

REPORT OF THE CHIEF OFFICER PLANNING AND REGULATORY – Date 1st JULY 2019

APPLICATION NO:
P/2019 /0380

LOCATION:
SITE OF FORMER HOPE VIEW
HAND LANE PONCIAU WREXHAM
LL14 1ET

DATE RECEIVED:
17/05/2019

COMMUNITY:
Rhos

DESCRIPTION:
APPLICATION FOR APPROVAL OF
RESERVED MATTERS PURSUANT
TO OUTLINE PLANNING
PERMISSION P/2015/0340 - LAYOUT,
SCALE, APPEARANCE AND
LANDSCAPING (3 NO. DETACHED
DWELLINGS AND 1 NO. PAIR OF
SEMI DETACHED DWELLINGS AND
ACCESS)

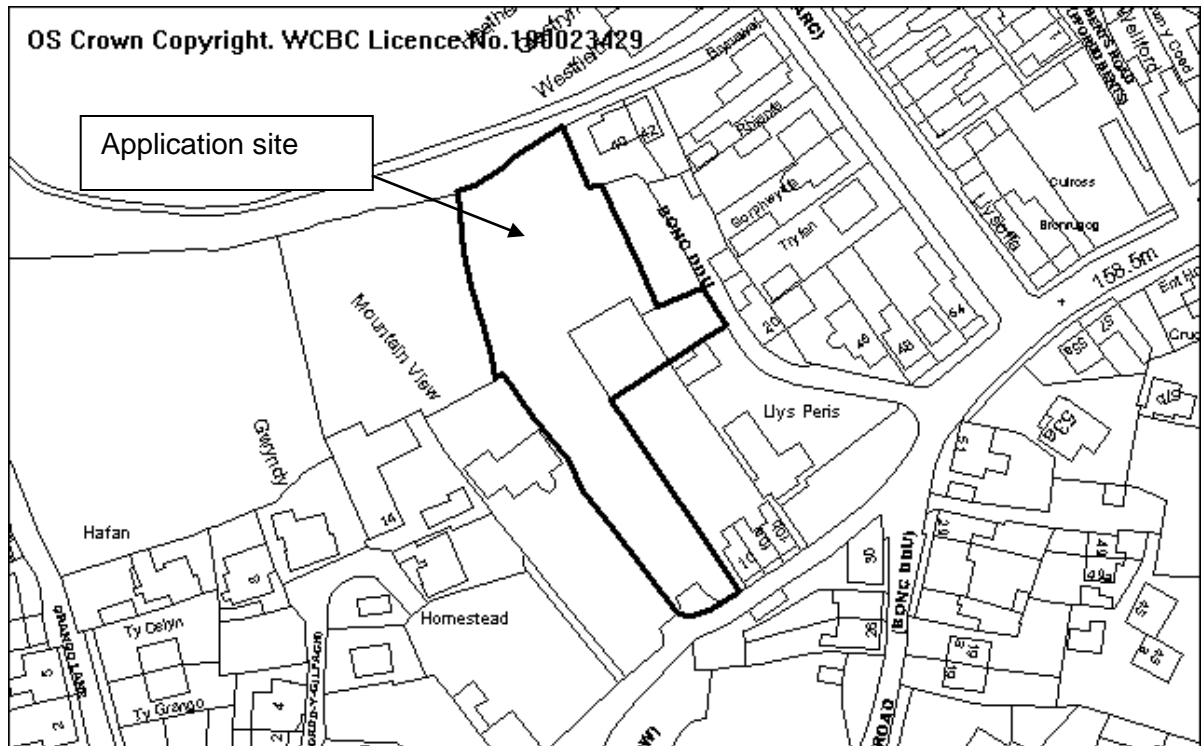
CASE OFFICER:
SEH

WARD:
Ponciau

AGENT NAME:
CB ARCHITECTURAL
DESIGN
MR CRAIG BAUGH

APPLICANT(S) NAME:
MR LIAM O'SULLIVAN OSOS
ESTATES LTD

THE SITE



PROPOSAL

As above

PLANNING HISTORY

P/2002/1032	Outline application for demolition of Hope View, 3 no. terraced houses and access. Granted 04.11.2002
P/2005/1209	Outline application for erection of one block of 3 no. terraced houses with garages (renewal of permission previously granted under P/2002/1032).
	Granted 12.12.2005
P/2008/0552	Outline application for the erection of 1 no. dwelling. Granted 04.07.2008
P/2008/1109	Outline application for 3 no terraced dwellings (renewal of planning permission granted under P/2005/1209). Granted 13.11.2008
P/2009/0151	Erection of dwelling. Granted 31.03.2009
P/2010/1047	Submission of reserved matters for P/2008/1109 for erection of 3 dwellings. Granted 28.02.2011
P/2015/0340	Outline application for 5 no. dwellings (3 no. detached and 1 pair of semi-detached) with alterations to existing vehicular and pedestrian access - all matters reserved except for access. Granted 24.05.2016

DEVELOPMENT PLAN

The site is within settlement limits. Policies GDP1, H2 and T8 of Wrexham UDP apply. Local Planning Guidance Notes Nos. 16 'Parking Standards' and 21 'Space around Dwellings' are also relevant.

