

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 STEVEN DAVIES

Reference P/2023/0606

Agent BLUEPRINT ARCHITECTURAL
SERVICES
DAFYDD EDWARDS
Office 34K
Redwither Tower
Wrexham Industrial Estate
Wrexham
LL13 9XT

Date Received 24/08/2023

Decision Date 05/09/2024

Town and Country Planning Act, 1990

Location of Application

WYNN OFFA, WYNNSTAY YARD, RUABON, WREXHAM, LL14 6DP

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):

TAN5 – Nature Conservation and Planning
TAN11- Noise
TAN12 – Design
TAN18 – Transport
TAN24 – The Historic Environment

Wrexham Local Development 2013 – 2028:

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
SP15 - Historic and Cultural Environment

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SP19 - Green Infrastructure
SP2 - Location of Development
SP6 - Green Wedge
T1 - Managing Transport Impacts
T2 - Active Travel

Revision	Date	Description of Decision
0	05/09/2024	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 hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.

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4. The reserved matters application shall be accompanied by a plan to provide net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped. The plan shall be based on, but not limited to, the details outlined on Drawing D061/005 Revision A and Drawing D061/006 Revision B. The measures shall be implemented in full, prior to first occupation / use of the development, and thereafter maintained for the lifetime of the development.
5. The reserved matters application shall include details of secure on-site bicycle parking facilities for at least two bicycles. The approved facilities shall be erected prior to the first occupation of the development and shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of bicycles.
6. No development shall take place until a scheme for the drainage of foul water and surface water has been submitted to and approved in writing by the Local Planning Authority. Foul and surface water shall be drained separately. The approved scheme shall be implemented prior to the first use/occupation of the development.
7. The reserved matters application shall include details of proposed refuse collection and bin storage facilities, and shall also include a plan showing the swept path of two vehicles simultaneously entering and exiting the site.

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8. 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.
9. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 8 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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10. The developer shall ensure that a suitably qualified archaeological contractor is present during any groundworks so that archaeological monitoring and recording can be conducted. The monitoring and recording must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for Archaeological Monitoring and Recordings.

A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, Heneb: Clwyd-Powys Archaeology (neil.bayliss@cpat.org.uk). On approval by the Local Planning Authority, project data must be submitted and approved for inclusion in the Heneb: ClwydPowys Archaeology Historic Environment Record. For any questions regarding this submission process, please contact the HER Team at her@cpat.org.uk. The full digital archive must also be submitted and approved for inclusion within the National Monuments Record, RCAHMW or the Archaeology Data Service, ADS.

11. The reserved matters application shall include details demonstrating that the proposed dwelling and boundary treatment would include the mitigation measures as outlined in the BS8233, BS4142 and BS6472 Assessment by James Flitton dated March 18, 2024.
12. No external illumination within the site shall take place before a lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall be installed and operated in accordance with the approved details. No other lighting shall be used on any external part of the development.

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13. The development shall be carried out in strict accordance with the findings and recommendations contained within the Preliminary Ecological Appraisal by Tyrer Ecological Consultants Ltd dated March 2024. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.
14. The reserved matters application shall include details of the installation of an integral bat box within the proposed dwelling.
15. 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.
16. No land drainage run-off and/or surface water shall be permitted to discharge or connect directly or indirectly to the public sewerage network.

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 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.

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- 5 To assist occupiers/users of the development to make sustainable transport choices in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 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 interests of highway safety, having regard to Policy DM1 of the Wrexham Local Development Plan.
- 8 In the interests of the amenities of the future occupants of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 9 In the interests of the amenities of the future occupants of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 10 To secure preservation by record of any archaeological remains which may be revealed during ground excavations for the development, in accordance with Policies DM1 and SP15 of the Wrexham Local Development Plan
- 11 In the interests of the amenity of future occupiers of the dwelling, having regard to Policy DM1 of the Wrexham Local Development Plan.
- 12 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.

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- 13 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
- 14 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
- 15 To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.
- 16 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.

Note(s) to applicant

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.

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain 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

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.

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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.

Further advice on compliance with condition no's 8 and 9 may be obtained by contacting the Council's Contaminated Land Team on 01978 298870 or contaminatedland@wrexham.gov.uk. Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Council's Environmental Protection Team prior to commencement of works on site.

The applicant should give consideration to the creation of a suitable turning head to accommodate a medium sized delivery vehicle within the site.

David Fitzsimon

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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](#)