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 Nick Bateman

Reference P/2025/0083

Agent Mr Anmol Lall
Elite Systems GB,
Bedford Street,
Westgate,
Cleckheaton, United
Kingdom, BD19 5EA

Date Received 30/01/2025

Decision Date 25/03/2025

Town and Country Planning Act, 1990

Section 73

Location of Application

THE BUNGALOW, HENBLAS ROAD, RHOSTYLLEN, WREXHAM, LL14 4AD

Description of Application

TYNNU AMOD 4 (DRAENIAD) CANIATÂD CYNLLUNIO P/2023/0699

REMOVAL OF CONDITION 4 (DRAINAGE) OF PLANNING PERMISSION P/2023/0699

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

Wrexham Local Development 2013 – 2028:
DM1 - Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE6 - Waste Water Treatment and River Water Quality
SP14 - Natural Environment

Revision	Date	Description of Decision
0	25/03/2025	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 drawings numbered 1100C Location Plan and site layout plan, 1200D Access plan, and Design and Access Statement, approved in connection with Planning Permission ref: P/2023/0699.

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2. The vehicular parking area as shown on drawing ref: 1100C Location Plan and Site Layout Plan, approved in connection with planning permission P/2023/0699, shall be fully laid out, surfaced and drained prior to first use of the development. This parking area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.

3. The land drainage run-off / surface water from the development shall only be permitted to discharge to the combined public sewerage system at a maximum rate of 1 l/s, and foul and surface water shall be drained separately from the site.

4. No part of the development shall be occupied / used until a detailed plan to provide net benefit for biodiversity (NBB) has been submitted to, and approved in writing by, the Local Planning Authority. The measures shall be fully implemented as approved prior to the first beneficial use of the development and shall be retained thereafter for the lifetime of the development.

Reason(s)

1. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.

2. To provide for the parking of vehicles clear of the highway in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan.

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 Policy 9 of Future Wales and Paragraph 6.4.5 of Planning Policy Wales (Edition 12).

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Note(s) to applicant

Your attention is drawn to Highway Supplementary Notes - Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage: https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk

The written consent of the Highway Authority (as required by section 278 of the Highways Act 1980) must be obtained before any work is carried out within the confines of the highway. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

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.

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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.

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.

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Lighting has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If lighting is found to be causing a nuisance than an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting.

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