

Applicant TRINA NICHOLS
SMITH

Reference P/2024/0252

Decision Date 11/10/2024

Town and Country Planning Act, 1990

Location of Application

RECREATION GROUND PLAS KYNASTON LANE CEFN MAWR WREXHAM
LL14 3AS

Description of Application

CODI STAND NEWYDD I WYLWYR, TYLLAU YMOCHEL, GRISIAU A LLAWR
CALED
ERECTION OF NEW SPECTATOR STAND, DUGOUTS, STAIRS AND
HARDSTANDING

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 16 : Sport, Recreation and Open Space
- TAN 18 : Transport
- TAN 23 : Economic Development
- TAN 24 : The Historic Environment
- TAN 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

- BE1 - Pontcysyllte Aqueduct and Canal World Heritage Site
- CF1 - Protection of Existing Open Space, Sport and Recreation Facilities
- DM1 - Development Management Considerations
- NE1 - International and National Nature Conservation Designations
- NE3 - Trees, Woodlands and Hedgerows
- NE6 - Waste Water Treatment and River Water Quality
- SP8 - Economic Growth, Employment and Enterprise
- SP11 - Transport and Accessibility
- SP12 - Design Principles & Masterplanning Framework

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SP13 - Health and Wellbeing
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	11/10/2024	Planning permission issued

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):
 - Drawing 298/PKM/PL/001 Rev A;
 - Drawing 298/PKM/PL/002 Rev A;
 - Drawing 298/PKM/PL/003 Rev A;
 - Drawing 298/PKM/PL/004 Rev A;
 - Drawing 298/PKM/PL/005 Rev A;
 - Overhead plan showing 'Tree removal and mitigation';
 - Arboricultural Assessment, Tree Planting and Maintenance Scheme ref: AIA/TPS/PKR/01/24;
 - Green Infrastructure Statement and Net Biodiversity Benefit dated 07/10/2024.
3. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) outlined in the Green Infrastructure Statement and Net Biodiversity Benefit document dated 07/10/2024 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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4. 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.

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.
- 3 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
- 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 Policy DM1 of the Wrexham Local Development Plan.

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.

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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.

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 then an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting.

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.

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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.

You are advised that the planning permission hereby granted does not authorise any building over, diversion, connection or other interference with any sewer, public or private, which crosses the site. You are advised to contact Welsh Water in this regard, prior to undertaking any groundwork in connection with the development. Should you be required to depart from the details hereby approved, you should contact the Council's planning department to seek further advice with regard to the submission of amended plans and / or a new planning application.

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basic Asset Protection Agreement, if required, with a minimum of 3 months notice before works start. Initially the outside party should contact assetprotectionwales@networkrail.co.uk.

Any construction traffic should be aware of the height restrictions of the adjacent railway bridge. Vehicles hitting railway bridges can cause significant disruption and delay to rail users.

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.

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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The site lies partially within an area at risk of flooding. It is therefore recommended that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development.

A handwritten signature in black ink, appearing to be 'DF', written in a cursive style.

David Fitzsimon

***Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wreccsam
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](#)