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 MISS KATE JARVIS

Reference P/2024/1625

Agent ROBERT BLOUNT
JPH ARCHITECTS 8
BRIGHTON ROAD
RHYL
DENBIGHSHIRE LL18
3HD

Date Received 11/11/2024

Decision Date 17/01/2025

Town and Country Planning Act, 1990

Section 73

Location of Application

DOLWAR, PARK ROAD, COEDPOETH, WREXHAM, LL11 3TD

Description of Application

AMRYWIO AMOD 2 CANIATÂD CYNLLUNIO P/2023/0249 I DIWYGIO CYNLLUNIAU LLAWR A GOLYGON
VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/2023/0249 TO AMEND FLOOR PLANS AND ELEVATIONS

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
TAN 18 : Transport

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP19 - Green Infrastructure
SP2 - Location of Development
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	17/01/2025	Planning permission issued

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Particulars of decision : GRANTED subject to the following:-

Condition(s)

1. The development hereby permitted shall be commenced before the 28 March 2028.

2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s): 1424-JPH-XX-00 -DR-A-101,1424-JPH-XX-00-DR-A-102,1424-JPH-XX-00 -DR-A-103,1424-JPH-XX-00 -DR-A-104 and 1424-JPH-XX-00 -DR-A-105.

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. Notwithstanding the provisions of Schedule 2, Part 1, Classes A,B,C,D, and E 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 extensions shall take place to the dwelling[s] shall take place.

5. With the exception of those shown on the approved plans and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking, re-enacting that Order with or without modification) no windows or other openings shall be inserted in any elevation of the development hereby permitted.

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6. No development shall commence until a scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the diversion of the public sewer . Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water shall be allowed to connect directly or indirectly with the public sewerage system.

7. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the local planning authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

8. Each part of the site subject to the remediation under the scheme(s) approved as part of condition,7 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

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9. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment as carried out by P J Ecological solutions on behalf of Mr. Jarvis,Version 1 and dated March 2022,approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development and thereafter retained.

10. No part of the development shall commence until full details of a hard and soft landscaping scheme,to include Net Biodiversity Benefit and Bat Boxes, together with a timescale for the implementation of works have been submitted to and approved in writing by the Local planning authority.to provide net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped has been submitted to, and approved in writing by, the Local Planning Authority. The measures shall be implemented in full, prior to first occupation of the development, and thereafter maintained for the lifetime of the development.

11. The landscaping scheme submitted and approved in connection with condition no.10 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

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 Due to its relationship with the adjoining properties it is considered important to ensure that no additional development as described in the condition is carried out without the permission of the Local Planning Authority in accordance with Policy DM1 of the Wrexham Local Development Plan.

5 To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.

6 To protect the public sewerage system,the health and safety of existing residents and ensure no pollution of existing residents and ensure no pollution of or detriment to the environment and so comply with Policy GDP1 of the Wrexham Unitary Development Plan.

7 In the interests of the amenities of the future occupants of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.

8 In the interests of the amenities of the future occupants of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.

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

10 To ensure the development delivers net benefit to biodiversity and in the interests of the visual amenities of the area in accordance with paragraph 6.4.5 of Planning Policy Wales 12 and Policies GDP1 and SP14 of the Wrexham Local Development Plan.

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11 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 and SP14 of the Wrexham Unitary Development Plan.

Note(s) to applicant

Further advice on compliance with condition no 7 and 8 may be obtained by contacting the Council's Contaminated Land Officer on 01978 298771 or 297773. Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Contaminated Land Officer prior to commencement of works on site.

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.

Some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water's maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water, the applicant is advised to contact the Operations Contact Centre at Dwr Cymru on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

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The applicant may also need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.
Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

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