

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 SEAN O'SULLIVAN	Code Number	CEF P/2023/0391
Agent	HDS ARCHITECTURAL SERVICES CARL HUGHES THE FOUNDRY 15 YORKE STREET WREXHAM LL13 8LW	Date Received	05/06/2023
		Decision Date	04/12/2023

Town and Country Planning Act, 1990

Location of application

28, KING STREET, CEFN MAWR, WREXHAM, LL14 3BH

Description of application

CODI GAREJ A GWAITH I'R ARDD, YN CYNNWYS WALIAU CYNNAL ARFAETHEDIG (RHANNOL OL-WEITHREDOL) / ERECTION OF GARAGE, WORKS TO GARDEN AREA AND PROPOSED RETAINING WALLS (PARTLY IN RETROSPECT)

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

EC7	Conservation Areas
GDP1	Development objectives

Revision	Date	Description of Decision
0	04/12/2023	PLANNING PERMISSION ISSUED
1	28/06/2024	P/2024/0289 - DISCHARGE OF CONDITION 4

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

Condition(s)

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered KS/PD/01a, KS/PD/01b and KS/PD/02a, and as contained within the application documentation.
2. Prior to first use of the development the site shall be laid out in strict accordance with layout plan ref: KS/PD/01a.

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3. Prior to first use of the outdoor amenity spaces created by this development, the timber fencing shown on plan refs: KS/PD/01a, KS/PD/01b and KS/PD/02a shall be erected on site and thereafter be permanently retained. The timber shall be treated and left to weather naturally, and the colour shall not thereafter be changed. The fencing shall only be replaced on a like for like basis.
4. Within 3 months of the date of this permission, a detailed Net Biodiversity Benefit Plan, together with suitable timescales for its implementation, shall be submitted to and approved in writing by the Local Planning Authority.

Condition 4 Discharged (P/2024/0289) – 28/06/2024

5. The Net Biodiversity Benefit Plan approved under Condition 4 shall be fully implemented within the agreed timescales and shall be retained as such thereafter for the lifetime of the development.

Reason(s)

1. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
2. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the conservation area, and to protect residential amenity of the area in accordance with Policies GDP1, EC7 and PS2 of the Wrexham Unitary Development Plan.
4. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales (Edition 11).
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Note(s) to applicant

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.

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.

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The proposed development lies within an area that has been defined by the Coal Authority as constaining coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

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If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority



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

