

Applicant MR J WILSON

Reference P/2023/0713

Agent ANDREW DESIGN
SERVICE
4A STATION AVENUE
CHIRK WREXHAM
LL14 5LS

Date Received 23/10/2023

Decision Date 29/04/2025

Town and Country Planning Act, 1990

Location of Application

ADJACENT TO THE OLD POST OFFICE HALTON CHIRK LL14 5BG

Description of Application

MATERION WEDI'U CADW'N ÔL YN PERTHYN I BENDERFYNIAD APÊL
APP/H6955/A/20/3265186 (P/2020/0267) (MYNEDIAD, YMDDANGOSIAD,
TIRWEDDU, CYNLLUN A GRADDFA) – CODI ANNEDD

RESERVED MATTERS PURSUANT TO APPEAL DECISION
APP/H6955/A/20/3265186 (P/2020/0267) (ACCESS, APPEARANCE,
LANDSCAPING, LAYOUT AND SCALE) – ERECTION OF DWELLING

**Submission of Reserved Matters pursuant to Outline Planning Permission
Granted on and in accordance with the conditions attached to that permission**

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:

DM1 - Development Management Considerations

H7 - Housing in the Countryside

NE1 - International and National Nature Conservation Designations

NE6 - Waste Water Treatment and River Water Quality

SP11 - Transport and Accessibility

SP12 - Design Principles & Masterplanning Framework

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SP14 - Natural Environment
SP15 - Historic and Cultural Environment
SP19 - Green Infrastructure
SP2 - Location of Development
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	29/04/2025	Planning permission issued

Particulars of decision APPROVAL of reserved matters 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 PL01 dated 23/10/2023;
 - Drawing PL04A - Revised 24/03/2025;
 - Drawing PL05A - Revised 24/03/2025;
 - Drawing PL06A - Revised 25/03/2025;
 - Green Infrastructure Statement including Net Biodiversity Benefit and Landscaping dated 24/03/2025;
 - Foul Drainage Provision document dated 24/03/2025.
2. The development hereby permitted shall not be occupied until the landscaping of the site and the measures to deliver net benefit for biodiversity (NBB) outlined in the Green Infrastructure Statement dated 24/03/2025 and shown on drawings PL04A (Revised on 24/03/2025) and Drawing PL06A (Revised on 25/03/2025) have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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3. Prior to occupation of the dwelling hereby approved, the site shall be laid out in accordance with Drawing no: PL04A (Revised on 24/03/2025) including the provision of Aco drainage channel and the visibility splays shown. Thereafter the visibility splays as shown on the approved plan shall be retained clear of any obstruction in excess of 1m in height.
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 to the dwelling and the no buildings or other development within the curtilage of the dwelling shall take place.

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. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
4. To allow the assessment of further development given the constrained nature of the site and the proximity to a Listed building, having regard to Policies DM1 and SP15 of the Wrexham Local Development Plan.

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Note(s) to applicant

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.

The Applicant is advised that the development to which these reserved matters are pursuant shall commence no later than two years from the date of this decision.

In the interests of maintaining highway safety, and to avoid obstruction of the public highway (in contravention of the Highways Act), The Applicant is advised to coordinate with the highway authority at highwayroadworks@wrexham.gov.uk in advance of commencement of the development/works with respect to:

1. Skip, scaffolding, hoarding or A frame/signage (Permit required for these items, if on the public highway);
2. Use of a parking space for a set down/delivery area;

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3. Record a dilapidation survey of the adjacent carriageway prior to commencement (to avoid being asked to repair damage by the Applicant whilst carrying out their works);
4. If any lane closure or obstruction of the highway is required for a crane or similar;
5. Protection against dust and debris blowing onto the public highway;
6. Construction traffic parking locally avoiding nuisance to others;
7. If the Applicant's scope of work includes new apparatus in the highway, such as new mains services then a Section 50 licence will be required;
8. Lowering of kerbs or minor pavement alterations require Section 184 agreement;
9. A section 278 agreement works agreement is required for more significant alterations to the existing highway;
10. Any temporary works affecting traffic lights, [pedestrian/cycle road crossings, or bus stops require pre-planning and permits;
11. For applications with a private driveway (either existing or proposed) connecting onto the public highway, the following conditions of approval apply:
 - No surface water from the applicants site should be allowed to drain onto the public highway;
 - The first 5m* minimum (for residential property) should be hard paved, avoiding gravel or loose chippings from spreading;
 - No gate should be built in a location where it would result in a car obstructing the highway whilst being unlocked, and it should not swing out and over a pavement or any other part of the highway.

*The hard paved length and set back if required is subject to the applicants proposed vehicular length.

The applicants should allow a minimum of 4 weeks' notice for any of the above standard requirements, and 6-8 weeks for lane closures & road closures (lead times may change without notice subject to workload and complexity). Any works involving Trunk roads should be coordinated separately and directly with the North & Mid Wales trunk Road Agency. For larger sites with a significant impact upon the highway, a Construction Traffic Management Plan will be required.

In pursuance of its powers under the Acts and 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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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.

David Fitzsimon

***Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wreccsam
Chief Officer Economy and Planning, Wrexham County Borough Council***

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Refer to Statement of Applicant's Rights and General Information on our planning web site at:-

[Planning and building control | Wrexham County Borough Council](#)