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 Natasha Ware

Agent Mr Carl Hughes
The Foundry, 15 Yorke Street, Wrexham, United Kingdom, LL13 8LW

Reference P/2025/0285

Date Received 20/03/2025

Decision Date 16/04/2025

Town and Country Planning Act, 1990

Section 73

Location of Application

81 BENJAMIN ROAD, WREXHAM, LL13 8EG

Description of Application

AMRYWIO AMODAU 2 A 4 CANIATÂD CYNLLUNIO P/2024/1468 I AMEND APPROVED PLANNING LAYOUT / VARIATION OF CONDITIONS 2 AND 4 OF PLANNING PERMISSION P/2024/1468 TO AMEND APPROVED PLANNING LAYOUT

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

H6 - Conversion of Buildings to Self-Contained Flats or Houses in Multiple Occupation (HMOs)

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	16/04/2025	Planning permission issued

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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 no: BR/PD/07 Rev B (15-04-25);
   - Drawing no: BR/PD/06 dated 10.09.24;
   - Drawing no: BR/PD/05 dated 25.09.24;
   - Drawing no: BR/PD/04 dated 25.09.24.

2. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) shown on Drawing no: BR/PD/06 (3 x Vivara Pro Woodstone House sparrow nest boxes) have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

3. The garden area shall be used to provide drying areas and recreation space. Bin storage shall be in accordance with the approved plans. These facilities shall be made available for use by all residents and maintained in strict accordance with the details contained in the application documentation.

4. The property shall be limited to eight bedrooms with a maximum occupancy of eight persons at any one time. The communal living areas of the kitchen/living room shall remain as a communal living area at all times.

5. No surface water from any increase in the roof area of the building/or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

6. The cycle parking area shown on the approved plans shall be permanently retained and kept free of any obstruction, and made available solely for the parking of bicycles.

Reason(s)

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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 a good standard of living accommodation for residents of the property in accordance with Policy H6 of the Local Development Plan.

4 To control the intensity of residential use at the property, having regard to parking and residential amenity in accordance with Policy DM1 of the Wrexham Local Development Plan.

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.

6 To assist occupiers/users of the development to make sustainable transport choices in accordance with Policy DM1 of the Wrexham Local Development Plan.

Note(s) to applicant

A public sewer crosses the site. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to this apparatus at all times. No part of any building will be permitted within 3 metres either side of the centreline of the 150mm public sewer.

The Applicant / Developer is required to make an application for a HMO licence, prior to th e property becoming occupied as a HMO. The HMO Licence application form and guidanc e is available at: http://www.wrexham.gov.uk/english/council/Housing/hmo_licensing.htm

The Applicant / Developer is also required to comply with the Rent Smart Wales Scheme b eing registered and / or licensed as necessary. Further information on Rent Smart Wales i s available at: https://www.rentsmart.gov.wales/en/

The site lies close to land that is or has been used for the deposition of waste material. The applicant should be aware that there is a risk of landfill gas at or close to the site.

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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Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed may
be required to obtain approval from the SuDS Approving Body (SAB) prior to commencem ent of those works. Further details of the SAB, the new national standards, the preapplicati on 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 o r by contacting the SAB Team directly at SAB@wrexham.gov.uk

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.

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.

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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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