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 Brett Bernard

Reference P/2024/1117

Agent Mr Neil Ranford
NCR Architectural Design Limited, 1st & 2nd Floors, Lower High Street, Stourbridge, West Midlands, DY81TA

Date Received 19/06/2024

Decision Date 17/10/2024

Town and Country Planning Act, 1990

Location of Application

BROUGHTON HALL, GATEWEN ROAD, NEW BROUGHTON, WREXHAM, LL11 6YA

Description of Application

ESTYNIAD DEULAWR I OCHR YR EIDDO AC ESTYNIAD DEULAWR I GEFN YR EIDDO
TWO STOREY SIDE EXTENSION AND TWO STOREY REAR EXTENSION

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
EM4 - Employment Development Outside of Settlement Limits
NE1 - International and National Nature Conservation Designations
NE6 - Waste Water Treatment and River Water Quality
SP8 - Economic Growth, Employment and Enterprise
SP11 - Transport and Accessibility
SP12 - Design Principles & Masterplanning Framework
SP13 - Health and Wellbeing
SP14 - Natural Environment
SP19 - Green Infrastructure
SP2 - Location of Development

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SP6 - Green Wedge
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	17/10/2024	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 BH/4 dated May 2024;
   - Drawing BH/5 dated May 2024;
   - Drawing BH/6 dated May 2024;
   - Drawing BH/7 dated May 2024;
   - Drawing BH/8 dated May 2024;
   - Drawing BH/9 dated May 2024;
   - Green Infrastructure Benefit and Net Biodiversity Form dated 07/08/2024.

3. The development hereby permitted shall not be first used until the measures to deliver net benefit for biodiversity (NBB) shown on the Green Infrastructure Benefit and Net Biodiversity Form dated 07/08/2024 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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4. The vehicular parking and turning areas as shown on the plans(s) numbered BH/8 dated May 2024 shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of vehicles at all times.

5. Prior to first use of the development on-site bicycle parking facilities shall be provided in strict accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of bicycles.

6. Prior to the first use of the development hereby permitted, the septic tank used for the discharge of foul water from the proposed development shall be fitted with an overflow alarm. This shall be retained in good working order in perpetuity.

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 provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan

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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 ensure that the tank does not overflow and cause additional nutrients to discharge to ground and resultantly into the River Dee and Bala Lake SAC, having regard to Policies NE1, NE6 and DM1 of the Wrexham Local Development Plan.

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.

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.

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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 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.

A permit for the septic tank may be required; further information is available through Natural Resource Wales Natural Resources Wales / Septic tanks and private sewage systems and further advice on how to access the service regarding environmental permits is available here Natural Resources Wales / Pre application advice for environmental permits

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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