LL11 3RU	APPLICATION FOR PRIOR NOTIFICATION TO DEMOLISH TELE-COTTAGE AND OLD COOKERY BUILDING
WRA P/2013/0621 GRANTED on 28/11/2013	22 THE TRIANGLE WREXHAM LL13 9NJ	CROWN RAISE ONE OAK TREE (T1) PROTECTED BY TREE PRESERVATION ORDER WCBC 64 BY REMOVING 6 BRANCHES AS SHOWN ON SUBMITTED PHOTOGRAPHS
LLR P/2013/0645 GRANTED on 11/12/2013	THE HAWTHORNS TOWER HILL ACREFAIR WREXHAM LL14 3UE	ERECTION OF STORE TO ANNEXE FOR STORAGE OF GARDEN EQUIPMENT
RUA P/2013/0650 GRANTED on 09/12/2013	GLEN OFFA PEN Y GARDDEN RUABON WREXHAM LL14 6RE	REMOVE ONE SYCAMORE TREE PROTECTED BY TPO WMBC NO 13
BRY P/2013/0669 GRANTED on 03/12/2013	KARLAIRE BRYMBO ROAD BWLCHGWYN WREXHAM LL11 5UA	RELOCATION OF EXISTING APPROVED ACCESS INTO SITE (PREVIOUSLY APPROVED UNDER CODE NO. P/2011/0330)
WRO P/2013/0673 GRANTED on 22/11/2013	8 FFORDD HENDRE WREXHAM LL13 7EZ	REMOVE 4 ASH (T1, T12, T13, T14) 4 SYCAMORES (T7, T8, T9, T10) AND 1 ELM (T3) REDUCE CROWN BY 1 METRE AND REDUCE BACK FROM HEDGE 3 HOLLIES (T2, T4, T5) RAISE CROWN BY 5 METRES FROM 2 SYCAMORES (T6, T15) REMOVE TWO LOWEST BRANCHES GROWING TOWARDS THE EAST FROM 1 SYCAMORE (T11) TREES PROTECTED BY TPO WMBC 156
CHI P/2013/0674 GRANTED on 22/11/2013	ST MARYS CHURCH CHURCH STREET CHIRK WREXHAM LL14 5HD	PRUNE SIDE OF CROWN FROM CHURCH TO APPROXIMATE EDGE OF FOOTPATH PRUNE SIDE OF CROWN BACK FROM OVERHEAD CABLES TO ACHIEVE 2-3 METRES CLEARANCE AND PRUNE BACK FROM STREET LIGHT TO ACHIEVE 2 METRE CLEARANCE FROM 1 YEW (T1) PROTECTED BY CHIRK CONSERVATION AREA
GWE P/2013/0678 GRANTED on 03/12/2013	MCCARTHY DISTRIBUTION GRESFORD INDUSTRIAL PARK GRESFORD WREXHAM LL12 8LX	CONSTRUCTION OF PORTAL FRAME CANOPY COVERING PART OF EXISTING SERVICE YARD
WRA P/2013/0679 GRANTED on 04/12/2013	22 ACTON GARDENS WREXHAM LL12 8DD	SIDE EXTENSION
HOL P/2013/0687 GRANTED on 22/11/2013	HILLCREST GREEN STREET HOLT WREXHAM LL13 9JF	FELL 1 CONIFER (T1) AND REPLACE WITH A FRUIT TREE AND CROWN REDUCE 1 HAWTHORN (T2) BY 3 METRES, TREES PROTECTED BY HOLT CONSERVATION AREA
PEN P/2013/0691 GRANTED on 22/11/2013	6 BRYN Y COED COPPERAS HILL PENYCAE WREXHAM LL14 2EG	REMOVE 1 BRANCH AS SHOWN AT POINT A , PRUNE BACK 1 BRANCH BACK TO POINT B, AS SHOWN IN THE SUBMITTED PHOTOGRAPH REF NO 001 FROM 1 ASH TREE (T1) PROTECTED BY TPO WMBC NO 27

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WRR P/2013/0692 GRANTED on 25/11/2013	11 GROSVENOR ROAD WREXHAM LL11 1BS	CROWN RAISE AND REDUCE BACK HOLLIES (T1, T2 AND T3) AND PRUNE BACK 1 APPLE TREE (AT1) TO THE POINTS DETAILED ON THE SUBMITTED PHOTOGRAPHS AND PRUNE BACK 1 APPLE TREE. TREES PROTECTED BY GROSVENOR ROAD CONSERVATION AREA
