

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 DARREN EVANS	Code Number	GWE P/2021/1103
Agent	MR SPENCER CULLIS CULLIS ARCHITECTURAL DESIGN 25 SUNNINGDALE CLOSE WREXHAM LL13 9QU	Date Received	25/10/2021
		Decision Date	04/03/2024

Town and Country Planning Act, 1990

Location of application

4, SUNNYACRE, GWERSYLLT, WREXHAM, LL11 4RH

Description of application

CODI ANNEDD GYDA GAREJ AR WAHAN / ERECTION OF DWELLING WITH DETACHED GARAGE

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

DM1	Development Management Considerations
NE1	International and National Nature Conservation Designations
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	04/03/2024	Planning permission issued

Particulars of decision that permission be 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 approved drawing(s) numbered PD202/02, PD202/03, PD202/04, PD202/05 and PD202/06, and as contained within the application documentation.

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3. 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.
4. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating how foul water will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in accordance with a timescale to be agreed as part of the submitted details and maintained thereafter.
5. No part of the development shall commence until a scheme to deal with potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a phased investigation approach to identify the extent of contamination and any measures required to remediate the site, including post-development monitoring. Alternatively, gas protection measures should be installed in all new buildings. A methodology of these works (including specification details, design plans, installation, inspection and validation details etc.) should be submitted in writing to the Council for approval prior to any works commencing on site.
6. Each part of the site subject to the remediation under the scheme(s) approved as part of condition no. 5 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.
7. No development shall commence until a detailed plan to provide net benefit for biodiversity (NBB) has been submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented as approved prior to the first beneficial use of the development and shall be retained thereafter for the lifetime of the development.

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8. No part of the development shall commence until details of the proposed Reasonable Avoidance Measures (RAMs) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:
 - a) Details of a tool box talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project;
 - b) Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);
 - c) Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;
 - d) Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery.
 - e) Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked each morning for any amphibians. Any amphibians located are to be moved to the artificial hibernacula. The development shall be carried out in strict accordance with the RAMs as are approved.
9. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Impact Assessment as carried out by Susan Worsfold BSc (Hons) ACIEEM, 14 December 2023, approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.
10. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a plan indicating the positions, design, materials and type of boundary treatment and timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.
11. The landscaping scheme submitted and approved in connection with condition no. 10 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

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12. The landscaping and boundary treatment scheme as carried out in connection with condition no. 11 shall be permanently retained. Any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.
13. The development shall be carried out in strict accordance with the following plans and report(s) submitted and approved as part of this application:
 - 1) Arboricultural Method Statement ref no: Tree Solutions, 21/AMS/WXM/294,
 No development or other operations shall take place except in strict accordance with the reports as approved.
14. The visibility splays shown on plan ref: PD202/06 shall be kept clear of all and any obstructions greater than 1 metre in height above the level of the nearside edge of the adjoining highway. The splays shall be provided prior to first use of the development and shall thereafter be permanently retained clear of any such obstruction.
15. The vehicular parking and turning areas as shown on approved drawing no. PD202/02 shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.
16. With the exception of those shown on the approved plan and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification) no windows or other openings shall be inserted in any elevation of the building.
17. No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwelling hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
4. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system in accordance with Policy DM1 of the Wrexham Local Development Plan.
5. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.
6. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.
7. To ensure the development delivers net benefit to biodiversity in accordance with Policy 9 of Future Wales and Paragraph 6.4.5 of Planning Policy Wales (Edition 12).
8. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.
9. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.
10. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
12. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
13. To protect trees which are of significant amenity value to the area in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.

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14. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy DM1 of the Wrexham Local Development Plan.
15. 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.
16. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
17. To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

Note(s) to applicant

This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as ""conditions precedent"". You should be aware that it is important that you comply with any ""conditions precedent"". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

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.

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.

Further advice on compliance with condition nos. 5 and 6 may be obtained by contacting the Council's Contaminated Land Officer on 01978 298771 or 298333, or contaminatedland@wrexham.gov.uk

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 Council's Contaminated Land Officer prior to commencement of works on site.

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from

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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



David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio
Chief Officer Economy and Planning

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