

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

|                  |                                                                                                                               |                      |                 |
|------------------|-------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| <b>Applicant</b> | MR STEVE DOBIE<br>LOXLEY HOMES                                                                                                | <b>Code No</b>       | RUA P/2019/0913 |
| <b>Agent</b>     | EMERY PLANNING PARTNERSHIP LTD<br>MR AARON MARRS<br>UNITS 2 - 4 SOUTH PARK COURT<br>HOBSON STREET<br>MACCLESFIELD<br>SK11 8BS | <b>Date Received</b> | 12/12/2019      |
|                  |                                                                                                                               | <b>Decision Date</b> | 23/11/2020      |

**Town and Country Planning Act, 1990**  
**Section 73**

**Location of application**

WALLED GARDEN, WYNNSTAY HALL ESTATE, RUABON, WREXHAM, LL14 6LD,

**Description of application**

VARIATION OF CONDITION NO. 1 IMPOSED UNDER PLANNING PERMISSION P/2014/0342 TO EXTEND THE PERIOD OF TIME BEFORE DEVELOPMENT SHALL BE COMMENCED

In reaching this decision the Council has had regard to the relevant policies in the Wrexham Unitary Development Plan which are as follows:-

|      |                                                                |
|------|----------------------------------------------------------------|
| CLF6 | Informal recreation - rights of way                            |
| EC11 | Archaeology                                                    |
| EC5  | Special Landscape Areas                                        |
| EC9  | Listed buildings of special architectural or historic interest |
| GDP1 |                                                                |
| GDP2 | Development objectives                                         |
| H5   | Capacity of infrastructure and community facilities            |
| PS2  | Housing in the countryside                                     |
| PS4  | Development and the environment                                |
| T8   | Settlement Pattern                                             |
| T9   | Parking                                                        |
|      | Walking, cycling and horse riding routes                       |

| Revision | Date       | Description of Decision                                                         |
|----------|------------|---------------------------------------------------------------------------------|
| 0        | 23/11/2020 | Planning permission issued                                                      |
| 1        | 18/3/2021  | P/2021/0169 – Non-material amendment– Landscaping plan Approved                 |
| 2        | 19/3/2021  | P/2021/0213 Non-material amendment approved plans for garage to plot 1 Approved |

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MR AARON MARRS  
UNITS 2 - 4 SOUTH PARK COURT  
HOBSON STREET  
MACCLESFIELD  
SK11 8BS

**Date Received** 12/12/2019

**Decision Date** 23/11/2020

|   |            |                                                                                                                                |
|---|------------|--------------------------------------------------------------------------------------------------------------------------------|
| 3 | 31/08/2021 | Approval of details submission in respect of condition 03.                                                                     |
| 4 | 20/04/2022 | Approval of details submitted in respect of condition 04.                                                                      |
| 5 | 14/04/2023 | P/2023/0134 Non Material Amendment for conservatory materials for Plots 1 and 2                                                |
| 6 | 04/10/2023 | Approval of details submitted in respect of Condition 6 (Management Plan) and Condition 8 (Landscape and Tree Planting Scheme) |
| 7 | 16/01/2024 | Approval of details submitted in respect of Condition 5 (fountain details) P/2023/0811                                         |

**Particulars of decision that permission be GRANTED**  
**Subject to the following:-**

**Condition(s)**

1. The development hereby permitted shall be commenced before 22 August 2024
2. The development shall be carried out in strict accordance with the following approved drawings:
  - i) AL[0]00: Landscape Plan
  - ii) AL[0]01: Proposed Site Plan
  - iii) AL[0]02: Sectional Elevations A-E
  - iv) AL[0]02: Sectional Elevations F-H
  - v) AL[0]03: Plot 1 Floor Plans
  - vi) AL[0]04: Plot 2 Floor Plans
  - vii) AL[0]05: Plot 3 Floor Plans
  - viii) AL[0]06: Plot 4 Floor Plans
  - ix) AL[0]07: Plot 5 Floor Plans
  - x) AL[0]08: Plot 6 Floor Plans
  - xi) AL[0]09: Plot 7 Floor Plans
  - xii) AL[0]11: Detail Sample
  - xiii) AL[0]13: Detail of Gable Eaves
  - xiv) AL[0]14: Details
  - xv) AL[0]14: Garage Door Details

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xvi) AL[0]15: Large Window Details

**Non-material amendment: 18/03/2021**

**Reference Number: P/2021/0169**

**By:** Wrexham County Borough Council

**Approved details:** AL[0]00: Landscape Plan substituted for AL[0]00 Rev B.  
Inclusion of AL[0]00(1) Rev B: Location plan.

**Non-material amendment: 19/03/2021**

**Reference Number: P/2021/0213**

**By:** Wrexham County Borough Council

**Approved details:** AL[0]00: Landscape Plan Rev C

AL[0]01: Proposed Site Plan Rev A

AL[0]00(1) Rev C: Location plan.

3. Development shall not commence until a scheme of Reasonable Avoidance Measures (RAMs) in respect of Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the details as approved.

