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 Mrs Andrea Evans
(Clerk to the Council)

Agent Mr Geraint Roberts
2, Maes Derw,
Llanfechain, SY22
6XN

Reference P/2024/1438

Date Received 17/09/2024

Decision Date 14/11/2024

Town and Country Planning Act, 1990

Location of Application

FORMER J C EDWARDS BRICKWORK SITE, LLANGOLLEN ROAD, TREVOR, LLANGOLLEN, WREXHAM, LL20 7TF

Description of Application

NEWID DEFNYDD TIR I FAN AMWYNDER CYMUNEDOL GAN GYNNWYS ATGYWEIRIO'R WAL DERFYN BRESENNOL
CHANGE OF USE OF LAND TO COMMUNITY AMENITY SPACE INCLUDING REPAIR OF EXISTING 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 16 : Sport, Recreation and Open Space
TAN 24 : The Historic Environment
TAN 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

BE1 - Pontcysyllte Aqueduct and Canal World Heritage Site
BE2 - Trevor Basin Masterplan Area
CF2 - Provision of New Open Space
DM1 - Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE3 - Trees, Woodlands and Hedgerows
NE4 - Area of Outstanding Natural Beauty
SP12 - Design Principles & Masterplanning Framework
SP13 - Health and Wellbeing
SP14 - Natural Environment
SP15 - Historic and Cultural Environment
SP19 - Green Infrastructure
SP2 - Location of Development

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Revision	Date	Description of Decision
0	14/11/2024	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 3188-003 Rev A;
   - Drawing 3188;
   - Drawing 3188-001;
   - Drawing 3188-002 Rev A;
   - Drawing 3188-004 Rev A;
   - Drawing JCEB-GRA-XX-XX-DR-A-Ex01 Issue Ref: P01;
   - Drawing JCEB-GRA-XX-XX-DR-A-Ex04 Issue Ref: P01;
   - Drawing JCEB-GRA-XX-XX-DR-A-Pr01 Issue Ref: P01;
   - Drawing JCEB-GRA-XX-XX-DR-A-Pr02 Issue Ref: P01;
   - Drawing JCEB-GRA-XX-XX-DR-A-Pr03 Issue Ref: P01;
   - Arboricultural Impact Assessment by Lingard Farrow Styles dated Nov 2023 Rev A;
   - Design and Access Statement (November 2024 – Rev A);
   - Green Infrastructure Statement (November 2024 - Rev B).

3. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.

4. The development hereby permitted shall not be first used until the proposed landscaping scheme and measures to deliver net benefit for biodiversity (NBB) shown on drawing 3188-004 Rev A and in the Green Infrastructure Statement dated November 2024 Rev B) have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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5. No development shall take place until a programme of building recording and analysis, equivalent to an Historic England Level 2 building survey, has been secured and implemented, in accordance with a brief issued by the local planning authority and a written scheme of investigation which has been submitted by an archaeological contractor and approved in writing by the local planning authority.

   The programme of building analysis and recording will be completed by an archaeological contractor and must meet the standards laid down by the Chartered Institute for Archaeologists in their Standard and Guidance for the archaeological investigation and recording of standing buildings or structures. A copy of the resulting report should be submitted to the Local Planning Authority and the Planning Archaeologist, Heneb: Clwyd Powys Archaeology (The Offices, Coed y Dinas, Welshpool, SY21 8RP).

   After approval by the Local Planning Authority project data must be submitted and approved for inclusion in the Heneb: Clwyd Powys Archaeology Historic Environment Record. The full digital archive must also be submitted and approved for inclusion within the National Monuments Record, RCAHMW or the Archaeology Data Service, ADS

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6. The developer shall ensure that a suitably qualified archaeological contractor is present during the undertaking of any groundworks within the proposed community space so that a scheme of archaeological monitoring and recording can be conducted. The archaeological monitoring and recording must meet the standards laid down by the relevant Chartered Institute for Archaeologists Standard and Guidance and will be completed in accordance with a written scheme of investigation, which has been approved in advance by the Planning Authority.

   A copy of the resulting report should be submitted to the Planning Authority and the Planning Archaeologist, Heneb: Clwyd Powys Archaeology (The Offices, Coed y Dinas, Welshpool, Powys, SY21 8RP). After approval by the Planning Authority project data must be submitted and approved for inclusion in the Heneb: Clwyd Powys Archaeology Historic Environment Record. The full digital archive must also be submitted and 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 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.

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

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5 To allow an adequate analytical record of the structure to be made, before it is altered, to ensure that its origins, use and development are understood and the main features, character and state of preservation are recorded having regard to policies SP15 and DM1 of the Wrexham Local Development Plan.

6 To secure preservation by record of any archaeological remains which may be revealed during works for the consented development in accordance with Policies DM1 and SP15 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.

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