

Applicant MR DAN ANDREWS

Reference P/2023/0653

Decision Date 01/11/2024

Town and Country Planning Act, 1990

Section 73

Location of Application

LAND AT WREXHAM ROAD RHOSTYLLLEN WREXHAM LL14 4DH

Description of Application

AMRYWIAD I AMOD 2 O GANIATAD CYNLLUNIO P/2007/0686 I DDIWYGIO (NEWID Y LLEINIAU 83-116)/ VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/2007/0686 (PLOT SUBSTITUTION 83-116)

In reaching this decision the Council has had regard to the following relevant policies: -

National Policies and Technical Advice Notes (TAN):

Future Wales Policy 1 - Where Wales will grow

TAN 11 : Noise

TAN 12 : Design

TAN 18 : Transport

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations

H2 - Affordable Housing, Non-Strategic Housing Allocations and Windfall Sites

NE1 - International and National Nature Conservation Designations

NE2 - Local Designations for Nature Conservation and Geological Importance

NE3 - Trees, Woodlands and Hedgerows

NE6 - Waste Water Treatment and River Water Quality

SP18 - Climate Change

SP19 - Green Infrastructure

SP2 - Location of Development

T1 - Managing Transport Impacts

CF2 - Provision of New Open Space

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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SP1 - Housing Provision
SP11 - Transport and Accessibility
SP13 - Health and Wellbeing
SP14 - Natural Environment
T2 - Active Travel
T3- Passenger Transport

Revision	Date	Description of Decision
0	31/10/2024	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

Condition(s)

1. Prior to their use on the development samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

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2. Development shall only be carried out in strict accordance with the following:
- Plots 1 to 36 : The plans and documents listed on notice reference no. P/2022/0968
 - Plots 37 to 44: The plans and documents approved as non-material amendment on notice reference: P/2023/0733
 - Plots 47-78 : The plans and documents approved under planning permission ref: P/2007/0686
 - Plots 83 - 116: The plans and documents subject to this approval:
 - Drawing no. WR2-SAL-A1-ZZ-DR-A-605 Revision P3: Proposed Site Layout Phase 2a
 - Drawing no. SGH-SAL-B2-ZZ-DR-A-0100 Revision P1 Berwyn Master
 - Drawing no. SGH-SAL-B1-ZZ-DR-A-0100 Revision P1 Bodfari Master
 - Drawing no. SGH-SAL-C3-ZZ-DR-A-0100 Revision P1 Corwen Master
 - Drawing no. SGH-SAL-D1-ZZ-DR-A-0100 Revision P1 Derwen Master
 - Drawing no. SGH-SAL-G1-ZZ-DR-A-0100 Revision P1: Gresford Master
 - Drawing no. SGH-SAL-L1-ZZ-DR-A-0100 Revision P1: Llanferres Master
 - Drawing no. SGH-SAL-R2-ZZ-DR-A-0100 Revision P1 Richmond 2 Master
 - Drawing no. SGH-SAL-3B-ZZ-DR-A-0100 Revision P1 3BD Master.
 - Drawing no. 101 Landscape Masterplan
 - Drawing no. 102 Play Area Details - LEAP
 - Drawing no. 201 Planting Plan (1 of 2)
 - Drawing no. 202 Planting Plan (2 of 2)

In respect of those parts of the site not identified on the plans referred to above: The drawings approved on 1 July 2010 under reference no. P/2007/0686

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3. A scheme for a traffic signal controlled junction at Church Street / Wrexham Road junction shall be implemented prior to occupation of the first dwelling in accordance with the details shown on the following drawings approved by letter dated 3 July 2013:
 - i. V-R5675.00/10/CL/002 Rev A;
 - ii. V-R5675.00/20/CL/002 Rev A3;
 - iii. V-R5675.00/20/CL/003 Rev A1;
 - iv. V-R5675.00/70/CL/009 Rev A1;
 - v. V-R5675.00/70/CL/104 Rev A3;
 - vi. V-R5675.00/110/CL/002 Rev A1;
 - vii. V-R5675.00/120/CL/001 Rev A3;
 - viii. V-R5675.00/120/CL/002 Rev A1;
 - ix. V-R5675.00/130/CL/001 Rev A1; and
 - x. 1000000499-C-140-01 Rev C
4. A scheme for puffin crossing points on Wrexham Road shall be implemented prior to the occupation of the first dwelling in accordance with the details shown on drawing no. 1000000499-C-140-01 Rev C approved by letter dated 3 July 2013.
5. A scheme for a roundabout at the junction of Eldon Grove and Wrexham Road shall be implemented prior to occupation of the first dwelling in accordance with the details approved under variation of condition approval ref: P/2008/1063.
6. A scheme of improvements to the Henblas Road junction with Wrexham Road shall be implemented prior to occupation of the first dwelling in accordance with the details shown on the following drawings approved by letter dated 3 July 2013:
 - i. V-R5675.00/20/L/004 Rev A;
 - ii. V-R5675.00/70/CL/010 Rev A1;
 - iii. V-R5675.00/70/CL/020 Rev A1;
 - iv. V-R5675.00/120/CL/001 Rev A3;
 - v. V-R5675.00/120/CL/002 Rev A1;
 - vi. V-R5675.00/00/TA/001 Rev A; and
 - vii. V-R5675.00/00/SK/005 Rev A