MAE P/2013/0693 GRANTED on 25/11/2013	PLOT 85 HENKA ROAD PENLEY WREXHAM LL13 0QE	REMOVE EPICORMIC GROWTH FROM BASE OF TREE AND CROWN RAISE LOWEST WHORL OF BRANCHES FROM 1 SYCAMORE (SHOWN ON PLAN AT EASTERN MOST TREE) PROTECTED BY TPO NO WCBC NO 87
WRA P/2013/0695 GRANTED on 25/11/2013	ASDA STORES LTD HOLT ROAD WREXHAM LL13 8HL	HAND CAR WASH INCLUDING CABIN AND CANOPY
WRR P/2013/0698 GRANTED on 25/11/2013	THE ELIHU YALE 44 TO 46 REGENT STREET WREXHAM LL11 1RR	INSERTION OF TWO NEW WINDOWS TO RE-DESIGNED STAFF ROOM AREA
BAN P/2013/0700 GRANTED on 04/12/2013	12 FRIARS COURT BANGOR ON DEE WREXHAM LL13 0AT	EXTENSION TO FORM PORCH, GROUND FLOOR WC AND STORE.
HOL P/2013/0701 REFUSED on 25/11/2013	WHITE ROSE COTTAGE WREXHAM ROAD HOLT WREXHAM LL13 9YU	TWO STOREY EXTENSION TO SIDE OF EXISTING COTTAGE TO FORM ANNEX ACCOMMODATION FOR SOLE USE IN CONNECTION WITH WHITE ROSE COTTAGE
WRC P/2013/0709 GRANTED on 11/12/2013	REGENT HOUSE OF FLOWERS 7 TO 8 CHARLES STREET WREXHAM LL13 8BT	SUB-DIVISION OF EXISTING RETAIL UNIT INTO TWO SEPARATE UNITS INCLUDING REAR EXTENSION TO NO. 7
WRA P/2013/0710 REFUSED on 11/12/2013	15 GARDEN COURT GARDEN VILLAGE WREXHAM LL11 2SQ	ERECTION OF DOUBLE GARAGE AND ASSOCIATED EXTERNAL WORKS
WRC P/2013/0711 GRANTED on 25/11/2013	UNIT B1B EAGLES MEADOW SHOPPING CENTRE WREXHAM LL13 8DG	SUB-DIVISION AND CHANGE OF USE FROM SHOP (CLASS A1) TO FINANCIAL AND PROFESSIONAL SERVICES (CLASS A2)
ROS P/2013/0712 GRANTED on 11/12/2013	ROSSETT DENTAL SURGERY STATION ROAD ROSSETT WREXHAM LL12 0HE	VARIATION OF CONDITION 02 OF PLANNING PERMISSION CODE NO P/2013/0042 TO ALLOW FOR THE INSTALLATION OF ADDITIONAL WINDOWS
GRE P/2013/0713 REFUSED on 11/12/2013	FAIRFIELD FARM BARKERS LANE BORRAS WREXHAM LL13 9TP	OUTLINE APPLICATION FOR NEW DWELLING
ISY P/2013/0715 GRANTED on 25/11/2013	UNIT 1 MARLBOROUGH BUSINESS CENTRE MARLBOROUGH ROAD WREXHAM INDUSTRIAL ESTATE WREXHAM LL13 9RJ	DEMOLITION AND RE-INSTATEMENT OF LEAN-TO STORE
RHO P/2013/0717 GRANTED on 25/11/2013	91 BANK STREET PONCIAU WREXHAM LL14 1EW	EXTENSION AND INTERNAL ALTERATIONS
WRO P/2013/0718 GRANTED on 11/12/2013	71 PERCY ROAD HIGHTOWN WREXHAM LL13 7ED	SUN ROOM TO REAR, ERECTION OF DOUBLE GARAGE, PITCH ROOF TO PORCH AND GENERAL ALTERATIONS TO EXISTING HOUSE
WRC P/2013/0719 REFUSED on 11/12/2013	REAR OF 125 AND 127 KINGSMILLS ROAD WREXHAM LL13 8NW	ERECTION OF DETACHED BUNGALOW
ROS P/2013/0720 GRANTED on 11/12/2013	BURTON HALL BURTON HALL ROAD BURTON ROSSETT WREXHAM LL12 0AR	INSTALLATION OF ADDITIONAL PLANT BY PROVISION OF BELOW GROUND SLURRY STORE
