

# Pecyn Cyhoeddus

Cyngor Bwrdeistref Sirol Wrecsam/ Wrexham County Borough Council  
Neuadd y Dref, Wrecsam. LL11 1AY  
Guildhall, Wrexham. LL11 1AY  
www.wrecsam.gov.uk [www.wrexham.gov.uk](http://www.wrexham.gov.uk)  
Cyfnewid Testun/Text Relay: 18001



Eich Cyf/Your Ref

Ein Cyf/Our ref

Dyddiad/Date

Gofynner am/Ask for

Rhif Cyswllt/Contact No

E-bost/E-mail

Dydd Llun, 10 Mehefin  
2019

Annette Sellwood

01978 292242

[annette.sellwood@wrexham.gov.uk](mailto:annette.sellwood@wrexham.gov.uk)

Annwyl Gyngorydd

Fe'ch gwahoddir i ddod i **GYFARFOD o PWYLLGOR CYNLLUNIO** Cyngor Bwrdeistref **Sirol Wrecsam** i'w gynnal ar **DYDD GWENER, 14 MEHEFIN 2019** i weld y safle(oedd) a enwir isod. Mae cludiant i'r safle(oedd) wedi'i drefnu gyda bws mini'n gadael y **MYNEDIAD DINESIG, NEUADD Y DREF, WRECSAM** am 2.00 pm.

Yn gywir

A handwritten signature in black ink that reads 'Sioned Wyn Davies'.

Sioned Wyn Davies

Prif Swyddog Llywodraethu a Chwsmeriaid

Chief Officer Governance & Customer

## **HYSBYSIAD GWEDDARLLEDU**

Bydd y cyfarfod hwn yn cael ei ffilmio ar gyfer darllediad byw a/neu ddarllediadau dilynol neu fe ellir ei ddefnyddio at ddibenion hyfforddi o fewn y Cyngor. Bydd y cyfarfod cyfan yn cael ei ffilmio ar wahân i rannau lle mae eitemau cyfrinachol neu wedi'u heithrio, a bydd y cofnod yn cael ei gynnwys yn yr archif er mwyn gallu ei wyllo eto.

Ni chaiff ardaloedd eistedd y cyhoedd eu ffilmio fel arfer. Fodd bynnag, drwy fynd i'r Siambr rydych yn rhoi caniatâd i gael eich ffilmio ac at y defnydd posibl o'r delweddau hynny ac unrhyw recordiadau sain ar gyfer gweddarlledu a/neu ddibenion hyfforddi.

Os oes gennych unrhyw ymholiadau ynghylch hyn, cysylltwch â'r Arweinydd Gwasanaethau Pwyllgorau ar 01978 292236.

## R H A G L E N

**1 Ymddiheuriadau am absenoldeb**

**2 Datganiadau o gysylltiadau personol, os oes rhai**

Atgoffir yr Aelodau o'u cyfrifoldeb, dan Baragraff 11 o God Ymddygiad yr Aelodau, i ddatgan bodolaeth a natur unrhyw gysylltiad personol mewn perthynas ag unrhyw un o'r busnesau i'w trafod yn y cyfarfod hwn

**3 Amserien (Tudalennau 5 - 6)**

**4 Archwiliad Safle A (Tudalennau 7 - 10)**

**5 Archwiliad Safle B (Tudalennau 11 - 16)**

**Yn unol â'r Protocol ar Archwiliadau Safleoedd Cynllunio, bydd y Pwyllgor Cynllunio'n ymgynnull yn Siambr y Cyngor yn Neuadd y Dref, Wrecsam ar ôl yr archwiliad safle diwethaf, ond dim cynharach na 4.00pm, i ddod i benderfyniad ar y materion uchod.**