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7. A scheme demonstrating for improvements to the Church Street junction with Wrexham Road shall be implemented prior to occupation of the first dwelling in accordance with the details shown on the following drawings approved by letter dated 3 July 2013:
 - i. V-R5675.00/10/CL/002 Rev A;
 - ii. V-R5675.00/20/CL/002 Rev A3;
 - iii. V-R5675.00/20/CL/003 Rev A1;
 - iv. V-R5675.00/70/CL/009 Rev A1;
 - v. V-R5675.00/70/CL/104 Rev A3;
 - vi. V-R5675.00/110/CL/002 Rev A1;
 - vii. V-R5675.00/120/CL/001 Rev A3;
 - viii. V-R5675.00/120/CL/002 Rev A1;
 - ix. V-R5675.00/130/CL/001 Rev A1; and
 - x. 1000000499-C-140-01 Rev C
8. The recommendations and measures identified in the approved Updated Travel Plan (ref 832-01/TP01) shall be implemented in accordance with the details hereby approved. Within 12 months of commencement of development and thereafter annually, a 'Monitoring and Assessment Report' of the approved Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority.
9. Full details of a pedestrian link from the proposed development site to the existing church car park shall be submitted for the approval of the Local Planning authority. Such details as agreed shall be implemented to an agreed timescale and retained thereafter.
10. A scheme of improvements to bus stop facilities shall be implemented prior to the occupation of the first dwelling in accordance with details shown on drawing no. V-R5675.00/20/CL/001 Rev A1 approved by letter dated 3 July 2013.

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11. The communal parking areas shown on the improved plans shall be laid out, surfaced and drained prior to each phase of development being occupied and shall thereafter be available at all times, retained free of all obstructions
12. Street lighting and street furniture shall be provided in accordance with the details shown on the following drawings approved by letter dated 3 July 2013:
 - i. V-R5675.00/130/CL/001 Rev A1;
 - ii. V-R5675.00/130/CL/002 Rev A;
 - iii. V-R5675.00/130/CL/003 Rev A; and
 - iv. V-R5675.00/RL001 Rev 1.
13. The private garages shown on the approved plans shall be retained for the use of private vehicle parking of the residents only and the front elevation thereto shall not be altered without prior planning permission
14. The erection of fencing for the protection of the existing and new pocket park shall be undertaken before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The above mentioned fencing shall consist of a scaffold framework in accordance with Figure 2 of BS 5837 (2005) comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3 metres. Onto this, 2.1 metre weldmesh panels shall be securely fixed with wire or scaffold clamps. This fencing shall be erected at the full extent of the pocket park. Nothing shall be stored or placed in any area fenced and no construction activity is to be permitted within this area, in accordance with this condition without the written permission of the Local Planning Authority

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15. Hard and soft landscaping shall be carried out in accordance with the following:
The development site, with the exception of Phase 2a: The drawings and documents approved by letter dated 3 July 2013 in respect of condition 19 of reserved matters approval P/2007/0686:
Phase 2a: Drawing no. 101 Landscape Masterplan
Drawing no. 102 Play Area Details - LEAP
Drawing no. 201 Planting Plan (1 of 2)
Drawing no. 202 Planting Plan (2 of 2)
The hard landscaping in phase 2 shall be implemented in full prior to the occupation of the first dwelling in the phase. All soft landscaping shall be undertaken in the first planting season following the first occupation of the dwellings in the phase.
16. Within three months of commencement of development within Phase 2a, amended phasing proposals for site development shall be submitted for the written approval of Local Planning Authority. The details shall:
 - i. indicate the number of units to be completed within each phase of development;
 - ii. indicate the units to be made available for affordable housing;
 - iii. indicate the extent of all hard and soft landscape works, which are associated with each development phase; and- include phasing of all private, public open space and public realm areas. Each phase of development shall be completed to an agreed timescale. All hard and soft landscape works shall be implemented in advance of the occupation of any part of each associated phase
17. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the landscaping schemes shall be replaced by trees or shrubs of similar size and species to those originally required to be planted; and no planting shall be removed after that five year period, unless otherwise approved in writing by the Local Planning Authority

