

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 MS KATHY EDMONDS

Reference P/2021/0983

Agent BLUEPRINT LTD
MR DAFYDD EDWARDS
Office 34K
Redwither Tower
Wrexham Industrial Estate
Wrexham
LL13 9XT

Date Received 11/10/2021

Decision Date 02/09/2024

Town and Country Planning Act, 1990

Location of Application

LAND ADJACENT TO LLWYBR Y GARTH AND CWMALIS ROAD YR OCHR
FRONCYSYLLTE LLANGOLLEN LL20 7RS

Description of Application

CAIS AMLINELLOL AR GYFER CODI ANNEDD (CADW POB MATER)
OUTLINE APPLICATION FOR ERECTION OF DWELLING (ALL MATTERS
RESERVED)

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

National Policies and Technical Advice Notes (TAN):

TAN 5 – Nature Conservation and Planning
TAN12 – Design
TAN18 – Transport
TAN24 – The Historic Environment

Wrexham Local Development 2013 – 2028:

BE1 - Pontcysyllte Aqueduct and Canal World Heritage Site
DM1- Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE3 -Trees, Woodlands and Hedgerows
NE4 - Area of Outstanding Natural Beauty
NE6 - Waste Water Treatment and River Water Quality
SP11 - Transport and Accessibility
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment

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SP15 - Historic and Cultural Environment
SP19 - Green Infrastructure
SP2 - Location of Development
T1 - Managing Transport Impacts
T2 - Active Travel

Revision	Date	Description of Decision
0	02/09/2024	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

Condition(s)

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
2. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.
3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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4. A scheme to provide ecological mitigation and net benefit for biodiversity (NBB) shall be submitted with the reserved matters. The scheme shall, as a minimum include the mitigation and enhancement measures outlined in Appendix III of the Preliminary Ecological Appraisal by Tyrer Ecological Consultants Ltd dated September 2021 and shall also include, but not be limited to:

- i. A scheme of replacement tree planting at a ratio of 3:1;
- ii. A scheme of native landscaping;
- iii. A scheme of bat and bird box provision;
- iv. Use of bee bricks within the development;
- v. A scheme of provision for hedgehogs;
- vi. A Landscape Management Plan.

The measures shall be fully implemented in accordance with the approved details and timescales and shall be retained thereafter for the lifetime of the development. All tree and hedgerow planting shall be managed in accordance with the approved Landscape Management Plan.

5. There shall be no clearance of vegetation on site between the months of March to August inclusively in any calendar year.
6. Prior to the commencement of construction activities on site, a Construction Traffic Management Plan (CTMP) shall be agreed with the Planning Authority in consultation with the Welsh Government in respect of loading/unloading of construction materials and the management of construction traffic through the duration of the works. The CTMP shall be implemented for the duration of the construction works.

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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 in accordance with details first submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter permanently retained.
8. Notwithstanding the provisions 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 fences, gates or walls or other means of enclosure shall be erected, constructed or placed across the access within 5 metres of the highway boundary.
9. Prior to first use of the development hereby permitted the vehicular access shall provide visibility splays of 2.4 metres x 43 metres in both directions measured to the centreline 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.
10. Notwithstanding the provisions 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 fences, gates or walls shall be erected within shall be erected, constructed or placed across the access within 5 metres of the highway boundary.
11. The vehicular access hereby permitted shall have a maximum gradient of 1 in 8 (12%).

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12. No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason(s)

- 1 To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
- 2 To comply with Section 92 of the Town and Country Planning Act, 1990.
- 3 To comply with Section 92 of the Town and Country Planning Act, 1990.
- 4 In order to protect wildlife interests and to ensure the development delivers net benefit to biodiversity in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan and paragraph 6.4.5 of Planning Policy Wales 12
- 5 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
- 6 To maintain the safety and free flow of trunk road traffic.
- 7 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 8 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

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- 9 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.
- 10 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 11 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 12 To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

Note(s) to applicant

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.

There is a public sewer crossing the site and no development should take place within 3m either side of the sewer. You are advised that the planning permission hereby granted does not authorise any building over, diversion, connection or other interference with any sewer, public or private, which crosses the site. You are advised to contact Welsh Water in this regard, prior to undertaking any groundwork in connection with the development. Should you be required to depart from the details hereby approved, you should contact the Council's planning department to seek further advice with regard to the submission of amended plans and / or a new planning application.

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed may be required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works.

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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

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.

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;

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- 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.

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](#)