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 VICTOR
JWRROJC

Agent Paul Whale
STUIDIO 83 TEH
FORT OFFICES
ARTILLERY
BUSINESS PARK
PARK HALL
OSWESTRY
SHRPSHIRE SY11
4AD

Reference P/2024/1629

Date Received 20/11/2024

Decision Date 04/02/2025

Town and Country Planning Act, 1990

Location of Application

LAND AT TAN Y GRAIG OFF, HIGH STREET, CEFN MAWR, WREXHAM, LL14 3DD

Description of Application

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ERECTION OF 2 DWELLINGS

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 24 : The Historic Environment
TAN 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

BE1 - Pontcysyllte Aqueduct and Canal World Heritage Site
DM1 - Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE6 - Waste Water Treatment and River Water Quality
SP11 - Transport and Accessibility
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP15 - Historic and Cultural Environment

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SP19 - Green Infrastructure
SP2 - Location of Development
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	04/02/2025	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

Condition(s)

1. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
   - Drawing ref: 1210.237. L.02;
   - Drawing ref: 1210/237. 14a Revision A received on 01/02/2025;
   - Drawing ref: 1210/237. 12b Revision B;
   - Drawing ref: 1210/237. 10a Revision A;
   - Drawing ref: 1210/237. 11a Revision A;
   - Drawing ref: 1210/237. 13a Revision A;
   - Drawing ref: 1210/237 L.01 Revision A received on 01/02/2025;
   - Green Infrastructure Statement and Net Biodiversity Benefit document dated 14.12/2024;
   - Bat Access Panel and House Sparrow Nest Box details.

2. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) shown on Drawing ref: 1210/237 L.01 received on 01/02/2025 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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3. Prior to first occupation of the dwellings hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 2 metres behind the adjoining highway.

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] and no outbuildings erected.

5. 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.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

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

3. 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.

4. In the interests of the visual amenity of the surrounding area and the heritage assets within proximity of the site, having regard to Policies DM1, BE1 and SP15 of the Wrexham Local Development Plan.

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5. 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.

Note(s) to applicant

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities. To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.

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.

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine

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workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission to enter or disturb our property will result in the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property



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