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 Mark Jones

Reference P/2024/1107

Decision Date 06/12/2024

Town and Country Planning Act, 1990

Location of Application

JAYFIELD, CHAPEL LANE, BRONINGTON, WHITCHURCH, SY13 3HP

Description of Application

NEWID DEFNYDD O DIR I GWRTIL PRESWYL
CHANGE OF USE OF LAND TO RESIDENTAL CURTILAGE

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

National Policies and Technical Advice Notes (TAN):
TAN 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations
SP14 - Natural Environment

Revision	Date	Description of Decision
0	06/12/2024	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.

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2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s): Location Plan - Title Number CYM731349 & Ordnance Survey Map Ref SJ4838NE, Proposed Layout Plan - Title Number CYM731349 & Ordnance Survey Map Ref SJ4838NE and the Accompanying Application Form.

3. The development shall be carried out in strict accordance with the findings and recommendations contained within the accompanying Ecological Impact Assessment dated 10th August 2024. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

4. Notwithstanding the provisions of Schedule 2, Part 1 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 outbuilding additions shall take place removing the rights to erect any sheds, greenhouses and other garden structures on the land in question.

5. Any future landscaping or boundary treatments will ensure the new garden area is assimilated into the open countryside setting, nature conservation is considered and neighbour amenity is not compromised.

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. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.

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

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4. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Adopted Wrexham Local Development Plan and in order to protect wildlife interests and this countryside setting in accordance with Policies SP14 and DM1 of the Adopted Wrexham Local Development Plan.

5. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Adopted Wrexham Local Development Plan and in order to protect wildlife interests in accordance with Policies SP14 and DM1 of the Adopted 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.

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

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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.

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