

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 JONATHAN EDWARDS	Code Number	CEF P/2022/0360
Agent	MR JONATHAN EDWARDS BRYN ADA PEN Y BRYN PENYCAE WREXHAM LL14 1UA	Date Received	08/04/2022
		Decision Date	07/09/2022

Town and Country Planning Act, 1990

Location of application

BRYN ADDA, PEN Y BRYN, PENYCAE, WREXHAM, LL14 1UA

Description of application

ADEILADU LLETY MEWN RHANDY / ERECTION OF ANCILLARY ACCOMMODATION

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
GDP1	Development objectives
H5	Housing in the countryside
PS1	Settlement limits
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	07/09/2022	PLANNING PERMISSION ISSUED
1	01/11/2023	P/2023/0266 - DISCHARGE OF CONDITIONS 3 (MATERIALS) AND 4 (LANDSCAPING) OF P/2022/0360

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 refs: Floor Plan 165, Proposed North East Elevation 162, Proposed North West Elevation 160, Proposed South East Elevation 161, Proposed South West Elevation 163, Site Plans 159 and 166, and as contained within the application documentation.

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.

Approved on: 01/11/2023 **Reference Number:** P/2023/0266

By: Wrexham County Borough Council

Approved Materials Specification Ref: 177

4. Within three months of commencement of development, full details of a hard and soft landscaping scheme which provides a net benefit for biodiversity (NBB) and tree planting, together with a timescale for implementation of landscape works, shall be submitted to and approved in writing by the Local Planning Authority.

Approved on: 01/11/2023 **Reference Number:** P/2023/0266

By: Wrexham County Borough Council

Approved Landscape Plan Ref: 170

5. The landscaping scheme submitted and approved in connection with condition no. 4 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

6. The planting scheme implemented in connection with condition no. 5 shall be permanently retained. Any planting which becomes 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 within the next available planting season by trees or shrubs of similar size and species to those originally required to be planted.

7. 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 further development shall take place under Classes A, B, C or E of Schedule 2 Part 1, other than the development hereby granted permission.

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8. 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 gate, fence, wall or other means of enclosure shall be erected, constructed or placed within the application site under Class A, of Schedule 2 Part 2.
9. The floor plan shall be laid out in strict accordance with approved plan ref: Floor Plan 165, and shall thereafter not be changed. For the avoidance of doubt no kitchen, cooking or washing facilities or any other waste/foul water generating facilities, other than the bathroom already shown on the plan, shall be installed / used within the building hereby approved.
10. The development hereby approved shall not be used other than by members of the same family as occupying the existing main dwelling known as 'Bryn Adda' and shall at no time be used as a separate / independent dwelling.
11. Prior to first use of the development to hereby approved, the existing garage shown on plan ref: Site Plan 166 shall be permanently removed from site together with any hard standing, base or slab upon which it stands.
12. With the exception of those shown on the approved plans 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, including the roof.
13. The wastewater drainage scheme as shown on plan ref: 'Drainage Drawing 158 ' hereby approved shall be implemented in all respects prior to first use of the building. The method of wastewater drainage shall not thereafter be changed.

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.
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7. Due to the application site outside of the settlement limit and within an AONB it is considered important to ensure that no additional development as described in the condition is carried out without the permission of the Local Planning Authority in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area, and to ensure that the building does not become separate from the main dwelling in accordance with Policies PS1, H5, GDP1 and PS2 of the Wrexham Unitary Development Plan.
9. To ensure that the building remains ancillary to the main dwelling and to protect the River Dee SAC from the adverse effects of pollution in accordance with Policies H5, GDP1 and EC6 of the Wrexham Unitary Development Plan.
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13. 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 Policies GDP1, EC6 and EC13 of the Wrexham Unitary Development Plan.

Note(s) to applicant

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.

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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 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.

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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.

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



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