**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 Alexandra Ogden

**Reference** P/2025/0026

**Decision Date** 13/03/2025

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## Town and Country Planning Act, 1990

### Location of Application

15 MARCELLA CRESCENT, MARCHWIEL, WREXHAM, LL13 0RX

### Description of Application

ESTYNIAD DEULAWR I'R OCHR, ESTYNIAD LLAWR CYNTAF I'R ANNEDD BRESENNOL A THROSI ADEILAD ALLANOL YN LLETY ATEGOL

TWO STOREY SIDE EXTENSION, FIRST FLOOR EXTENSION TO EXISTING DWELLING AND CONVERSION OF OUTBUILDING TO ANCILLARY ACCOMODATION

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

**Wrexham Local Development 2013 – 2028:**

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

| Revision | Date | Description of Decision |
|---|---|---|
| 0 | 13/03/2025 | Planning permission issued |

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**Decision Date** 13/03/2025

**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):
   - Location Plans titled 'OS Map Correct Full 1:1250';
   - Block Plans titled 'OS Map Correct Full 1:500';
   - Plan titled 'Proposed Floor Plans 1:50';
   - Plan titled 'Proposed Measures 1:50';
   - Plan titled 'Cross Section A-A 1:50';
   - Plan titled 'Proposed Elevation 1:50 East & West';
   - Plan titled 'Proposed Elevation 1:50 North & South';
   - Green Infrastructure Statement 2025.

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 measures to deliver net benefit for biodiversity (NBB) outlined in the document titled 'Green Infrastructure Statement 2025' have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

**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.

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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.

**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