

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 MR R THOMAS

Reference P/2023/0095

Agent BLUEPRINT LTD
DAFYDD EDWARDS
Office 34K
Redwither Tower
Wrexham Industrial
Estate
Wrexham
LL13 9XT

Date Received 17/02/2023

Decision Date 06/12/2024

Town and Country Planning Act, 1990

Location of Application

MORETON INN RUABON ROAD RUABON WREXHAM LL14 6PU

Description of Application

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

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations
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	06/12/2024	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.

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2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
 - N035/0014 Rev H
 - N035/013
 - N035/011 Rev B
 - N035/016
 - N035/010
 - N035/017 Rev A
 - N035/009
3. Prior to their use on the development hereby permitted, samples of the materials to be used in the construction of the external surfaces of the development shall be submitted for the written approval of the Local Planning Authority. Development shall be carried out in accordance with the details that are approved.
4. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the local planning authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

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5. Each part of the site subject to the remediation under the scheme(s) approved as part of condition no. 4 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.
6. Within 12 months of the date of this decision, and prior to the commencement of construction works of any part of a dwelling hereby approved, the pond shown on plan ref: N035/015 'Pond Location' shall be implemented on site in strict accordance with a detailed construction scheme which shall have first been submitted to the Local Planning Authority for written approval. The pond shall thereafter be permanently retained, managed and maintained in accordance with a long terms ecological management plan, also to be submitted to the Local Planning Authority for written approval within 12 months of the date of this decision.

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7. Within 3 months of commencement of development, a long-term ecological site management plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall include, but not necessarily be limited to:
 - defined aims and objectives (including targets that can be used as key performance indicators for monitoring purposes);
 - habitat management prescriptions for aquatic and terrestrial habitats;
 - contingency prescriptions if post implementation any fish and/or invasive non-native species (INNS) are detected;
 - Species surveillance
 - site liaison, wardening, incident reporting and response arrangements;
 - detail of the skills and competencies required by those undertaking the works or activities including whether they require European Protected Species licenses for the activities proposed;
 - current and proposed changes to tenure of the ecology area (freehold tenure of the ecology area to be approved by the discharging Authority in consultation with Natural Resources Wales) to ensure appropriate control over the land is established and the effective targeted delivery of long-term actions;
 - details of persons or bodies responsible for undertaking management and surveillance together with required skills and competencies;
 - Financial resource provision; and
 - provision for periodic review mechanism for the Environment Management Plan;

The development shall be carried out in strict accordance with the site management plan as maybe approved and no more than 3 dwellings shall be occupied until the long term proposals have been implemented in accordance with the plan which shall thereafter be retained and managed for the life of the development.

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8. No development shall commence until a scheme of Reasonable Avoidance Measures (RAMs) for Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved RAMs scheme.
9. Within three months of commencement of development a scheme of boundary treatment shall be submitted for the written approval of the Council. The scheme as approved shall be implemented prior to the first occupation of the development hereby permitted and shall thereafter be retained.
10. There shall be no clearance of vegetation on site between the months of March to August inclusively in any calendar year.
11. No external illumination within the site shall take place before a lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall be installed and operated in accordance with the approved details. No other lighting shall be used on any external part of the development.
12. The development shall be carried out in strict accordance with the findings and recommendations contained within the approved Further Information Report dated September 2012, prepared by Tyrer Ecological Consultants, including the Method Statement, Biosecurity Risk Assessment, Enhancement Plan and Ecological Compliance Audit. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development. No part of the development shall be used / occupied until the Ecological Compliance Audit has been submitted to and approved in writing by the Local Planning Authority.

