

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

|                  |                                                                               |                      |                 |
|------------------|-------------------------------------------------------------------------------|----------------------|-----------------|
| <b>Applicant</b> | HOUSING AND ECONOMY                                                           | <b>Code Number</b>   | PENP/2023 /0171 |
| <b>Agent</b>     | HOUSING AND ECONOMY<br>MR KEITH EDWARDS<br>RUTHIN ROAD<br>WREXHAM<br>LL11 7TU | <b>Date Received</b> | 15/03/2023      |
|                  |                                                                               | <b>Decision Date</b> | 19/06/2023      |

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**Town and Country Planning Act, 1990**

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

**Location of application**

4 BRYN EITHA, PENYCAE, WREXHAM, LL14 2PS

**Description of application**

ADEILADU MYNEDFA NEWYDD/CONSTRUCTION OF NEW ACCESS

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

| Revision | Date       | Description of Decision    |
|----------|------------|----------------------------|
| 0        | 19/06/2023 | Planning permission issued |

**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 2223370 dwg.no1, and as contained within the application documentation.
3. The vehicular access(es) hereby approved shall take the form of a dropped vehicular crossing.
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. 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 gate, fence, wall or other means of enclosure shall be erected, constructed or placed across the access within 5 metres of the highway boundary under Class A, of Schedule 2 Part 2

|                  |                                                                               |                      |                 |
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### **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. In the interests of highway safety in accordance with Policy GDP1 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 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.

### **Note(s) to applicant**

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](mailto:healthandhousing@wrexham.gov.uk) or 01978 292040 for further advice and information.

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](mailto:healthandhousing@wrexham.gov.uk) or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.



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](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)