

- CB03165 RESIDENTIAL DEVELOPMENT (1 NO. BLOCK OF 3 SPLIT LEVEL TWO STOREY DWELLINGS) AND CONSTRUCTION OF NEW VEHICULAR AND PEDESTRIAN ACCESS. REFUSED 11.06.1999
- P/2000/0355 ERECTION OF DWELLING AND CONSTRUCTION OF NEW VEHICULAR AND PEDESTRIAN ACCESS. GRANTED 16.05.2000
- P/2016/0848 OUTLINE APPLICATION FOR THE ERECTION OF 2 DETACHED HOUSES (3 BEDROOM) WITH DETACHED GARAGING. GRANTED 03.11.2016

PLANNING POLICY

The site is located inside the Brymbo settlement limit. Policies PS1, PS2, PS3, PS4, GDP1, EC13, H2 and T8 are relevant. Guidance is also contained in Local Planning Guidance Notes 16 – Parking Standards and 21 – Space Around Dwellings.

CONSULTATIONS

A period of reconsultation was carried out on 27.06.2019 following receipt of amended plans.

Community Council:	Consulted 11.02.2019
Local Member:	Notified 11.02.2019
Site notice:	Expired 06.03.2019
Public Protection:	No objections. Recommends amenity protection conditions.
Highways:	No objection. The following observations are made: <ul style="list-style-type: none"> • The access appears to achieve Welsh Government visibility standards; • Parking provision appears adequate; and • A condition requiring an assessment of slope stability should be submitted for further approval given the large amount of earthworks proposed.
WCBC Flood Officer:	The applicant has indicated the use of private soakaways, but no information has been provided to indicate that the site is suitable for this methodology.
NRW:	No objection.
Welsh Water:	Only foul water generated by the development shall be permitted to connect to a specific manhole. No building work shall be carried out within 3m of this sewer.

- CPAT: The site was the location of two former dwellings of historic importance which may contain archaeological remains. An archaeological watching brief should be conditioned.
- Neighbouring occupiers: 6 neighbouring occupiers notified. 2 representations received raising the following points:
- Due to known instability of land between the application site and the neighbouring land, a redesigned scheme should be submitted which demonstrates a retaining wall and the planting of trees along the perimeter of the site; and
 - There is a discrepancy with ownership of the land as shown on the applicant submitted location plan.

SPECIAL CONSIDERATIONS

Background and policy: The site is located within the defined Brymbo settlement. Policies PS1 and H2 of the Wrexham UDP seek to direct residential development to within settlements. Outline planning permission was previously granted on this site for up to two dwellings in 2016. On this basis, the residential development of this site is acceptable in principle. The planning application now before Members is made in full and includes a detailed design for a single dwelling with associated access.

Amenity: Amended plans have been submitted to address concerns with the design of the dwelling originally presented. I am satisfied that the design now presented for consideration would be acceptable. It consists of a contemporary design which takes into account the sloping nature of the site and utilises a mixed palette of materials. While modern in appearance, I am satisfied that it would assimilate well within the street scene given that there are a mixture of building forms and use materials in the immediate locality.

The principle of two storey dwellings has previously been accepted on the site. This, coupled with the form and position of the building would not have a detrimental impact upon the amenity of neighbouring occupiers. Habitable windows have been placed on the south western elevation as not to directly face the rear elevation of the neighbouring properties to the opposite side of Queens Road. Any possibility of overlooking would be extremely limited due to the off centre positioning and 'letter box' style of the only facing habitable window within the design. The provision of a terrace to the southern elevation of the proposed building would have the same impact as the applicant proposing a private amenity space in this position on the plot. I therefore consider the loss of privacy for any neighbouring occupiers to be minimal and not detrimental.

Representations have been made relating ground stability from the neighbouring occupier as well as the local highway authority. It is clear that there are ground stability issues in the locality. The structural integrity of a site remains the responsibility of the developer and there are controls through the Building Regulations to ensure that the building works are safe and stable. It is commonly accepted that matters of structural stability are not material planning considerations. That said, the proposed development does have the possibility of impacting upon public infrastructure i.e. Queens Road. I am therefore of the opinion that the applicant should prepare a site stability appraisal and methodology prior to commencement of development given these known factors and to prevent degradation of public infrastructure in the future.

Drainage: Welsh Water have stipulated the positioning of the required foul water disposal location as not to cause hindrance to the existing sewer network.

In terms of surface water disposal, given the scale of the development, I have no reason to believe that the site cannot be drained without causing hindrance to the integrity of the public sewer network or causing problems elsewhere.

Conclusion: I am satisfied that the proposed development is acceptable in principle, represents a high quality design and will make a positive contribution to the immediate locality. I recommend accordingly.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered L101, L102, L104, L105 and as contained within the application documentation.
3. Prior to their use on the development samples of all external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.
4. The vehicular access hereby approved shall be a maximum gradient of 1 in 8 (12.5%).
5. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.0 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.
6. Prior to the commencement of development a geotechnical assessment shall be carried out to determine the slope stability of the site.

The assessment shall inform the methodology for any retaining walls which will be located adjacent to and be deemed necessary to protect the adjoining highway. A report of the findings and construction detail shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved plans.

7. 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.

8. 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.

9. No development / works shall commence until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified archaeologist during construction works in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The archaeological watching brief must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for archaeological watching briefs. The Local Planning Authority will be informed in writing, at least two weeks prior to the commencement of the development, of the name of the said archaeological contractor. A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, Clwyd Powys Archaeological Trust (41 Broad Street, Welshpool, Powys, SY21 7RR Email: markwalters@cpat.org.uk Tel: 01938 553670). Following approval by the Local Planning Authority, a copy of the report and resulting archive shall also be sent to the Historic Environment Record Officer, Clwyd Powys Archaeological Trust for inclusion in the regional Historic Environment Record.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
4. To ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. 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

in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.

9. The site contains archaeological remains which it is essential should be protected from damage in accordance with Policies GDP1 and EC11 of the Wrexham Unitary Development Plan.