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13. No development shall take place until a scheme for the drainage of foul water has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first use/occupation of the development.
14. No development shall take place until a noise survey has been carried out, and a detailed report of the survey findings has been submitted to, and approved in writing by, the Local Planning Authority. The noise survey shall determine noise levels for both Day (07:00 – 23:00 hours) and Night (23:00 – 07:00 hours), having regard to Planning Policy Wales (PPW) Guidance, Technical Advice Note (TAN) 11 – Noise. The report of the noise survey findings shall include: a) Noise levels arising from day / night time activities in the vicinity of the proposed development site and the impact upon the existing or proposed accommodation, and
b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the existing or occupants of the proposed accommodation hereby approved. The measures as are approved shall be fully implemented prior to the first occupation / use of the development.
15. Within three months of commencement of the development hereby permitted, a scheme of landscaping shall be submitted for the written approval of the Local Planning Authority.
16. Landscaping shall be undertaken in accordance with the scheme submitted and approved in connection with condition 15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting (November to March) and seeding seasons following the first use of the development (April to September). Any trees, hedgerows or plants which, within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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17. The vehicular parking and turning areas as shown on the plans(s) numbered N035/0014 Rev H 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.
18. No dwelling shall be occupied until a scheme of double yellow lines has been implemented on site in accordance with a scheme which has been approved in writing by the Local Planning Authority. The double yellow lines shall thereafter be permanently retained.
19. Any verge / service strip accommodating street lighting shall be a minimum of 1 metre in depth
20. Notwithstanding the provisions 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 fences, gates or walls shall be erected within the curtilage of any dwelling house forward of the principle elevation of that dwelling house.
21. No construction or site clearance works or deliveries to and from the site in connection with the development hereby approved shall take place except between the following hours:
 - Monday to Friday - 07.30hrs to 18:00hrs;
 - Saturday - 08:00hrs to 14:00hrs
 - At no time on Sundays or Bank (and Public) Holidays.

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22. The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:-
- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway (including wheel washing facilities);
 - Details of site operative parking areas, material storage areas and the location of site operatives' facilities as required;
 - The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring;
 - Traffic management measures for construction vehicles on Stonebow Road to include temporary signage by agreement with Highways and the use of a banksman to oversee all vehicular manoeuvres where deemed necessary;
 - Measures to demonstrate that those immediately affected by the construction works will be kept informed and due consideration and courtesy will be shown to the local community.

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved.

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.

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4. In the interests of the amenities of the future occupants of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.
5. In the interests of the amenities of the future occupants of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.
6. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
7. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
8. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
9. 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.
10. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
11. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
12. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.

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13. 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.
14. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
15. 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.
16. 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.
17. 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
18. To assist in retaining manoeuvrability within the site in accordance with Policy DM1 of the Wrexham Local Development Plan.
29. To safeguard against encroachment onto the shared driveway in accordance with Policy DM1 of the Wrexham Local Development Plan.

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20. 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.
21. In the interest of protecting neighbouring residential amenity from noise associated with construction works arising from the development, in accordance with Policy DM1(ii) of the Wrexham Local Development Plan.
22. Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety in accordance with Policies DM1 (vi) and T1 of the Wrexham Local Development Plan.

Note(s) to applicant

You are advised that the use of renewable energy could enhance the value of your development and make savings in terms of energy costs and reduce your carbon footprint. You may wish to refer to the Council's published guidance on small scale renewable energy generation and energy efficiency. Advice is also available from a variety of sources including Advice is also available from a variety of sources including:

www.energysavingtrust.org.uk

www.renewableenergycentre.co.uk

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

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.

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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.

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

In line with the Welsh Government's decarbonisation targets, Welsh Government published the Electric Vehicle Charging Strategy, setting out its plans for charging electric cars and vans in Wales. In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, and to comply with the aims and objectives of the Electric Vehicle Charging Strategy, we encourage the provision of electric vehicle charge points and recommend the following minimum standard for numbers and power output: One Standard Electric Vehicle

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Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of parking spaces;

- A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof;
- The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity;
- The installation must comply with all applicable electrical requirements in force at the time of installation.

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

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

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

Further advice on compliance with condition nos. 4 and 5 may be obtained by contacting the Council's Contaminated Land Officer on 01978 298771 or 297773. Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Contaminated Land Officer prior to commencement of works on site.

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You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control Section on 01978 298884.

The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.

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](#)