

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 DAVID OWEN	Code Number	WRO P/2022/0436
Agent	WILLIAM GILL JPH ARCHITECTS LTD 8 BRIGHTON ROAD RHYL LL18 3HD	Date Received	29/04/2022
		Decision Date	24/06/2022

Town and Country Planning Act, 1990

Location of application

48, ALEXANDRA ROAD, WREXHAM, LL13 7SH

Description of application

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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
H4	Subdivision of dwellings
PS1	Settlement Limits
T8	Parking

Revision	Date	Description of Decision
0	24/06/2022	Planning permission issued
1	06/12/2022	P/2022/0983 - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2022/0436 TO AMEND APPROVED PLANS

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.

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2. The development shall only be carried out in strict accordance with the details shown on the approved and amended drawing(s) numbered 5321-JPH-XX-00-DR-A-103 Rev E, 0622-JPH-ZZ-XX-DR-A-000, 0622-JPH-ZZ-XX-DR-A-101 Rev D and 0622-JPH-ZZ-XX-DR-A-102 Rev A and contained within the application documentation.

S96 Non-material amendment Approved on: 06.12.2022

Reference Number: P/2022/0983

By: Wrexham County Borough Council

Deleted Drawing Refs: 0622-JPH-ZZ-XX-DR-A-102 Rev A, 5321-JPH-XX-00-DR-A-103 Rev E and 0622-JPH-ZZ-XX-DR-A-101 Rev D.

Approved Amended Drawing Refs: 0622-JPH-ZZ-XX-DR-A-101 Rev E, 5321-JPH-XX-00-DR-A-103 Rev G and 0622-JPH-ZZ-XX-DR-A-102 Rev D.

3. No facing or roofing materials shall be used other than materials matching those used on the existing building.

4. There shall be no gates or other means of enclosure across the vehicular access points within 5 metres of the highway boundary.

5. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. 5321-JPH-XX-00-DR-A-103 Revision E.

S96 Non-material amendment Approved on: 06.12.2022

Reference Number: P/2022/0983

By: Wrexham County Borough Council

Deleted Drawing Ref: 5321-JPH-XX-00-DR-A-103 Revision E

Approved Amended Drawing Refs: 5321-JPH-XX-00-DR-A-103 Rev G

6. 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.

7. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 5321-JPH-XX-00-DR-A-103 Revision E 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.

S96 Non-material amendment Approved on: 06.12.2022

Reference Number: P/2022/0983

By: Wrexham County Borough Council

Deleted Drawing Ref: 5321-JPH-XX-00-DR-A-103 Revision E

Approved Amended Drawing Refs: 5321-JPH-XX-00-DR-A-103 Rev G

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8. Prior to the first use of the development a widened pavement crossing to the site shall be constructed in strict accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

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. 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.
5. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
7. 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
8. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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.

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;

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- 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.

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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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

A licence must be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerbline and cross the footpath in connection with condition no. 8. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council on telephone 01978 729670.



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