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18. Within three months of commencement of development within Phase 2a a revised landscape management plan for all hard and soft areas, within public open space and public realm, shall be submitted for the written approval of the Local Planning Authority. The Management Plan shall be implemented in accordance with a timetables to be submitted as part of the proposals.
19. The development shall be implemented in strict accordance with the URS Ecological Management Plan (reference Final 46404407/NTRP0002 Issue No. 2 dated October 2012) approved by letter dated 3 July 2013
20. Noise mitigation measures as detailed in Section 7 of the SRL Technical Report (Report Number C/05/6W/1578/R01/PVCS/jsc) shall be implemented in full prior to the occupation of each individual unit, with the exception of the plots shown on drawing no. WR2-SAL-A1-ZZ-DR-A-605 Revision P3: Proposed Site Layout Phase 2a
21. The development shall be carried out in strict accordance with the Dust Management Strategy - Erddig Land Development approved by letter dated 3 July 2013
22. Foul water and surface water discharges shall only be drained separately from the site
23. No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.
24. No land drainage run-off shall be permitted, either directly or indirectly, to discharge into the public sewerage system.
25. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order the work spaces in house types Rhos J(a), Rhos J(b) and Rhos K shall only be used for B1a uses unless the prior written approval of the Local Planning Authority is obtained for any other use. For the avoidance of doubt, the work spaces shall not be used for residential purposes

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26. The work spaces in house types Rhos J(a), Rhos J(b) and Rhos K shall only be used by persons residing in those properties. For the avoidance of doubt, no other persons shall be employed in the premises without the further written approval of the Local Planning Authority
27. Tree protection measures shall be implemented when construction works are taking place on site in strict accordance with the details shown on following drawings and documents approved by letter dated 3 July 2013
 - i. Arboricultural Layout Plan - 1358/AL/01 - SK.01 and 1358/AL/01 - SK.02 (2 sheets).
 - ii. Tree Protection Plan - 1358/TP/01 - SK.01 and 1358/TP/01- SK.02 (2 sheets).
 - iii. Arboricultural Implications Assessment and appended Arboricultural Method Statement - Document Ref: 1358/DR.06 dated April 2013
28. No trees shall be lopped, topped, felled or uprooted without the prior written permission of the Local Planning Authority, nor shall any trees be wilfully damaged.
29. The work shall be carried out in accordance with British Standard 3998 and subsequent revisions. The final pruning cut shall be made in accordance with the Branch Bark ridge method.
30. The Council's Arboricultural Officer shall be notified three weeks in advance in writing of the intended start date for the footpath construction works for the footpath that encroaches within the 18 metre exclusion zone for the Ash tree protected by Tree Preservation Order WCBC 23

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31. The Ash tree protected by Tree Preservation Order WCBC 23 shall be protected by tree protection fencing that shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The above mentioned fencing shall consist of a scaffold framework in accordance with Figure 2 of British Standard 5837:2005 comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3 metres. Onto this, 2.1 metre weldmesh panels shall be securely fixed with wire or scaffold clamps. This fencing shall be erected at the extent of the 18 metre exclusion zone around the tree measured as a radius from the centre of the tree's trunk. Nothing shall be stored or placed in the area fenced in accordance with this condition and the ground levels within this area shall not be altered, nor shall any excavations be made without the written permission of the Local Planning Authority

Reason(s)

- 1 In the interest of protecting the visual amenities of the site in accordance with Policy DM1 of the Local Development Plan.
- 2 To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- 3 To ensure no detriment to highway safety in accordance with Policy DM1 of the Local Development Plan
- 4 To ensure no detriment to pedestrian safety in accordance with Policy DM1 of the Local Development Plan

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- 5 To ensure no detriment to highways safety in accordance with Policy DM1 of the Local Development Plan
- 6 To ensure no detriment to highway safety in accordance with Policy DM1 of the Local Development Plan
- 7 To ensure no detriment to highway safety in accordance with Policy DM1 of the Local Development Plan
- 8 To ensure adequate transport provisions are provided in accordance with Policy DM1 of the Local Development Plan
- 9 To ensure no detriment to pedestrians in accordance with Policy DM1 of the Local Development Plan
- 10 To ensure adequate transport provisions are provided in accordance with Policy DM1 of the Local Development Plan
- 11 To ensure adequate parking provision is provided in accordance with Policy DM1 of the Local Development Plan
- 12 To ensure no detriment to road and pavement users in accordance with Policy DM1 of the Local Development Plan
- 13 To ensure adequate parking provision is retained within the site in accordance with Policy DM1 of the Local Development Plan
- 14 To ensure protection of the existing and proposed play provision within the site in accordance with Policy DM1 of the Local Development Plan
- 15 To ensure implementation of the approved landscaping scheme in the interests of enhancing the visual appearance of the site in accordance with Policy DM1 of the Local Development Plan
- 16 In the interests of clarity

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- 17 To ensure that the works on the site properly take account of the future health of the trees in accordance with Policies DM1, NE3 and SP14 of the Wrexham Local Development Plan.
- 18 To ensure landscape features are properly considered and protected in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 19 To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
- 20 To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
- 21 To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
- 22 To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 23 To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 24 To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 25 In the interests of clarity.
- 26 In the interests of clarity.

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- 27 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.
- 28 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.
- 29 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
- 30 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.
- 31 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.

Note(s) to applicant

The development shall be carried out in strict accordance with the URS Ecological Method Statement (reference Final 46404407/NTRP0003 Issue No. 1 dated October 2012) approved by letter dated 3 July 2013



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](#)