In pursuance of its powers under the Acts an 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

wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

Applicant Mr Wyn Roberts

Reference P/2024/1072

Agent Mr Dafydd Edwards
Blueprint Architectural Services,
Redwither Tower,
Redwither Business Park,
Wrexham,
LL13 9XT

Date Received 11/06/2024

Decision Date 15/08/2024

Town and Country Planning Act, 1990

Section 73

Location of Application

LAND SOUTH OF PINECROFT AT, AFONEITHA ROAD, PEN-Y-CAE, WREXHAM, LL14 2PF

Description of Application

TYNNU AMOD 3 CANIATÂD CYNLLUNIO P/2018/0139 A AMOD 1 O GANIATÂD MATERION A GADWYD YN ÔL P/2022/0608 I YMESTYN TERFYN AMSER AR GYFER CYCHWYN DATBLYGIAD
VARIATION OF CONDITION 3 OF PLANNING PERMISSION P/2018/0139 AND CONDITION 1 OF RESERVED MATTERS APPROVAL P/2022/0608 TO EXTEND TIME LIMIT FOR COMMENCEMENT OF DEVELOPMENT

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

National Policies and Technical Advice Notes (TAN):

TAN 12 : Design
TAN 18 : Transport
TAN 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

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DM1- Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE6 - Waste Water Treatment and River Water Quality
SP11 - Transport and Accessibility
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP19 - Green Infrastructure
SP2 - Location of Development
T1 - Managing Transport Impacts
T2 - Active Travel

Revision	Date	Description of Decision
0	15/08/2024	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

Condition(s)

1. The development hereby permitted shall be commenced before the expiry of two years from the date of this permission.

2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
   - R119/005
   - R119/002 Rev A
   - R119/004 Rev A
   - R119/007
   - P119/006 Rev E.

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3. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 15 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.

4. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

5. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 04 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

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6. 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.

7. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.

8. 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.

9. 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.

10. The vehicular access(es) hereby approved shall take the form of a dropped vehicular crossing.

11. Prior to the occupation of the first dwelling, details of the proposed arrangements for future management and maintenance of the shared access road shall be submitted to and approved in writing by the Local Planning Authority. The access road shall thereafter be maintained in perpetuity in accordance with the approved management and maintenance details.

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12. Development shall not commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
i) A scheme setting out measures for the protection of the embankment and watercourse of Afon Eitha during construction and upon completion of the development;
ii) A scheme for the long term maintenance of the land edged blue on drawing WR/1/B of outline planning permission P/2018/0139;
iii) A scheme or remediation in respect of the presence of Japanese Knotweed within the site and the land edged blue on drawing no. WR/1/B of outline permission P/2018/0139, to include a Biosecurity Risk Assessment.

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 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.

4 In the interests of the amenities of the future occupants of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.

5 In the interests of the amenities of the future occupants of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.

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6 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 Policy DM1 of the Wrexham Local Development Plan.

7 In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.

8 To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

9 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

10 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

11 To ensure safe, suitable and satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable standard.

12 To ensure the development does not adversely impact upon the river corridor and in turn wildlife interests and to control the spread of invasive non-native species.

Note(s) to applicant

The applicant is reminded of the requirement to adhere to the Section 106 agreement signed in relation to planning permission P/2018/0139.

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Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed may require approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage: https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk

In the interests of maintaining highway safety, and to avoid obstruction of the public highway (in contravention of the Highways Act), The Applicant is advised to coordinate with the highway authority at highwayroadworks@wrexham.gov.uk in advance of commencement of the development/works with respect to:

1. Skip, scaffolding, hoarding or A frame/signage (Permit required for these items, if on the public highway);
2. Use of a parking space for a set down/delivery area;
3. Record a dilapidation survey of the adjacent carriageway prior to commencement (to avoid being ask to repair damage by the Applicant whilst carrying out their works);
4. If any lane closure or obstruction of the highway is required for a crane or similar;
5. Protection against dust and debris blowing onto the public highway;
6. Construction traffic parking locally avoiding nuisance to others;
7. If the Applicant's scope of work includes new apparatus in the highway, such as new mains services then a Section 50 licence will be required. Insurances and demonstration of competency to carry out works in the public highway will be required;
8. Lowering of kerbs or minor pavement alterations require Section 184 agreement. Insurances and demonstration of competency to carry out works in the public highway will be required;
9. A section 278 agreement works agreement is required for more significant alterations to the existing highway;
10. Any temporary works affecting traffic lights, [pedestrian/cycle road crossings, or bus stops require pre-planning and permits;
11. For applications with a private driveway (either existing or proposed) connecting onto the public highway, the following conditions of approval apply:

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- No surface water from the applicants site should be allowed to drain onto the public highway;
- The first 5m* minimum (for residential property) should be hard paved, avoiding gravel or loose chippings form spreading;
- No gate should be built in a location where it would result in a car obstructing the highway whilst being unlocked, and it should not swing out and over a pavement or any other part of the highway.

*The hard paved length and set back if required is subject to the applicants proposed vehicular length.

The applicants should allow a minimum of 4 weeks' notice for any of the above standard requirements, and 6-8 weeks for lane closures & road closures (lead times may change without notice subject to workload and complexity). Any works involving Trunk roads should be coordinated separately and directly with the North & Mid Wales trunk Road Agency. For larger sites with a significant impact upon the highway, a Construction Traffic Management Plan will be required.

A licence must be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerbline and cross the footpath in connection with condition no. 11. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council on telephone 01978 729670.

David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wrecsam
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