

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 TOM FLETCHER

Reference P/2024/0204

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

Date Received 12/03/2024

Decision Date 03/07/2024

Town and Country Planning Act, 1990

Section 73

Location of Application

REAR OF 27 POYSER STREET, WREXHAM, LL13 7RT

Description of Application

AMRYWIO AMOD 1 CANIATAD CYNLLUNIO P/2021/0928 I DIWYGIO DYLUNIAD ANNEDD
VARIATION OF CONDITION 1 OF PLANNING PERMISSION P/2021/0928 TO AMEND DESIGN OF DWELLING

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

National Policies and Technical Advice Notes (TAN):

Wrexham Local Development 2013 – 2028:

DM1- Development Management Considerations
SP2 - Location of Development
NE1 - International and National Nature Conservation Designations
NE2 - Local Designations for Nature Conservation and Geological Importance
SP14 - Natural Environment
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	03/07/2024	Planning permission issued

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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): FO45/002 Rev D and FO45/006 Rev A.
3. The external surfaces of the building(s) shall be constructed of the materials approved as part of planning permission ref: P/2021/0928.
4. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.
5. The scheme of foul water drainage hereby approved shall be implemented in all respects prior to the first use/occupation of the development.
6. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) shown on plan ref: FO45/006 Rev A have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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7. The site shall be remediated in strict accordance with the remediation scheme submitted and approved as part of planning permission reference P/2018/0749. 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.
8. Each part of the site subject to the remediation under the scheme(s) approved as part of condition no. 7 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.
9. The vehicular parking and turning areas as shown on the plans(s) numbered FO45/002 Rev D 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.
10. The landscaping and boundary treatment scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing no. F045/002 Rev D within three months of the first use of the development with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use. The boundary fence shall be retained thereafter for the life of the development, and shall only be replaced on a like for like basis.

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11. With the exception of those shown on plan ref: FO45/006 Rev A and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (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 development hereby permitted.

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 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.
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- 6 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
- 7 In the interests of the amenities of the future occupants of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 8 In the interests of the amenities of the future occupants of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 9 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
- 10 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.
- 11 To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.

Note(s) to applicant

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

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.

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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

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

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.

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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.

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](#)