### **I'R: CADEIRYDD AC AELODAU O'R PWYLLGOR CYNLLUNIO**

Y Cynghorydd	Bryan Apsley	Y Cynghorydd	M G Morris (Cadeirydd)
"	I David Bithell, MBE	"	Beverley Parry-Jones
"	Dana Davies	"	Paul Pemberton
"	Michael Dixon (Is-gadeirydd)	"	John Phillips
"	Frank Hemmings	"	John Pritchard
"	Gwenfair Jones	"	Paul Roberts
"	Paul Jones	"	Paul Rogers
"	David Maddocks	"	Graham Rogers
"	Tina Mannering	"	Andy Williams
"	John McCusker	"	

### **AELOD(AU) LLEOL**

SAFLE A Y Cynghorydd Terry Evans

SAFLE B Y Cynghorydd D.J. Griffiths, Tina Mannering

# Eitem 3

## Planning Committee – 14 June 2019

### Itinerary

2.00 pm Mini-bus departs Guildhall, Wrexham

2.30 pm Site Inspection A

Application for change of use to retail storage and erection of pigeon loft (In Retrospect) Application Code No. P/2018/ 0863.

Reason for Visit: To consider the impact of the proposed development upon residential properties to the rear of the site.

3.15 pm Site Inspection B

Use of part of dwelling for academic home tuition and counselling (Monday – Friday, School term time only between 17.00 hrs and 20.00hrs.

Reason for Visit: Site Visit to consider the impact of the proposed development upon adjoining dwellings.

