

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 JOHN WILLIAMS MOORBRIDGE CONSTRUCTION	Code Number	COE P/2023/0138
Agent	BLUEPRINT LTD DAFYDD EDWARDS OFFICE 3K4 REDWITHER TOWER WREXHAM INDUSTRIAL ESTATE WREXHAM LL13 9XT	Date Received	06/03/2023
		Decision Date	04/08/2023

Town and Country Planning Act, 1990

Location of application

LAND SOUTH OF NANT COTTAGE, LOWER ROAD, COEDPOETH,
WREXHAM, LL11 3TP

Description of application

ERECTION OF 1 DWELLING WITH ASSOCIATED VEHICULAR ACCESS
POINTS TO DWELLING AND PADDOCK BELOW (IN PART RETROSPECT)

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

EC6	Biodiversity Conservation
GDP1	Development objectives
H2	Residential development within settlements
T8	Parking

Revision	Date	Description of Decision
0	04/08/2023	Planning permission issued

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 D1 11/007 Rev G, D1 11/008 Rev E and D1 11/009 Rev F 1 of 3, D1 11/009 Rev F 2 of 3, D1 11/009 Rev F 3 of 3, and as contained within the application documentation.

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2. No part of the dwelling shall be occupied until a phased site investigation of the nature and extent of contamination within the outdoor spaces has been carried out and submitted to, and approved in writing by, the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme. 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.
3. The dwelling shall not be occupied/used until a Validation Report has been completed in respect of each part of the site subject to the remediation under the scheme(s) approved as part of condition no.2 and the Validation Report has been submitted to and approved in writing by the Local Planning Authority.
4. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
5. The development hereby permitted shall not be occupied until:
 - i) All windows in the elevation facing south have been fitted with obscured glazing using obscure glass to Pilkington Level 3 or equivalent; and
 - ii) Any part of the windows fitted in the elevation facing south that is less than 1.7m above the floor level of the room in which it is installed is non-opening; and
 - iii) The door in installed in the elevation south is non-glazed or is fitted with obscured glazing using obscure glass to Pilkington Level 3 or equivalent

The windows and doors shall thereafter be permanently retained in the conditions specified above.

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6. 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 facing south.
7. The vehicular parking and turning areas as shown on approved drawing no. D111/007 Rev G 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.
8. 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.
9. No development shall take place within 3 metres either side of the public sewer which crosses the site.
10. The gradient access from the edge of the existing carriageway shall be a maximum of 1:8.
11. The dwelling shall not be occupied until the approved access points have been provided with visibility splays of 2.4 m x 18 m in both directions, measured to the nearside edge of the adjoining highway, within which there shall be no obstruction in excess of 1.0m in height. The visibility splays shall thereafter be permanently retained free of all obstruction.
12. Prior to first occupation of the dwelling, the proposed access shall be surfaced using hard bound materials for a minimum distance of 5 metres behind the highway boundary. Any gates to be erected at the proposed access shall be a minimum of 5m from the edge of the adjacent carriageway.
13. The development hereby permitted shall not be occupied until a passing bay and retaining walls have been constructed in accordance with the details shown on drawing no. D111/07 Revision G, and in respect of the passing bay, to Highway Authority adoptable standards.

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14. Within six months of the first occupation / use of the dwelling, trees and shrubs shall be planted on the site in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
15. The planting scheme as carried out in connection with condition no. 14 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.
16. Prior to first occupation of the dwelling, the boundary treatments shown on approved plan ref: D1 11/008 Rev E shall be erected on site. No other boundary fences or other means of enclosure shall be erected on any part of the site.
17. 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 and E of Schedule 2 Part 1 and under Classes A and B of Schedule 2 Part 2, other than the development hereby granted permission.
18. Notwithstanding the details shown on drawing no. D111/008 Revision D, the dwelling shall not be occupied until a 2m high fence has been erected along the full length of the southern boundary of the site. The fence shall thereafter be permanently retained.

Reason(s)

1. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
2. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
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4. 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.
5. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. 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 GDP1 and T8 of the Wrexham Unitary Development Plan
8. 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 Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
9. To protect the integrity of the public sewer and avoid damage thereto in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
13. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
14. 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.
15. 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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16. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect residential amenity in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
17. 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.
18. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Note(s) to applicant

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 should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

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 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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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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 Environment and Planning Department on 01978 315300 for further advice and information.

The written consent of the Highway Authority (as required by section 38 of the Highways Act 1980) must be obtained before any work is carried out on private land that is intended for adoption by the Highway Authority in connection with condition no 10. All works shall be constructed to a safe and usable condition and completed to an adoptable standard. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council.

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

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- 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
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