

In pursuance of its powers under the Acts and Orders referred to below, the County Borough Council as Local Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application



Applicant	MR RICHARD CORBETT	Reference	P/2023/0001
Agent	ROGER PARRY & PARTNERS LLP MR RICHARD CORBETT The Estate Office 20 Salop Road Oswestry SY11 2NU	Date Received	18/11/2022
		Decision Date	18/07/2024

Town and Country Planning Act, 1990

Location of Application

OAK LODGE, CORKSCREW LANE, RUABON, WREXHAM, LL14 6HG

Description of Application

CODI FFENS DERFYN A STORFA NEWYDD
ERECTION OF BOUNDARY FENCE AND ERECTION OF NEW STORAGE FACILITY

In reaching this decision the Council has had regard to the following relevant policies: -

Wrexham Local Development 2013 – 2028:

DM1- Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE2 - Local Designations for Nature Conservation and Geological Importance
SP14 - Natural Environment
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	18/07/2024	Planning permission issued

Particulars of decision: GRANTED subject to the following:-

Condition(s)

1. The erection of the outbuilding hereby permitted shall be commenced before the expiry of five years from the date of this permission.

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2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
77040/RJC/100
77040/RJC/101 Rev D
77040/RJC/102
77040/RJC/103 Rev C
3. The external surfaces of the building(s) shall be constructed of the materials specified on plan ref: 77040/RJC/101 Rev D
4. The development shall be carried out in strict accordance with the findings and recommendations contained within Preliminary Ecological Appraisal for Oak Lodge by Arbor Vitae Environment Ltd dated 19.09.2023 and further recommendations as set out in the letter from Arbor Vitae Environment Ltd, dated 29 November 2023, entitled P/2023/0001 Oak Lodge, Corkscrew Lane. The mitigation, compensation and reasonable avoidance measures hereby approved shall be fully implemented prior to first use of the development.
5. The development hereby permitted shall not be occupied until measures to deliver net benefit for biodiversity (NBB) shown on plan refs: 77040/RJC/003 Rev C and 77040/RJC/102 have been implemented in full. The measures shall thereafter maintained for the lifetime of the development.
6. Prior to first use of the development hereby permitted the vehicular access shall provide visibility splays of 2.4 metres x 38 metres to the north west and 2.4 metres x 10 metres to the south east 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 adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

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7. The vehicular parking and turning areas as shown on the plans(s) numbered 77040/RJC/003 Rev C shall be fully laid out, surfaced and drained prior to first use of the development. This area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of vehicles at all times.
8. The landscaping and ecological enhancement scheme shall be fully implemented in strict accordance with the details shown on plan ref : 77040/RJC/102 and detailed within the further recommendations as set out in the letter from Arbor Vitae Environment Ltd, dated 29 November 2023, entitled P/2023/0001 Oak Lodge. Corkscrew Lane, within the first planting season (November to March) or seeding season (April to September) immediately following the date of this decision and thereafter maintained for the lifetime of the development. Any trees, hedgerows or plants which, following the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species and thereafter maintained for the lifetime of the development.
9. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no buildings shall be erected other than those shown on the plan(s) numbered 77040/RJC/003 Rev C.
10. The premises shall only be used for purposes ancillary to the use of the dwelling known as Oak Lodge and for the storage of vehicles and machinery necessary for the maintenance of the associated land.

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11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (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 development hereby permitted facing [INSERT DETAILS].
12. Within one month of first beneficial use of the outbuilding hereby approved, the shipping containers shown on plan ref: 77040 / RJC / 002 shall be permanently removed from the application site.

Reason(s)

- 1 To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- 2 To comply with Section 91(3) 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 DM1, SP12 and SP14 of the Wrexham Local Development Plan.
- 4 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
- 5 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
- 6 To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy DM1 of the Wrexham Local Development Plan.

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- 7 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 DM1 and T1 of the Wrexham Local Development Plan
- 8 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protection the biodiversity value of the site in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.
- 9 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.
- 10 In the interest of traffic safety in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan.
- 11 To ensure the character of the building accords with the character of the site in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 12 In the interest of the visual amenities of the area in accordance with the Wrexham Local Development Plan Policy DM1.

Note(s) to applicant

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

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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.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If, however, there are urgent or unavoidable circumstances requiring work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & Housing Standards at healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

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 Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

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The Applicant is advised that under the 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 Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wreccsam
Chief Officer Economy and Planning, Wrexham County Borough Council

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-

[Planning and building control | Wrexham County Borough Council](#)