**Date Approved:** 31/08/2021 **Reference Number:** P/2021/0751

**By:** Wrexham County Borough Council

**Approved Details:** eDNA Survey for Great Crested Newts dated 19<sup>th</sup> July 2021

4. Prior to their use on the development samples of all external facing and roofing 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.

**Date Approved:** 20/04/2022 **Reference Number:** P/2022/0263

**By:** Wrexham County Borough Council

**Approved Details:** External Finishes Schedule Revision A received 13 April 2022

**Non-material amendment: 14/0/4/2023 Reference Number: P/2023/0134**

**By:** Wrexham County Borough Council

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**Approved details:** Use of Aluminium frames for conservatories on Plots 1 and 2

5. No dwelling shall be occupied until the Kitchen Garden and the Link Garden have been fully restored in strict accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include full details of the siting and appearance of a fountain to be provided within the Link Garden.

**Date Approved:** 16/01/2024 **Reference Number:** P/2023/0811

**By:** Wrexham County Borough Council

**Approved Details** WYNN\_24\_601 Fountain details

6. The Kitchen Garden and Link Garden shall be managed in accordance with a Management Plan that shall have been submitted to and approved in writing by the Local Planning Authority within three months of commencement of development.

**Date Approved:** 04/10/2023 **Reference Number:** P/2023/0430

**By:** Wrexham County Borough Council

**Approved Details:** Lifetime Maintenance of Landscaped Areas and Gardens at Wynnstay Hall Walled Gardens Dated 3<sup>rd</sup> July 2023 and applicant email dated 05/10/2023.

7. All hard landscaping shall be carried prior to the first occupation of the dwellings hereby granted permission in strict accordance with approved drawing AL[0]00: Landscape Plan

**Non-material amendment:** 18/03/2021

**Reference Number:** P/2021/0169

**By:** Wrexham County Borough Council

**Approved details:** AL[0]00: Landscape Plan substituted for AL[0]00 Rev B

**Non-material amendment:** 19/03/2021

**Reference Number:** P/2021/0213

**By:** Wrexham County Borough Council

**Approved details:** AL[0]00: Landscape Plan Rev C approved

|                  |                                                                                                                                     |                          |                   |
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8. Within three months of commencement of development a soft landscaping and tree planting scheme together with a five year Maintenance Plan and timescales for implementation of soft landscaping and tree planting shall be submitted to and approved in writing by the Local Planning Authority. Soft landscaping and tree planting shall thereafter be carried out in strict accordance with the scheme as approved and maintained in accordance with the approved Maintenance Plan.

**Date Approved:** 04/10/2023 **Reference Number:** P/2023/0430

**By:** Wrexham County Borough Council

**Approved Details:** Detailed Planting Plan – Plant Schedule, Implementation and Maintenance Notes Drawing Number D9348.002 Dated 07/04/2022 and applicant email dated 05/10/2023.

9. Each dwelling shall be provided with parking areas in accordance with the details shown on the approved drawing AL[0]01: Proposed Site Plan prior to first occupation of that dwelling.

**Non-material amendment:** 19/03/2021

**Reference Number:** P/2021/0213

**By:** Wrexham County Borough Council

**Approved details:** AL[0]01: Proposed Site Plan Rev A

10. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.

11. Notwithstanding the provisions Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking, re-enacting that Order with or without modification), no development permitted by those classes shall take place.

**Reason(s)**

|                  |                                |                    |                   |
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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. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
4. 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.
5. To secure the restoration of a site of historical interest in accordance with policy EC11 of the Wrexham Unitary Development Plan.
6. To secure the restoration of a site of historical interest in accordance with policy EC11 of the Wrexham Unitary Development Plan.
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 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.
9. To provide for the parking of vehicles clear of the highway in accordance with Policy T8 of the Wrexham Unitary Development Plan
10. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. Due to the rural location of the site and in order to protect a registered Park and Garden from inappropriate development in accordance with policies GDP1 and EC11 of the Wrexham Unitary Development Plan.

### **Note(s) to applicant**

From the 7th of January 2019 any new development of more than one dwelling or that involves construction work of more than 100m<sup>2</sup> is required to obtain approval from the SuDS Approving Body (SAB) prior to the commencement of those construction works. Furthermore the surface water drainage systems serving proposals of greater than one property will be subject to adoption by the SAB and must be constructed in such a manner as to be compliant with new national statutory standards. Given the potential

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implications for your development, in particular it's layout, it is essential that you satisfy yourself as to whether SAB approval is required, and if so, that you can demonstrate that the surface water drainage arrangements will be compliant with the national standards. While it is possible to seek planning permission in isolation of seeking SAB approval we emphasis the risk in pursuing such an approach. The earlier it can be determined that your proposals are compliant with the new standards the less chance of delay, wasted effort and costs for all parties involved.

These comments are made in advance of any formal response from either the SAB or the Lead Local Flood Authority through the normal planning application consultation process to allow your early consideration of the implications of the new legislative requirements for your proposed development.

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](https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm) or by contacting the SAB Team directly at [SAB@wrexham.gov.uk](mailto:SAB@wrexham.gov.uk) .

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](http://www.gov.uk/government/organisations/the-coal-authority)



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**Officer Appointed for this purpose  
Chief Officer Planning & Regulatory**

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](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)