

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



Applicant CHRISTOPHER
DAVEY

Reference P/2022/1002

Agent ROBERT METCALFE
EMS DESIGN
75 COUNTRY
MEADOWS
MARKET DRAYTON
TF9 3LP

Date Received 17/11/2022

Decision Date 08/10/2024

Town and Country Planning Act, 1990

Location of Application

CANAL COTTAGE, CADNEY LANE, BETTISFIELD, WREXHAM, SY13 2LW

Description of Application

ADEILADU LLETY MEWN RHANDY / ERECTION OF ANNEXE
ACCOMMODATION

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

National Policies and Technical Advice Notes (TAN):

TAN 18 : Transport

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations

H7 - Housing in the Countryside

NE1 - International and National Nature Conservation Designations

NE2 - Local Designations for Nature Conservation and Geological Importance

NE3 - Trees, Woodlands and Hedgerows

NE6 - Waste Water Treatment and River Water Quality

SP12 - Design Principles & Masterplanning Framework

SP14 - Natural Environment

SP2 - Location of Development

T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	08/10/2024	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

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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):
CD-100-001A Site Plan,
CD-100-002 Elevations,
CD-100-002 Location and Plot Plan Bio-Disk and Drainage Field,
CD-100-003 Floor Plan,
CD-100-003A Tree Plan,
CD-254-018 NBB.
3. The external surfaces of the building(s) shall be constructed of the materials specified on application form.
4. No development shall take place until an 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 Method Statement as is approved. The Method Statement shall include:
1) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
2) 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;
3) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires.
5. The annex shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling house known as Canal Cottage, and shall not be occupied as an independent dwelling.

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6. The submitted scheme for the drainage of foul water as shown on plan ref: 'CD-100-002 Location and Plot Plan Bio-Disk and Drainage Field', including proposed Kingspan Klargester BioDisc BA-BE Sewage Treatment Plant, shall be implemented in all respects prior to the first use/occupation of the development.
7. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) shown on CD-254-018 NBB have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.
8. The vehicular parking and turning areas as shown on the plans(s) numbered CD-100-001A Site Plan shall be fully laid out, surfaced and drained prior to first use of the development. This area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of vehicles at all times.

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 a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.
- 4 To preserve the health, safety and amenity value of the tree(s) in accordance with Policies DM1, SP12, SP14 and NE3 of the Wrexham Local Development Plan.

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- 5 In the interests of the amenities of both the future occupants of the development, the occupiers of nearby properties, and in the interests of highway safety in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan.
- 6 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.
- 7 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
- 8 To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan

Note(s) to applicant

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

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and those approved under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

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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.

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.

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](#)