CONSULTATIONS

Community Council:	Consulted	21.05.2019
Local Members:	Notified	21.05.2019
Welsh Water:	No objections. The conditions attached to the Outline permission should be adhered to.	
Public Protection:	No comments. Conditions to limit the impact of the construction process are attached to the Outline planning permission.	
NRW:	Standard advice applies.	
Coal Authority:	The Coal Authority has no specific comments to make on this reserved matters application currently under consideration as the coal mining legacy features do not impact on the layout / scale of the development.	
Highways:	No concerns. Conditions are required to secure the proposed passing place, site layout and on-site parking.	
Site Notice:	Expired	11.06.2019

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- Other representations: 4 letters received expressing the following concerns:
- The lane is not suitable for any more vehicles. It is very narrow. The bottom junction has a very bad access point where there is no view of on-coming traffic and there are lots of near misses;
 - The bottom junction does not allow cars to turn right because it's so hazardous;
 - The committee should visit this site to see the highway;
 - Overlooking into the log cabin within the garden of the adjacent property will cause a loss of privacy;
 - Loss of orchard and wildlife;
 - Loss of water pressure;
 - Damage to local features by HGVs;
 - Overlooking;
 - Loss of peace and quiet;
 - Loss of view of the sunsets over Rhos Mountain.

SPECIAL CONSIDERATIONS

Policy: Some concerns have been expressed by local residents as to the appropriateness of the access and capability of the highway network to support 5 new dwellings. The principle of 5 dwellings has already been established at the Outline planning stage and I do not therefore intend to return to these matters in this report.

The proposal is for approval of the reserved matters following the granting of Outline planning permission for 5 no. dwellings (P/2015/0340). Access was approved as part of the outline permission, and the remaining matters reserved for further approval are Scale, Appearance, Layout and Landscaping for the site.

Scale, Appearance and Site Layout: Proposed are 5 no. 3 bedroom two storey dwellings. There is a mixture of detached and semi-detached properties, typical of those located within the existing Village. (See elevations at figures 1 and 2 below).



Figure 1. Proposed Detached Front Elevation



Figure 2. Proposed Semi-detached Front Elevation

The proposed site layout demonstrates that the number of dwellings proposed sit comfortably within the site whilst making a positive contribution to the character and appearance of the area. The properties are located a sufficient distance from the existing surrounding dwellings and the layout has been designed to secure both adequate privacy and daylight in the interests of the amenities of the future occupiers of the development (see figure 3 below for site layout). The separation distances accord with those set out in LPGN 21 and there are no habitable room windows facing the summerhouse in the adjacent existing garden area. As such the proposal accords with UDP Policies GDP1 and PS2.

