

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	ELAINE HUGHES	Code Number	MAR P/2022/0499
Agent	BLUEPRINT LTD DAFYDD EDWARDS OFFICE 3K4 REDWITHER TOWER WREXHAM INDUSTRIAL ESTATE WREXHAM LL13 9XT	Date Received	24/05/2022
		Decision Date	24/11/2022

Town and Country Planning Act, 1990

Location of application

THE POPLARS, COCK BANK LANE, MARCHWIEL, WREXHAM. LL13 0SU

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	24/11/2022	Planning permission issued

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.
2. The development shall only be carried out in strict accordance with the approved and amended plan(s) and document(s) numbered and labelled as follows:

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- Drawing No: H151/006, Rev A.
 - Drawing No: H151/005
 - Drawing No: H151/007, Rev B
 - Tyrer Ecological Consultants, October 2021. Dusk Survey Results
 - Design and Access Statement: Proposed replacement dwelling The Poplars, Cock Bank, Marchwiel, Wrexham, LL13 0SU.
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.
 4. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:
 - a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
 - b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
 - c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
 - d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
 - e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
 - f) Method for protecting retained trees during demolition works;
 - g) Details of all proposed tree works, including felling and pruning.
 5. Within six months of the first use of the development, 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.

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6. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No.H151/007, Rev B.
7. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 29 metres to the north-west and 2.4 metres x 38 metres to the south-east measured to the centreline of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
8. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.
9. No development or phase of development, including site clearance, shall commence until a site wide Great Crested Newt Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement should include detailed RAMs to be submitted, to minimise the possible impacts on Great Crested Newt. The Method Statement shall be carried out in accordance with the approved details.

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 the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
5. 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.
6. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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8. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. To ensure that an approved GCN Method Statement is implemented, which protects GCN affected by the development.

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.

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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.

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.

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

Public Footpath Marchwiel 23 should not be diverted or blocked by the development or during its construction.

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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