

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	JOHN KENT	Code Number	BRN P/2022/0792
Agent	EN-PLAN SIMON SMITH MISSENDEN BACK LANE BOMERE HEATH SY4 3PH	Date Received	25/04/2022
		Decision Date	17/11/2022

Town and Country Planning Act, 1990

Location of application

WILLMORE, THE CHEQUER, BRONINGTON, WREXHAM. SY13 2JQ

Description of application

DYMCHWEL ANNEDD BRESENNOL A CHODI ANNEDD NEWYDD /
DEMOLITION OF EXISTING DWELLING AND ERECTION OF
REPLACEMENT DWELLING

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
H10	Replacement dwellings in the countryside
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	17/11/2022	Planning permission issued
1	27/06/2023	Discharge of Conditions 3 (materials) and 6 (ecology) of approved planning permission P/2022/0792.
2	24/08/2023	P/2023/0493 – Non-material amendment to amend plans.

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 amended plan(s) numbered and labelled as follows:
 - Location and block plan, A01, Dated: 15.11.2022
 - Proposed elevations, A04, Dated: 15.11.2022
 - Floorplans: Proposed, A05, Dated: 15.11.2022
 - Proposed 3-D Views, A06, Dated: 15.11.2022
 - Proposed elevations, A07, Dated: 15.11.2022
 - Proposed Floorplans, A08, Dated: 15.11.2022
 - Proposed 3-D Views, A09, Dated: 15.11.2022

Non-material Amendment: P/2023/0493 Date: 24/08/2023
By: Wrexham County Borough Council
Deleted Drawing Refs: A04 (Dated 15/11/2022), A05 (Dated 15/11/2022), A06 (Dated 15/11/2022), A09 (Dated 15/11/2022).
Approved Amended Drawing Refs: A04 (Dated 19/07/2023), A05 (Dated 19/07/2023), A06 (Dated 19/07/2023), A09 (Dated 19/07/2023).

3. No part of the development shall commence until samples of all external facing and roofing materials have been 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.

Date Approved: 27/06/2023 Reference Number: P/2022/1044
By: Wrexham County Borough Council
Approved Details: Vandersanden Berkley Red Handmade Facing Brick and Welsh Slate.

4. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.
5. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. Location and block plan, A01, Dated: 15.11.2022.
6. No development shall commence until a Great Crested Newt Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement should include, but not necessarily be limited to: the submission of details and plans concerning Great Crested Newt reasonable avoidance and mitigation

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measures. Thereafter, the development shall be undertaken in accordance with the approved Method Statement at all times.

Date Approved: 27/06/2023 Reference Number: P/2022/1044
By: Wrexham County Borough Council
Approved Details: Newt Precautionary Statement completed by En-Plan.

7. The hedgerow shown to be reinstated on the plan labelled Location and block plan, A01, Dated: 15.11.2022 shall be planted prior to the first occupation of the dwelling hereby permitted and within the first available planting season between October and March. The hedgerow shall use a minimum of 5 of the following species: 80-85% Blackthorn *Prunus spinose* and Hawthorn *Crataegus monogyna*, 5-15% Hazel *Corylus avellana* or Field Maple *Acer campestre*, 0-5% Holly *Ilex aquifolium* Field Rose *Rosa arvensis*, Goosberry *Ribes uva-crispa*, Bird Cherry *Prunus padus* or Dog Rose *Rosa canina*. 60cm+ bare-rooted transplants or pot grown plants shall be used for some species such as Holly. The plants should be in a double staggered row approximately 30cm apart with 6 plants per metre.

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 ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. 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.
7. To ensure that an appropriate mixture of native hedgerow is reinstated at the site, in the interests of biodiversity.

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Note(s) to applicant

The accuracy of the detailed plans and drawings forming part of the application documents hereby approved shall remain the responsibility of the applicant/developer.

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 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.

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 Environmental Health & Housing Standards Team on 01978 292040 for further advice and information.

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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 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

**In pursuance of its powers under the Acts
an 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**