

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	MR P DEROSA	Code Number	GWE P/2016/0372
Agent	MILES DESIGNS LTD MR S H MILES 7 CHAPEL STREET HOLT WREXHAM LL13 9DJ	Date Received	18/04/2016
		Decision Date	25/07/2016

Town and Country Planning Act, 1990

Location of application

LAND TO THE REAR OF GWYNFA, RHOSROBIN ROAD, NEW RHOSROBIN, WREXHAM, LL11 4PG

Description of application

ERECTION OF 2 NO DWELLING INCLUDING NEW ACCESS ROAD

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

GDP1	Development objectives
PS1	Settlement limits
PS2	Development and the environment

Revision	Date	Description of Decision
0	25/07/2016	Planning permission issued
1	01/03/2023	Discharge of Condition 2, 6, 12, 15 and 17 issued, reference P/2020/0071

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. Prior to their use on the development samples of all external facing and roofing materials shall be 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.

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App Ref No: P/2020/0071 **Documents Approved:** Materials as submitted to Local Authority **Approved by:** Wrexham County Borough Council **Date:** 01/03/2023

3. The development shall be carried out in strict accordance with the findings and recommendations contained with the Ecological Report as carried out by Jane V Atkinson approved as part of this application. The mitigation hereby approved shall be implemented in accordance with the details for the duration of the works.
4. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday.
5. No surface water and / or land drainage shall be allowed to connect directly or indirectly with the public sewage network.
6. 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.

App Ref No: P/2020/0071 **Documents Approved:** Drawing 20/01 07
Approved by: Wrexham County Borough Council **Date:** 01/03/2023

7. Any gates to be erected at the vehicular access onto Rhosrobin Road shall be located at least 5 m behind the back edge of the pavement.
8. Prior to the first use of the vehicular access hereby approved to serve the new development the access shall be hard surfaced for the first 5 metres

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behind the highway boundary and shall be provided with drainage to prevent surface water discharging onto the highway.

9. The proposed access to be utilised as part of this development shall have a visibility splay measuring 2.4m x 43 m in a westerly direction as measured to the nearside edge of the adjoining highway before construction on either dwelling commences. Within the splay nothing shall be placed, or allowed to grow at any time, which exceeds the height of the nearside of the pavement.

10. The access to serve the proposed development shall have a visibility splay measuring 2.4 m x 43 m in an easterly direction as measured to the middle of the adjoining highway before construction of either dwelling commences. Within the splay nothing shall be placed or allowed to grow, or allowed to grow at any time, which exceeds the height of the near side edge of the pavement.

11. Prior to construction of either house commences from a point on the centre line of the access as measured 2.4 m back from the rear of the footway to points 3.3 m on either side of that point measured along the rear of the footways all obstructions to visibility shall be reduced and shall thereafter be maintained at a height not exceeding 0.6 m above the level of adjacent carriageway.

12. Before its first installation, further design details of the proposed window for bedroom 3 of plot 1 shall be submitted to and approved by the Local Planning Authority and the details shall include obscure glazing within the lower half of that window. The details as approved shall be fully installed and the area approved for obscure glazing shall only be glazed or re-glazed using obscure glass which shall thereafter be permanently retained.

App Ref No: P/2020/0071 **Documents Approved:** Obscurely glazed lower section as per approved plans for P/2016/0372 **Approved by:** Wrexham County Borough Council **Date:** 01/03/2023

13. 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 windows or other openings shall be inserted in any elevation of the building facing north west and south west.

14. 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 further development shall take place under Classes A, B, C and E of Schedule 2 Part 1, other than the development hereby granted permission.

15. Prior to commencement of any works on site details of the finished floor levels of the proposed dwellings shall be submitted to and approved in

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writing by the Local Planning Authority. Works shall only be carried out in strict accordance with the details as approved.

App Ref No: P/2020/0071 **Documents Approved:** Drawing 20/01 07

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16. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 06 and 07 and contained within the application documentation.

17. Within three months of the commencement of development details of all means of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. Details shall include a timescale for implementation and the works approved shall be carried out in strict accordance with the details as approved and retained thereafter unless otherwise agreed in writing with the Local Planning Authority.

App Ref No: P/2020/0071 **Documents Approved:** Drawing 20/01 07

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Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
3. To protect named species/habitats/biodiversity which would otherwise be damaged/lost by the development hereby permitted.
4. To protect the amenities of the occupiers of nearby properties.
5. To prevent hydraulic overloading of the public sewerage system to protect health and safety of existing residents and ensure no pollution or detriment to the environment.
6. To ensure satisfactory drainage of the site and to avoid flooding.
7. 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.
8. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.
9. To ensure that adequate visibility is provided at the proposed point of access to the highway.
10. To ensure that adequate visibility is provided at the proposed point of access to the highway.
11. To ensure adequate visibility for and of pedestrians.
12. To protect the amenity of nearby residents.
13. To protect the amenities of the occupiers of nearby properties.
14. To protect the amenities of the occupiers of nearby properties.

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15. To protect the amenities of the occupiers of nearby properties.
16. To ensure that the development fully complies with the appropriate policies and standards.
17. In the interests of nearby residential amenity and the general visual amenities of the area.

Note(s) to applicant

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. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

The applicant is advised that compliance with condition no. 4 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

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 Housing and Public Protection Department on 01978 315300 for further advice and information.

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.

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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 Environment and Planning Department on 01978 315300 for further advice and information.

Your attention is drawn to the comments of Natural Resources Wales and attached to this decision.

Applicant MR P DEROSA
Agent MILES DESIGNS LTD
MR S H MILES
7 CHAPEL STREET
HOLT
WREXHAM
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Officer Appointed for this purpose
Head of Environment and Planning

Refer to the Statement of Applicant's Rights and General Information enclosed
or refer to the following link:-

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