

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	WREXHAM COUNTY BOROUGH COUNCIL	Code Number	COEP/2022 /0847
Agent	WREXHAM COUNTY BOROUGH COUNCIL HOUSING AND ECONOMY RUTHIN ROAD WREXHAM LL13 7TU	Date Received	21/09/2022
		Decision Date	05/06/2023

Town and Country Planning Act, 1990

Town and Country Planning (General Regulations) 1992 - Regulation 3

Location of application

MAES Y CAPEL, GREENFIELD ROAD, COEDPOETH, WREXHAM, LL11 3UD

Description of application

ESTYNIAD AC AILFODELU CYNLLUN TAI GWARCHOD I GREU 18 RHANDY BYW'N ANNIBYNNOL GYDAG ARDALOEDD CYMUNEDOL / EXTENSION TO AND REMODELLING OF SHELTERED HOUSING SCHEME TO CREATE 18 INDEPENDENT LIVING APARTMENTS WITH COMMUNAL AREAS

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

EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
H2	Residential development within settlements
PS1	Settlement limits
T8	Parking

Revision	Date	Description of Decision
0	05/06/2023	PLANNING PERMISSION ISSUED
1	04/10/2023	P/2023/0462 - DISCHARGE OF CONDITION 9 (TREES) OF PLANNING PERMISSION P/2022/0847
2	05/10/2023	P/2023/0569 - DISCHARGE OF CONDITION 6 (LANDSCAPING) OF PLANNING PERMISSION P/2022/0847

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**Particulars of decision that planning 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 details shown on the approved drawing(s) numbered:
 - "" 2705-EWA-MYC-00-DR-A-19001 Rev P2
 - "" 2705-EWA-MYC-00-GA-A-10400 Rev P4
 - "" 2705-EWA-MYC-01-GA-A-10401 Rev P4
 - "" 2705-EWA-MYC-ZZ-EL-A-10501 Rev P2
 - "" 2705-EWA-MYC-RF-GA-A-10403-Rev P2
 - "" 2705-EWA-MYC-ZZ-DT-A-17220 Rev P1
 - "" 2705-EWA-MYC-ZZ-DT-A-17221 Rev P1
 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. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment shall be submitted in writing to the Local Planning Authority. Where a SuDS scheme is to be implemented, the submitted details shall:
 - i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
 - ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
 - iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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5. No part of the development shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with condition no. 4. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.
6. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a plan indicating the positions, design, materials and type of boundary treatment and timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.
Approved on: 05/10/2023 **Reference Number:** P/2023/0569
By: Wrexham County Borough Council
Approved Report Ref: 2705-EWA- MYC-00-GA-A-19100 Rev C2 and 2705-EWA-MYC-00-GA-A-19101 Rev P0
7. The landscaping scheme submitted and approved in connection with condition no. 6 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
8. The planting scheme implemented in connection with condition no. 7 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.
9. 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;

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- f) Method for protecting retained trees during demolition works;
- g) Details of all proposed tree works, including felling and pruning.

Approved on: 04/10/2023 **Reference Number:** P/2023/0462

By: Wrexham County Borough Council

Approved Report Ref: 220440.MYC/A2_AMS - Arboricultural Method Statement by Indigo Surveys, Dated June 2023

10. The development shall be carried out in strict accordance with the findings and recommendations contained within the 'Wrexham County Borough Council Maes Y Capel Biodiversity Enhancement Plan' dated January 2023, approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.
11. Prior to first use of the development the site shall be laid out in strict accordance with layout plan ref: 2705-EWA-MYC-00-DR-A-19001 Rev P2.
12. The vehicular parking and turning areas as shown on approved drawing ref: 2705-EWA-MYC-00-DR-A-19001 Rev P2 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.
13. No surface water from any increase in the roof area of the building / or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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 satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
5. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
6. 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.
7. 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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8. 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.
9. 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.
10. 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.
11. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. 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
13. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.

Note(s) to applicant

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 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 work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & Housing Standards at healthandhousing@wrexham.gov.uk or 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 healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

The Applicant is advised that under the 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 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