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 V ROBERTS

Reference P/2024/1249

Agent ANDREW DESIGN SERVICE
CHILTERNS
TREFONEN
OSWESTRY SY10 9DH

Date Received 16/07/2024

Decision Date 23/09/2024

Town and Country Planning Act, 1990

Location of Application

19 CHERRY HILL DRIVE, WREXHAM, LL12 7TU

Description of Application

ESTYNIAD I GAREJ AC ADEILADU WAL DERFYN
EXTENSION TO GARAGE AND ERECTION OF BOUNDARY WALL

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:

DM1 - Development Management Considerations
NE6 - Waste Water Treatment and River Water Quality
SP19 - Green Infrastructure
SP2 - Location of Development
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	23/09/2024	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 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):
   - Drawing PL01 Location Plans;
   - Drawing PL02b Existing Site Plan;
   - Drawing PL03b Proposed Site Plan;
   - Drawing PL04a Existing;
   - Drawing PL05a Proposed;
   - Green Infrastructure Statement and Net Biodiversity Benefit.

3. The development hereby permitted shall not be occupied until measures to deliver net benefit for biodiversity (NBB) detailed in the Green Infrastructure Statement and Net Biodiversity Benefit document and shown on Drawings PL03b and PL05a have been implemented in full. The measures shall thereafter maintained for the lifetime 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 91(3) of the Town and Country Planning Act, 1990.

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

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.

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

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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.

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:

- 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.

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For the closure of the existing access the applicant should contact the highway authority prior to carrying out any works.

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.



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