4.00 pm Planning Committee, Council Chamber, Guildhall



# Eitem 4

**REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – Date 3<sup>rd</sup> JUNE 2019**

**APPLICATION NO:**  
P/2018 /0863

**LOCATION:**  
DRILL HALL HOUSE STATION  
AVENUE CHIRK WREXHAM LL14  
5LS

**DATE RECEIVED:**  
12/10/2018

**COMMUNITY:**  
Chirk

**DESCRIPTION:**  
CHANGE OF USE TO RETAIL,  
STORAGE AND ERECTION OF  
PIGEON LOFT (IN RETROSPECT)

**CASE OFFICER:**  
PF

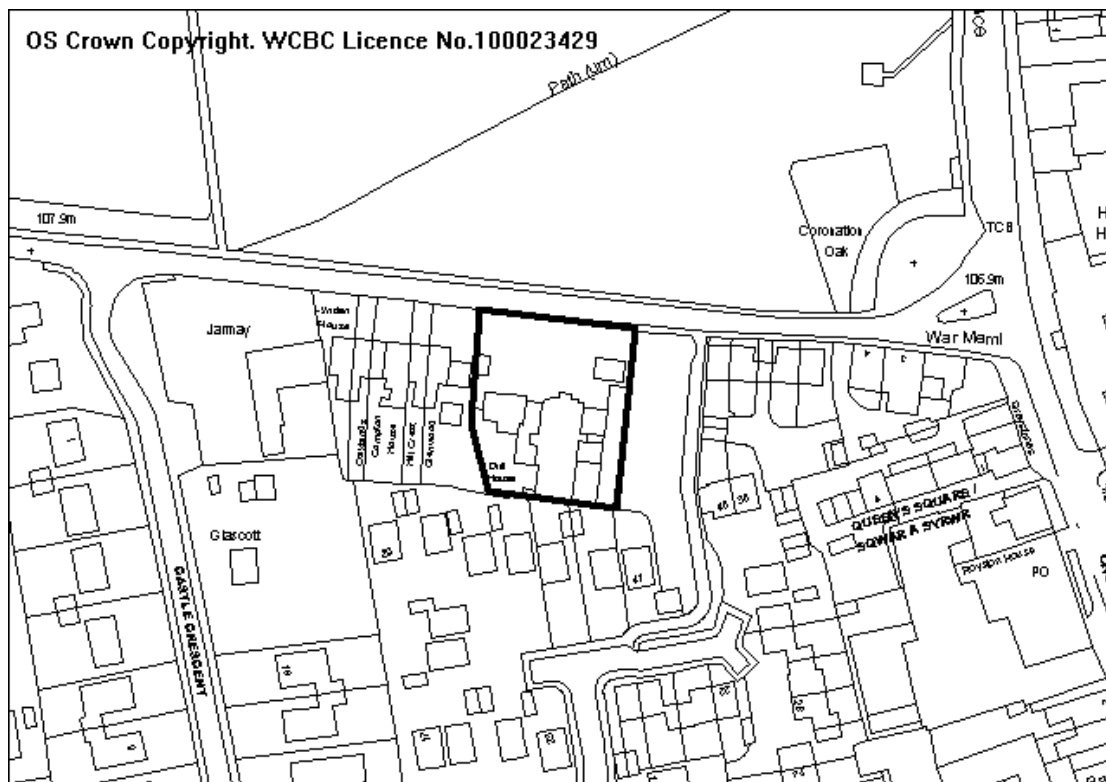
**WARD:**  
Chirk South

**APPLICANT(S) NAME:**  
MR CLIFFORD DAVENPORT  
CLIFF'S PIGEON & PETS

**AGENT NAME:**  
CLIFF'S PIGEON &  
PETS  
MR CLIFFORD  
DAVENPORT

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## THE SITE



## PROPOSAL

Planning permission is sought to change the use of the building in question from a former ambulance station (*sui generis*) to a retail use (A1) along with the erection of structures to the rear of the building for the purposes of a pigeon loft.

## **HISTORY**

None.

## **PLANNING POLICY**

The site is located within the Chirk settlement. Policies PS2, GDP1, S6 and T8 are relevant. Guidance is contained in Local Planning Guidance Note 16 – Parking Standards.

## **CONSULTATIONS**

Community Council:	No objection.
Local Member:	Notified 12.10.2018
Site notice:	Expired 14.11.2018
Public Protection:	No objection. Note to applicant advised regarding Environment Act 1990 Statutory Nuisance provisions.
Highways:	No objection. The site is likely to have previously resulted in a similar level of traffic generation. A condition to ensure the parking layout is retained is recommended.
Neighbouring occupiers:	Nine neighbouring occupiers notified. Two responses received raising the following objections: <ul style="list-style-type: none"><li>• The pigeon loft erected results in a significant number of birds being released at the same time. This causes issues of noise, odour and droppings over the neighbouring residential gardens causing disturbance and health hazards;</li><li>• The loft may attract rats and other vermin; and</li><li>• The pigeon loft has not been installed in a position which is in accordance with standards.</li></ul>

## **SPECIAL CONSIDERATIONS**

**Policy:** The proposed retrospective development has effectively resulted in a retail use within the settlement of Chirk. The building was recently occupied by the Welsh Ambulance Service as a vehicle and crew depot. The applicant has taken over the use of the building for the purposes of selling bulk supplies of animal food, predominantly for birds and poultry. Other types of pet food are sold on the site. To the rear of the building, the applicant is utilising part of an outbuilding and has erected a wooden structure for the purposes of a pigeon loft.

Policy S6 of the UDP permits small scale shopping developments within settlements subject to the following criteria:

- a) the development is safely accessible for customers on foot;
- b) the development does not harm residential amenity and / or does not give rise to traffic problems e.g. on street parking that cannot be addressed;
- c) the sales floor area of each development does not exceed 300 square metres.

I am satisfied that criteria a) and c) are met. In relation to criteria b), the site backs onto the rear garden areas of residential properties and there are dwellings to the western site boundary. I have no reason to believe that a retail use in this location would be detrimental to residential amenity. The use of the former depot is for retail sales and storage of the produce is unlikely to give rise to any more noise than when it was an ambulance depot. Deliveries to the site tend to take place at the site frontage due to the large doorway opening.

The applicant has indicated opening times of between 10am and 5pm. If planning permission was approved, this would give rise to an open ended A1 retail use. Therefore I consider conditions to restrict opening hours and delivery times would be prudent in order to protect residential amenity.

**Highways:** Highways are satisfied that the use of the site for the purposes of a retail unit is acceptable. Access onto Station Avenue is acceptable and traffic movements are likely to be similar to the previous use of the site as an ambulance depot.

There is a large parking area to frontage of the building which is considered adequate for a retail unit of this scale within the centre of the village. On this basis I am satisfied that the use of the building will not be detrimental in highway safety terms.

**Nuisance:** Neighbouring occupiers have made representations in relation to the nuisance caused by pigeon lofts installed to the rear of the building. These lofts are located in a yard area adjacent to residential properties on Castle Walks.

Whilst it is associated with a commercial use, the rear yard area where these lofts are located has a residential feel. The applicant has confirmed that the loft is occupied by racing pigeons and breeding does take place, however I am satisfied that this is very much an ancillary use associated with the retail use and the lofts are located on site as the applicant also lives on site.

In residential settings, the use of buildings as pigeon lofts is deemed permitted development. A comparison must be made to the proposed buildings as if they were associated with a residential property. For this reason I can see no reason in planning terms why a refusal of planning permission can be justified.

**REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – Date 3<sup>rd</sup> JUNE 2019**

I understand that the applicant has been visited by the council's environmental health team. No objections have been raised by Public Protection, however they have advised that controls are available to them through the Statutory Nuisance provisions of the Environmental Protection Act 1990 which covers issues of noise, odour, dust and light.

**Conclusion:** I am satisfied that the proposed development is acceptable in terms of its use and built form. I therefore recommend accordingly.

**RECOMMENDATION:** That permission be GRANTED

**CONDITION(S)**

1. The retail unit hereby permitted shall not be open to customers and deliveries shall not be made outside the hours of 0800 to 1800 on any day.

**REASON(S)**

1. In the interests of protecting the amenity of the neighbouring residential occupiers to comply with policy GDP1 of the Wrexham Unitary Development Plan.

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# Eitem 5

**REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – Date 3<sup>rd</sup> JUNE 2019**

**APPLICATION NO:**  
P/2019 /0307

**LOCATION:**  
16 ARLEY ROAD PANDY WREXHAM  
LL12 8PQ

**DATE RECEIVED:**  
18/04/2019

**COMMUNITY:**  
Gwersyllt

**DESCRIPTION:**  
USE OF PART OF DWELLING FOR  
ACADEMIC HOME TUITION AND  
COUNSELLING (MONDAY - FRIDAY,  
SCHOOL TERM TIME ONLY,  
BETWEEN 17.00 HRS AND 20.00  
HRS)

