

Applicant MR ALED HOPWOOD

Reference P/2024/0160

Agent ARKIFY GERAINT
EDWARDS
36 Plas Tirion
Johnstown
Wrexham
LL14 1UR

Date Received 19/02/2024

Decision Date 15/10/2024

Town and Country Planning Act, 1990

Location of Application

SUNNYBANK EYTON WREXHAM LL13 0YD

Description of Application

ESTYNIADAU UNLLAWR YN Y TU BLAEN, AR YR OCHR AC YN Y CEFN A
NEWID DEFNYDD O DIR I GWRTIL PRESWYL
SINGLE STOREY FRONT, SIDE AND REAR EXTENSIONS AND CHANGE OF
USE OF LAND TO RESIDENTIAL CURTILAGE

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

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

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



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Revision	Date	Description of Decision
0	15/10/2024	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.
2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
 - Drawing A001 Rev A, dated 01/10/23;
 - Drawing A002 Rev A, dated 01/10/23;
 - Drawing A003 dated 01/10/23;
 - Drawing A103 Rev D, dated 10/01/24;
 - Drawing A102 Rev F, dated 01/11/23;
 - Drawing A300 Rev E, dated 01/11/23;
 - Drawing A101 Rev F, dated 10/01/24;
 - Green Infrastructure Statement revA dated 01/07/2024.
3. The development hereby permitted shall not be first used until measures to deliver net benefit for biodiversity (NBB) outlined in the Green Infrastructure Statement revA (Proposed Green Infrastructure) and shown on Drawing A101 Rev D, dated 10/01/24 have been implemented in full. The measures shall thereafter maintained for the lifetime of the development.
4. Prior to the commencement of the development hereby permitted, full details of the materials to be used in the construction of the external surfaces of the development shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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5. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E 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 extensions to the dwelling[s] shall take place and no structures shall be erected within the curtilage of the dwelling.
6. The garage hereby approved shall only be used for the benefit of the occupants of Sunnybank, Eyton, LL13 0YD and for the intended use as a garage only, as outlined in this application, and shall not be sold or used separately from Sunnybank, Eyton.

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.
- 4 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.
- 5 In the interests of protecting residential amenity and the character of the open countryside in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 6 To ensure that the development permitted is appropriate within the open countryside, in accordance with Policy DM1 of the Wrexham Local Development Plan.

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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.

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.

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.

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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.

A handwritten signature in black ink, appearing to be 'DF', written over a light blue horizontal line.

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](#)