

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 ROB BALLANCE	Code Number	ROS P/2022/0308
Agent	MR KEITH MAJOR MAJOR DESIGN PARTNERSHIP 2B DEE HILLS PARK CHESTER CH3 5AR	Date Received	18/03/2022
		Decision Date	18/07/2022

Town and Country Planning Act, 1990

Location of application

MOUNT ALYN CROFT, CROESHOWELL HILL, BURTON, ROSSETT,
WREXHAM, LL12 0AA

Description of application

ESTYNIAD UNLLAWR I GEFN YR EIDDO AC ADEILADU ADEILADAU /
SINGLE STOREY REAR EXTENSION AND ERECTION OF OUTBUILDING

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

EC13	Surface water run-off
EC5	Special Landscape Areas
EC6	Biodiversity Conservation
EC9	Listed buildings of special architectural or historic interest
GDP1	Development objectives
MW11	Buffer zones and minerals sites
PS2	Development and the environment

Revision	Date	Description of Decision
0	18/07/2022	Planning permission issued
1	18/04/2023	Discharge of conditions 5 and 7, P/2023/0043

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.

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2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 8014/1 Amended 4/7/2022, 8014/2 amended 4/7/2022, and as contained within the application documentation.

3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.

4. The outbuilding shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as Mount Alyn Croft, and shall at no time be used for residential accommodation.

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.

App Ref No: P/2023/0043 **Documents Approved :** Details submitted 15th February 2023 and Visqueen Ultimate Gas Damp Proof Course **Approved by:** Wrexham County Borough Council **Date:** 18/04/2023

6. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 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. There shall be no clearance of vegetation on site between the months of March to August inclusively in any calendar year.

8. No part of the development shall commence until a scheme for the accommodation and enhancement of roosting and nesting opportunities for bats and/or birds has been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the scheme as is approved.

App Ref No: P/2023/0043 **Documents Approved :** Details submitted 21st March 2023 **Date:** 18/04/2023

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Reason(s)

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 Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
4. To protect the amenities of the occupiers of nearby properties and the River Dee SAC in accordance with Policies PS2 GDP1 and EC6 of the Wrexham Unitary Development Plan.
5. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
8. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

Note(s) to applicant

Your attention is drawn to Highway Supplementary Notes - 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

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs 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

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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 works outside of the specified times, permission to proceed may be sought by contacting the Council's Environmental Health and Housing Standards at: healthandhousing@wrexham.gov.uk or on 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 01978 292040 for further advice and information.

The Applicant is advised that under the Environmental Protection Act 1990, 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

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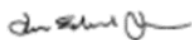
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Detailed advice has been issued by Natural Resources Wales (NRW) which is available on the Council's planning applications website.
The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.

Further advice on compliance with condition no. 5 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.
The stability of the site shall remain the responsibility of the developer.



Ian Jones

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Prif Swyddog Cynllunio a Rheoleiddio Dros Dro

Interim Chief Officer Planning & Regulatory

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