**CASE OFFICER:**  
MR

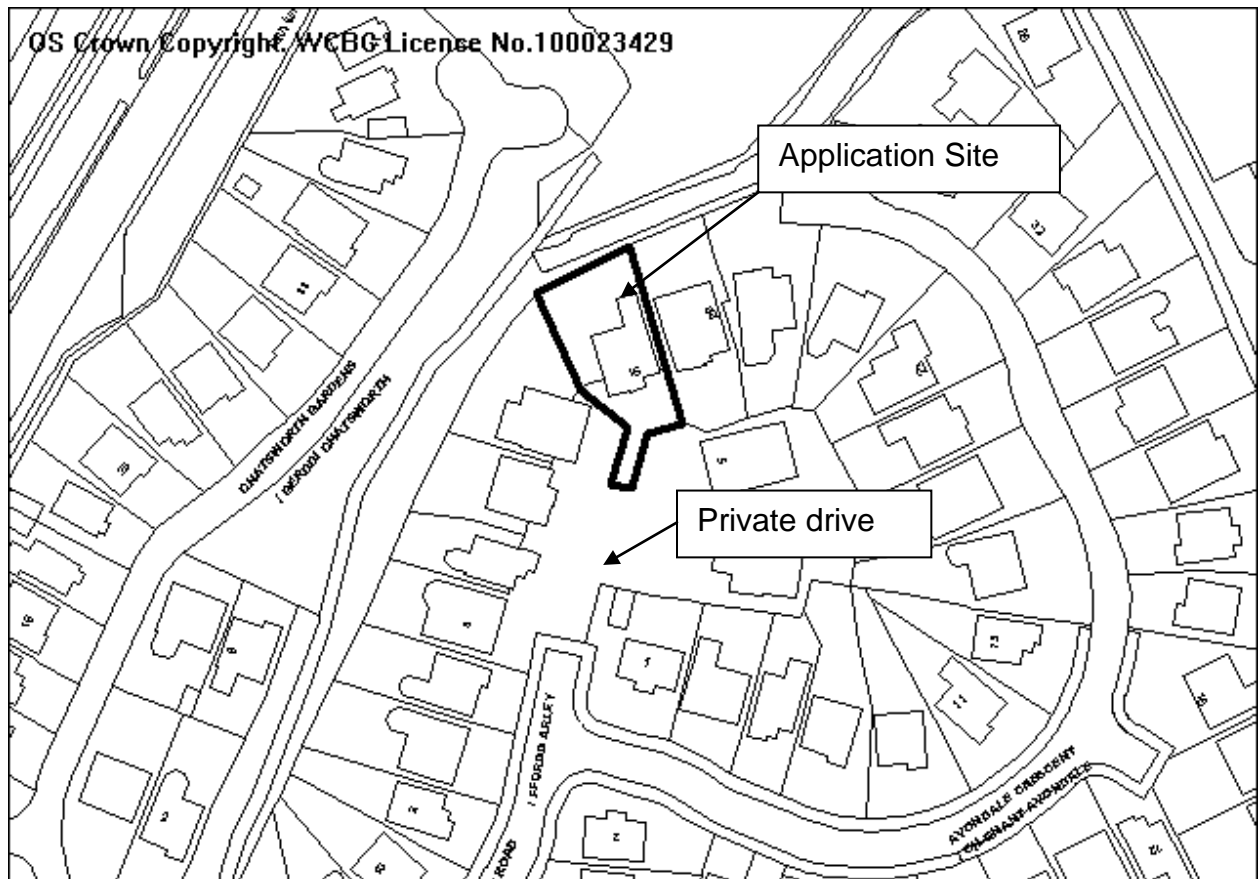
**WARD:**  
Gwersyllt East & South

**AGENT NAME:**  
MR ANDREW TAYLOR-  
EDWARDS

**APPLICANT(S) NAME:**  
MR ANDREW TAYLOR-EDWARDS

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## SITE



## PROPOSAL

The proposal seeks retrospective planning permission for use of part of the dwelling for academic tuition and counselling for students.

## **REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – Date 3<sup>rd</sup> JUNE 2019**

The tuition and counselling takes place within the existing office and conservatory within the dwelling.

Operational hours are stated as term time only, Monday to Friday between 5pm and 8pm.

### **HISTORY**

P/2000/0046 Substitution of house types on current residential development.  
Approved 28/02/2000.

### **DEVELOPMENT PLAN**

Within Wrexham Town Settlement Limit. UDP policy GDP1 applies.

### **CONSULTATIONS**

- Community Council: Object to the application. Existing parking arrangements are unsuitable for the purpose of accommodating all the comings and goings likely to be generated by the applicants business. The Council is concerned about noise and disturbance resulting from this use and considers that regard should be paid to the impact on other residents.
- Local Member: Cllr Mannering – No objection.  
Cllr Griffiths – Objects to the application.
- Highway Authority: No comments received at the time of writing. An update will be provided in the Committee Addendum.
- Public Protection: No comments.
- Site Notice: Expired 20.05.2019.
- Neighbours: 5 no. representations in support of the proposal.  
  
2 no. representations objecting to the proposal. Concerns raised include increase in congestion on the shared private driveway, operational hours have previously been different those stated on the application forms, the visitor space on the shared driveway cannot be relied on exclusively by the applicant, significant increase in vehicles travelling to and from the property every evening, residents blocked in or out of driveways given parking occurs on the private driveway, adverse impacts on highway and pedestrian safety, the application is

not similar to the appeal decision provided by the applicant, increase in air pollution, no on-street lighting on the shared driveway.