WRC P/2013/0721 GRANTED on 11/12/2013	60 CHESTER STREET WREXHAM LL13 8BA	CHANGE OF USE FROM A1 (RETAIL) TO D1 (NON-RESIDENTIAL INSTITUTION)
ROS P/2013/0722 GRANTED on 18/12/2013	THE DARLAND DARLAND LANE ROSSETT WREXHAM LL12 0BA	CHANGE OF USE OF PART OF REDUNDANT BARN TO ONE RESIDENTIAL DWELLING RETAINING REMAINING AREA AS INCIDENTAL USE TO THE MAIN FARMHOUSE

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ROS P/2013/0723 GRANTED on 09/12/2013	3 CLUB HOUSES THE GREEN ROSSETT WREXHAM LL12 0EB	DEMOLITION OF EXISTING GARAGE AND STORE, REMOVAL OF CARPORT AND SHED AND ERECTION OF NEW ANNEX ACCOMMODATION
WRO P/2013/0724 REFUSED on 29/11/2013	12 SONTLEY ROAD WREXHAM LL13 7EN	ERECTION OF THREE DETACHED DWELLINGS (ACCESSED FROM ERDDIG ROAD) AND ASSOCIATED ROADS, DRAINAGE AND LANDSCAPING WORKS
CEF P/2013/0725 WITHDRAWN on 07/11/2013	NOS 1 TO 8 CROSS KEYS PLACE CEFN MAWR WREXHAM LL14 3AP	DEMOLITION OF 8 NO SINGLE STOREY DWELLINGS (IN A CONSERVATION AREA)
BRO P/2013/0728 GRANTED on 09/12/2013	BEAUMONT WESTON ROAD NEW BROUGHTON WREXHAM LL11 6TG	SINGLE STOREY REAR EXTENSION, DEMOLITION OF UTILITY AND ERECTION OF GARAGE AND EXTERNAL WALL CLADDING.
HOL P/2013/0731 GRANTED on 04/12/2013	CORNISH HALL WREXHAM ROAD HOLT WREXHAM LL13 9SW	CREATION OF NEW FARM ACCESS AND ASSOCIATED CHANGE OF USE FROM AGRICULTURAL LAND
RUA P/2013/0732 GRANTED on 09/12/2013	1 MILLBROOK STATION ROAD RUABON WREXHAM LL14 6DL	REPLACEMENT OF FRONT DOOR
ESC P/2013/0735 GRANTED on 25/11/2013	36 OLD FARM ROAD RHOSTYLLEN WREXHAM LL14 4DX	REAR EXTENSION
BRN P/2013/0736 GRANTED on 04/12/2013	THE BROOK LOWER WYCH ROAD TY BROUGHTON WREXHAM SY13 2JT	ERECTION OF STEEL FRAMED BUILDING FOR STORAGE OF FEEDS AND MACHINERY
WRO P/2013/0737 GRANTED on 04/12/2013	GRASS VERGE OPPOSITE KINGS CLOSE KINGSMILLS ROAD WREXHAM LL13 8QR	ERECTION OF PITCHED ROOF NOTICEBOARD WITHIN A LANDSCAPED GARDEN AREA
LLR P/2013/0742 GRANTED on 19/12/2013	PEN Y GAER BUNGALOW PEN Y GAER ROAD GARTH LLANGOLLEN WREXHAM LL20 7YN	DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELLING, CONSTRUCTION OF NEW VEHICULAR ACCESS AND INCORPORATION OF LAND INTO RESIDENTIAL CURTILAGE
ROS P/2013/0745 GRANTED on 19/12/2013	1 THE COPSE STATION ROAD ROSSETT WREXHAM LL12 0GD	REMOVE EPICORMIC GROWTH ANNUALLY FOR A PERIOD OF 5 YEARS TO A HEIGHT WHERE THE STEM BIFURCATES FROM 1 LIME (T33) AND CROWN RAISE TO A HEIGHT OF 4M FROM GROUND LEVEL AND PRUNE BACK FROM STREET LIGHT TO ACHIEVE 2M CLEARANCE FROM 1 COPPER BEECH (T34). TREES PROTECTED BY TPO WCBC 10.
