

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 ROBERT MILLERCHIP	Reference	P/2023/0802
Agent	MR PAUL HOWELL RGM CONSTRUCTION RGM CONSTRUCTION, FLAT 11, BARSTAPLE HOUSE, LOWER KNOLE LANE, BRENTY, BRISTOL, BS10 6UD	Date Received	22/08/2023
		Decision Date	22/10/2024

Town and Country Planning Act, 1990

Location of Application

CHURCH VIEW SCHOOL LANE BRONINGTON WHITCHURCH WREXHAM SY13 3HN

Description of Application

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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 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations

H7 - Housing in the Countryside

NE1 - International and National Nature Conservation Designations

NE6 - Waste Water Treatment and River Water Quality

SP1 - Housing Provision

SP12 - Design Principles & Masterplanning Framework

SP14 - Natural Environment

SP19 - Green Infrastructure

SP2 - Location of Development

T1 - Managing Transport Impacts

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BS10 6UD

Date Received 22/08/2023

Decision Date 22/10/2024

Revision	Date	Description of Decision
0	22/10/2024	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):
01 Rev B - Proposed Site Plan
02 - New Property Plans & Elevations
received by the LPA on the 24th November 2023.
3. Prior to the commencement of the development hereby permitted, samples 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.
4. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) shown on 'Net biodiversity benefit Plan' have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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5. The development shall be carried out in strict accordance with the findings and recommendations contained within
 - **Ecological Appraisal** ref 23-09 217.1R (October 2023), prepared by Greenscape Environmental
 - **Reasonable Avoidance Measures** ref 23-09 217.2MS (January 2024), prepared by Greenscape Environmental

The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

6. The development shall be carried out in strict accordance with the findings and recommendations contained within **Arboricultural Report** (November 2023), prepared by Old Oak Tree Care.
7. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.
8. Prior to first use of the development hereby permitted 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.
9. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

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10. The developer shall ensure that a suitably qualified archaeological contractor is present during the groundworks so that the 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, Clwyd-Powys Archaeological Trust (neil.bayliss@cpat.org.uk). On approval by the Local Planning Authority, project data must be submitted and approved for inclusion in the Clwyd-Powys Archaeological Trust's 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 2 approved for inclusion within the National Monuments Record, RCAHMW or the Archaeology Data Service, ADS.

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 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.

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- 4 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
- 5 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
- 6 To preserve the health, safety and amenity value of the trees in accordance with Policies DM1, SP12, SP14 and NE3 of the Wrexham Local Development Plan.
- 7 To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 8 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.
- 9 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 10 To secure preservation by record of any archaeological remains which may be revealed during ground excavations for the consented development.

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Note(s) to applicant

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.

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.

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A handwritten signature in black ink, appearing to be 'DF', located below the agent's address.

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](#)