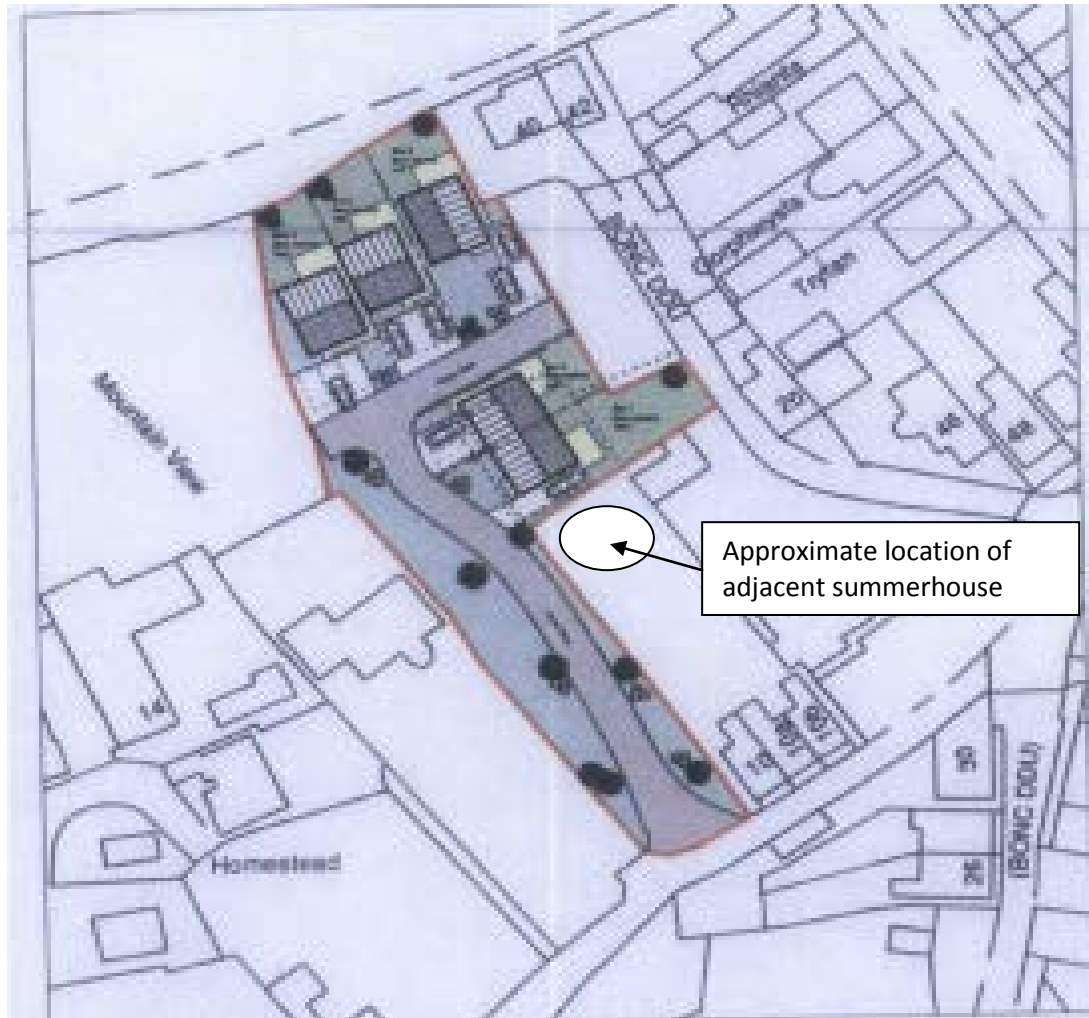


Figure 3. Proposed Site Layout

Highway Improvements: It has already been established at Outline planning stage that although Hand Lane is a narrow road, its use to serve 5 new dwellings is acceptable. A condition was attached to the Outline permission to secure the submission of a passing place on the highway fronting the development, for approval. The proposal has been submitted as part of this application and the highway authority has been consulted in this respect and no concerns have been expressed subject to conditions to secure its implementation. On-site parking provision is in accordance with LPGN 16 (Parking Standards) which will also be secured by condition.

Other Matters: Concerns expressed in relation to loss of view and water pressure are not relevant planning considerations. Impact upon trees and wildlife was considered at the Outline planning stage and will not be revisited as part of this reserved matters application.

Work has commenced on site in connection with planning permission refs: P/2009/0151 (Plot 1) and P/2008/1109 (Plots 3 and 4) and these permissions remain extant. It would not be possible to fully implement all permissions as the development footprints conflict. It is not therefore necessary to revoke the

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extant permissions and implementation of this permission will supersede the previous permissions.

CONCLUSION

The proposed scheme is acceptable in terms of layout, scale and appearance, and the redevelopment of this vacant site would make a positive contribution to the character and appearance of the area. Landscaping will be required by planning conditons. There are no concerns in terms of negative impact upon highway safety or residential amenity and I recommend accordingly.

RECOMMENDATION

Approval of Reserved Matters

CONDITION(S)

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered -
 - 818/L(2)01 Rev A
 - 818/L(2)02
 - 818/L(2)03 Rev A
 - 818/L(2)04 Rev A
 - 818/L(9)01 Rev Band as contained within the application documentation.
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. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 818/L(9) 01 Rev B shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
4. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. 818/L(9) 01 Rev B.
5. 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.
6. 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.
7. The landscaping scheme submitted and approved in connection with condition no. 6 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
8. The planting scheme implemented in connection with condition no. 7 shall be permanently retained. Any planting which becomes severely damaged or seriously diseased, or is in poor physiological condition and/or

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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.

9. With the exception of those shown on the approved plan and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification) no windows or other openings shall be inserted in any elevation of the building.

10. No part of the development shall commence until a boundary treatment scheme within and around the site has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment as may be approved shall be completed in all respects prior to first use / occupation of the development and shall thereafter be permanently retained.

11. 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) and with the exception of those shown on the approved plans, no gate, fence, wall or other means of enclosure shall be erected on the site.

REASON(S)

1. To comply with section 71ZA (2) 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 in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

3. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan

4. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

5. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

9. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

10. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

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 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 that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:
www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. 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

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purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

The Applicant is advised that the development to which these reserved matters are pursuant shall commence by 01/07/2021