OVE P/2013/0746 GRANTED on 25/11/2013	KILN COTTAGE 2 SCHOOL LANE OVERTON WREXHAM LL13 0ES	REMOVE 1 LAUREL AND 1 POPLAR TREES PROTECTED BY OVERTON CONSERVATION AREA
WOR P/2013/0750 GRANTED on 19/12/2013	DYMOCKS MILL OLDCASTLE MALPAS CHESHIRE SY14 7NE	REPLACEMENT CONSERVATORY
WRR P/2013/0752 GRANTED on 04/12/2013	189 CHESTER ROAD WREXHAM LL12 8DW	LAWFUL DEVELOPMENT CERTIFICATE FOR PROPOSED EXTENSION TO DWELLING
HOL P/2013/0760 GRANTED on 19/12/2013	BELLIS BROTHERS COUNTRY MARKET LTD WREXHAM ROAD HOLT WREXHAM LL13 9YU	EXTENSION TO SIDE OF EXISTING UNIT TO PROVIDE NEW OFFICE
WRA P/2013/0763 GRANTED on 09/12/2013	49 GOULBOURNE AVENUE WREXHAM LL13 9HQ	PARKING AND OPERATION OF 1 NO. TAXI
BRN P/2013/0766 PENDING on	LAND OFF NEW HALL LANE BRONINGTON WREXHAM SY13 3HE	ERECTION OF BUNGALOW
HOL P/2013/0767 GRANTED on 19/12/2013	DEESIDE COTTAGE DEE SIDE HOLT WREXHAM LL13 9YT	REMOVE ONE LEYLANDII PROTECTED BY THE HOLT CONSERVATION AREA

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CEF P/2013/0768 GRANTED on 05/12/2013	NOS 1 TO 8 CROSS KEYS PLACE CEFN MAWR WREXHAM LL14 3AP	APPLICATION FOR PRIOR NOTIFICATION TO DEMOLISH 8 NO SINGLE STOREY DWELLINGS
LLR P/2013/0779 GRANTED on 19/12/2013	BOD EINION LLANGOLLEN ROAD TREVOR WREXHAM LL20 7TN	TWO-STOREY REAR EXTENSIONS
WRR P/2013/0787 GRANTED on 19/12/2013	9 AND 11 GROVE PARK ROAD WREXHAM LL12 7AA	APPLICATION FOR CERTIFICATE OF LAWFUL DEVELOPMENT FOR EXISTING USE OF PREMISES AS NON-RESIDENTIAL TRAINING SCHOOL
RHO P/2013/0788 REFUSED on 19/12/2013	THE RAILWAY SMITH STREET RHOSLLANERCHRUGOG WREXHAM LL14 1AR	CONSTRUCTION OF NEW ENTRANCE DOOR IN GABLE WALL AND SMOKING SHELTER AND ERECTION OF 1.8M HIGH FENCING FORMING EXTERNAL ENCLOSURE
MAE P/2013/0795 GRANTED on 19/12/2013	SMALL FARM TARTS HILL HANMER WHITCHURCH SY13 3DR	CHANGE OF USE OF PREVIOUSLY GRANTED SIDE EXTENSION TO ACUPUNCTURE/HOLISTIC THERAPY BUSINESS