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	JANE PIGOTT	**Code Number**	MAR P/2023/0805
Agent	MR CRAIG BAUGH CB ARCHITECTURAL DESIGN 41 FOSTER ROAD WREXHAM LL11 2LT	**Date Received**	09/11/2023
		Decision Date	13/06/2024

Town and Country Planning Act, 1990

Location of application

LAND ADJACENT TO 1, FOREST VIEW, MARCHWIEL, WREXHAM, LL13 0SE

Description of application

GOSOD DAU GABAN GWYLIAU A GWAITH ATEGOL / SITING OF TWO HOLIDAY CABINS AND ANCILLARY WORKS

In reaching this decision the Council has had regard to the relevant policies in the Wrexham Local Development Plan which are as follows:-

DM1	Development Management Considerations
NE6	Waste Water Treatment and River Water Quality
SP11	Transport and Accessibility
SP12	Design Principles & Masterplanning Framework
SP13	Health and Wellbeing
SP14	Natural Environment
SP2	Location of Development
T1	Managing Transport Impacts

Revision	Date	Description of Decision
0	13/06/2024	Planning permission issued

Particulars of decision that permission be GRANTED
Subject to the following:-

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:
   Block plan as proposed 864/L(9)01 Rev I

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ACO Multidrain 21819 Rev F
L2 01C L2 02C Proposed cabin details
L01B Location Plan
Information sheet
and as contained within the application documentation.

3. The cabins shall only be used for holiday accommodation and at no time shall be used as permanent dwellings.
4. The development shall be carried out in strict accordance with the following plans and report(s) submitted and approved as part of this application:
   1) Arboricultural Implication Assessment and method statement ref no. DW/DA/HDH/004/BSTS dated 1/7/2023
   2) Tree Protection Plan ref no. DW/JP/FVB/004/BSTS
   No development or other operations shall take place except in strict accordance with the reports as approved.
5. The vehicular parking area as shown on approved drawing numbers(s) 864/L(9)01 Rev I shall be fully laid out, surfaced and drained prior to first use of the development. This parking area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.
6. No part of the development shall commence until full details of a hard and soft landscaping scheme together with a timescale for the implementation of works have been submitted to and approved in writing by the Local Planning Authority.
7. The landscaping scheme submitted and approved in connection with condition no. 6 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
8. The landscaping scheme as carried out in connection with condition no. 7 shall be retained for a minimum of 5 years. Within this timescale, any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.
9. No development shall commence until a detailed plan to provide net benefit for biodiversity (NBB) has been submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented as approved prior to the first beneficial use of the development and shall be retained thereafter for the lifetime of the development.

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10. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 25 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.
11. There shall be no gates or other means of enclosure across the vehicular access point.
12. 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.

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 protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan, and noting that the accommodation provided would not be suitable for permanent habitation.
4. To protect trees which are of significant amenity value to the area in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.
5. To provide for the parking of vehicles clear of the highway in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan.
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area, and in the interests of ecology, in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area, and in the interests of ecology, in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.

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8. 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.
9. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
10. 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.
11. In the interests of highway safety in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan.
12. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

Note(s) to applicant

Your attention is drawn to Highway Supplementary Notes - Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm

You are advised that this grant of planning permission was made following the completion of an Agreement under Section 106 of the Town and Country Planning Act. Before undertaking any work under this permission you are advised to obtain full details of the Agreement and ensure that you are able to comply with its terms.

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

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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;
- 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.

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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.

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
Chief Officer Economy and Planning

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http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm