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

wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

Applicant MR GRAHAM

Reference P/2023/0880

Agent MR LUKE JONES D2 ARCHITECTS
D2 ARCHITECTS,
SOUGHTON HOUSE,
2 NICHOLAS STREET MEWS, CHESTER
CH1 2NS

Date Received 14/12/2023

Decision Date 30/09/2024

Town and Country Planning Act, 1990

Location of Application

MARFORD GATE CHESTER ROAD MARFORD WREXHAM LL12 8SF

Description of Application

MATERION A GADWYD YN ÔL YN DILYN CANIATÂD CAIS AMLINELLOL P/2020/0724 - CODI 2 ANNEDD - (YMDDANGOSIAD, TIRLUNIO A GRADDFA) / RESERVED MATTERS PERSUANT TO OUTLINE PLANNING PERMISSION P/2020/0724 – ERECTION OF 2 DWELLINGS - (APPEARANCE, LANDSCAPING AND SCALE)

Submission of Reserved Matters pursuant to Outline Planning Permission P/2020/0724 Granted on 10/05/2021 and in accordance with the conditions attached to that permission

In reaching this decision the Council has had regard to the following relevant policies: -

National Policies and Technical Advice Notes (TAN):

Paragraph 6.4.5 of Planning Policy Wales 12

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE3 - Trees, Woodlands and Hedgerows
NE6 - Waste Water Treatment and River Water Quality
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP2 - Location of Development

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T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	26/09/2024	Planning permission issued

Particulars of decision APPROVAL of reserved matters

Subject to the following:

Condition(s)

1. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
Site Plan PL01
Floor Plan PL02
Floor Plan PL03
Elevation Plan PL04
Elevation Plan PL05
Net Benefit to Biodiversity Plan PL09

2. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecological Walkover Survey, By Arbtech, Dated 17 July 2023. The mitigation and avoidance measures hereby approved shall be fully implemented prior to first use occupation of either of the two dwellings.

3. Neither of the two dwellings hereby permitted shall be occupied until the measures to deliver net benefit for biodiversity (NBB) shown on plan ref: Net Biodiversity Benefit PL09 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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4. 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.

5. Landscaping shall be undertaking in accordance with the details shown on drawing PL09 in the first planting (November to March) and seeding (April to September) seasons following the first occupation of the development. Any trees, hedgerows or plants which following the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with species of the same type and size as those originally planted

6. Prior to their use on the development hereby permitted, samples of the materials to be used in the construction of the external surfaces of the development shall be submitted for the written approval of the Local Planning Authority. Development shall be carried out in accordance with the details that are approved.

7. The development shall be carried out in strict accordance with the Arboricultural Method Statement ref no Tree Solutions 23/AIA/WXM/313.

Reason(s)

1 To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.

3 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.

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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 DM1, SP12 and SP14 of the Wrexham Local 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 DM1, SP12 and SP14 of the Wrexham Local 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 DM1, SP12 and SP14 of the Wrexham Local Development Plan.

7 To preserve the health, safety and amenity value of the tree(s) in accordance with Policies DM1, SP12, SP14 and NE3 of the Wrexham Local 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.

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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.

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.

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If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on 0800 917 2652.

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, Cyngor Bwrdeistref Sirol Wrecsam
Chief Officer Economy and Planning, Wrexham County Borough Council

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
Planning and building control | Wrexham County Borough Council