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 Davies

Reference P/2025/0269

Agent Mrs Wendy Britner
Blueprint Architectural Services, Redwither Tower, Redwither Business Park, Wrexham, United Kingdom, LL13 9XT

Date Received 17/03/2025

Decision Date 20/05/2025

Town and Country Planning Act, 1990 - Section 73

Location of Application

2 BELGRAVE ROAD, WREXHAM, LL13 7ES

Description of Application

AMRYWIO AMOD 2 CANIATÂD CYNLLUNIO P/2022/0617 I DIWYGIO DYLUNIAD ADEILAD/ANNEDD

VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/2022/0617 TO AMEND DESIGN OF BUILDING / DWELLING

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

National Policies and Technical Advice Notes (TAN):
TAN 12 : Design

Wrexham Local Development 2013 – 2028:
DM1 - Development Management Considerations
NE2 - Local Designations for Nature Conservation and Geological Importance
NE3 - Trees, Woodlands and Hedgerows
NE6 - Waste Water Treatment and River Water Quality
SP14 - Natural Environment
SP15 - Historic and Cultural Environment
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	20/05/2025	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

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CONDITIONS

1. The development hereby permitted shall be commenced before the 06/11/2028.

2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered DC151/003, DC151/004, DC151/005 and JCI 79 / 077, and as contained within the application documentation.

3. Prior to their use on the development samples of all external facing and roofing materials (including windows, doors, ridge tiles etc.), and all hard landscaping and boundary treatment materials shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

4. 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.

5. No part of the development shall commence until details of proposed Reasonable Avoidance Measures (RAMs) in respect of Badgers has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in strict accordance with the RAMs as are approved.

6. No part of the development shall commence until a plan to provide net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped has been submitted to, and approved in writing by, the Local Planning Authority. The measures shall be implemented in full, prior to first occupation / use of the development, and thereafter maintained for the lifetime of the development.

7. No part of the development shall commence until full details of a hard and soft landscaping scheme, to include details of all boundary treatments and tree planting, together with a timescale for the implementation of works have been submitted to, and approved in writing by the Local Planning Authority. The landscaping scheme and boundary treatments shall be fully implemented in strict accordance with the approved scheme.

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Thereafter, any trees or boundary treatments which become severely damaged or seriously diseased, is in poor physiological condition or is removed, shall be replaced within the next available planting season by trees of the same size and species to those originally required to be planted.

8. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:
a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
f) Method for protecting retained trees during demolition works;
g) Details of all proposed tree works, including felling and pruning.

9. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.

10. No external lighting shall be installed until full details of bat friendly lighting have been submitted to, and approved in writing by, the Local Planning Authority. Lighting shall thereafter shall be installed in accordance with the approved details.

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11. The development shall be carried out in strict accordance with the findings and recommendations contained within the Preliminary Ecology Appraisal as carried out by Tyrer Ecological Consultants and dated April 2022, approved as part of planning permission ref: P/2022/0617. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

13. No shrub or tree removal approved as part of this application shall take place between the months of March and September (inclusive).

14. Prior to first use of the development hereby approved the vehicular access to Plot 1 shall provide visibility splays of 2.4 metres x 25 metres to the west and 2.4 metres x 43 metres to the east, measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction above the level of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

15. Prior to first use of the development hereby approved a pedestrian visibility splay shall be established measured from the centreline of the vehicular access to Plot 1, 2.4 metres back from the back edge of the footway to points 3.3 metres either side measured along the back edge of the footway. Within these splays there shall be no obstruction in excess of 0.6 metres in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

16. The vehicular access to Plot 1 hereby approved shall take the form of a dropped vehicular crossing.

17. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.

18. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

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REASONS

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

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

3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

4. 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 Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.

5. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

6. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 11.

7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

8. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

9. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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10. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

11. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

13. To ensure that the development does not harm the conservation of wildlife in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

14. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

15. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

16. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

17. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

18. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

NOTE(S) TO APPLICANT

The applicant is advised that some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water maps; some sewers were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011.

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The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The applicant may also need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication.

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.

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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.

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

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Detailed advice has been issued by Natural Resources Wales (NRW) which is available on the Council's planning applications website.

A licence must be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerbline and cross the footpath in connection with condition no. 23. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council on telephone 01978 729670.

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