## **SPECIAL CONSIDERATIONS**

**Residential Amenity:** Operational hours are confirmed as term time only, running Monday – Friday between 5pm and 8pm.

The application states that students either walk to the property or are dropped off singly and collected after the tuition ends.

The use would involve tuition of two students per hour, on a one to one basis.

Private academic tuition, by its very nature, would result in little noise, nuisance and disturbance.

Impacts on residential amenities of neighbouring properties would be limited to the associated vehicular movements to and from the property.

On this basis, impacts would be related to the opening and closing of vehicle doors, approximately each hour, over the course of three hours. Given the limited time when tuition would take place and the comparatively modest increase in vehicular movements, this is considered unlikely to result in a significant degree of noise or disturbance to neighbouring occupiers.

Having regard to the above, the application is not considered would adversely impact on existing levels of residential amenities of neighbouring occupiers.

**Access and Car Parking:** On the basis of the applicants' submitted information, the nature of the vehicular movements to and from the site involves dropping off and collecting students either on the public highway, using a vacant parking space within the site curtilage or parking on the square immediately between the shared access and the public highway.

Some neighbouring properties have raised concerns in regards to indiscriminate parking on the shared, private driveway/visitor parking spaces as a result of the proposal.

Whilst concerns raised by neighbours relating to congestion and obstruction on the shared driveway/visitor parking spaces are noted, this land is outside the control of the Local Authority, therefore issues relating to use of the shared, private driveway/visitor parking spaces are a civil matter between the occupants of the properties served by the driveway and the applicants.

From a highway safety perspective, the proposal would result in vehicular movements in the form of drop offs and pick-ups over the course of three hours each evening, Monday – Friday.

**REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – Date 3<sup>rd</sup> JUNE 2019**

On the basis of two students tutored each hour, this would involve two vehicular movements to the site at 5pm and 8pm and four vehicular movements to the site at 6pm and 7pm.

This level of vehicular movements is not considered to represent a significant increase in movements in the cul-de-sac.

Furthermore, vehicular movements would be hourly in connection with the length of time of tuition, as opposed to being throughout the duration of the three hours, with the busiest periods being around 6pm and 7pm as a result of drop offs and pick-ups.

Given the limited operational hours of the proposal as well as the generally limited timeframe associated with pick-ups and drop offs, the proposal is not considered to result in such adverse impacts to highway safety, as to warrant refusal of the scheme on this basis.

Conditions to limit operational hours to between 5pm and 8pm Monday to Friday and term time only, as well as a condition to limit maximum number of students to two per hour are considered reasonable to secure an element of control over the scale of the business.

Highway Authority have not provided comments to date, however an update will be provided in the Committee Addendum.

**CONCLUSION**

The proposal is not considered would result in adverse impacts to residential amenities or highway safety to such an extent, as to warrant refusal of the application. The proposal would comply with UDP Policy GDP1.

**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 approved plans are:-
  - 1:1250 Site Location Plan (Title Number CYM9472)
3. This permission shall not be for the benefit of the land but shall operate for the benefit of Mr Andrew Taylor-Edwards and immediately on the discontinuance of his use of that land, the use shall cease and be permanently abandoned. The land shall be restored to its previous condition not later than one month after that date.
4. No use of the development shall be made before 17:00 or after 20:00 hours Monday to Friday, school term time only. The development shall not be in use on Saturday, Sunday, Bank Holiday and outside school term time.
5. No more than two students shall be tutored at any one time.

**REASON(S)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
  2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
  3. In the interest of safeguarding existing residential amenities of neighbouring occupiers.
  4. To ensure that the proposed tuition is not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
  5. To safeguard existing levels of residential amenities of neighbouring occupiers and to control the scale of the development.
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