

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 MICHAEL FORGRAVE	Code Number	RHO P/2020/0844
Agent	PARRY DAVIES ARCHITECTS LTD MR RICHARD GRATTON STUDIO 55:20 NORTH WALES BUSINESS PARK ABERGELE CONWY LL22 8LJ	Date Received Decision Date	07/12/2020 05/07/2021

Town and Country Planning Act, 1990

Location of application

, LAND OFF HIGH STREET, JOHNSTOWN, WREXHAM, LL14 2BA, ,

Description of application

DYMCHWEL YR ADEILADAU PRESENNOL A CHODI 10 ANNEDD /
DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 10
DWELLINGS

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	05/07/2021	Planning permission issued
1	10/11/2021	Approval of details submitted in respect of conditions 05, 06, 07 and 08
2	13/04/2022	Approval of details submitted in respect of conditions 03, 08 and 09

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. The development shall be carried out in accordance with the following plans:
 - i. 19/5991/1 Revision D Site Layout Plan C
 - ii. 19.5991/2 Harlech
 - iii. 19.5991/3 Ruddlan

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- iv. 19.5991/4 Beaumaris
- v. 19.5991/5 Revision A Ewloe
- vi. 19/5991/6 Revision A Garage Details
- vii. 19/5991/7 Revision A Conwy
- viii. 19.5991/10 Revision A Ewloe Plots 9 & 10
- ix. 19.5991/11 Flint

3. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

Date Approved: 13/04/2022 **Reference Number:** P/2022/0186

By: Wrexham County Borough Council

Approved Details:

GroundSolve Ltd, Letter report Re: Johnstown Chemical and Physical Test Results. Dated 18 August 2020

GroundSolve Ltd, Ruabon Road, Johnstown. Proposed Residential Development. Geo Environmental Report. Gower Homes. Dated July 2021.

GroundSolve Ltd, Ruabon Road, Johnstown. Proposed Residential Development. Geo Environmental Report. Gower Homes. Revised Dated December 2021.

GroundSolve Ltd, Letter Re: Discharge of Condition 3 (Contamination). Dated 22 December 2021.

Dets Certificate of Analysis, Willow Cottage. Dated 14 September 2020

GroundSolve Ltd, Letter report Re: Belgrave Court, Johnstown: Additional Testing. Dated 17 January 2022.

Waste Transfer Notes.

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Emails from Doug Bailey dated 21 January 2022 and 26 January 2022.

4. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 03 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

5. No part of the development / works shall commence until details of an on-site watching brief, prepared and to be carried out by a suitably qualified archaeologist, for the duration of the construction works has been submitted to and approved in writing by the Local Planning Authority. The archaeological watching brief must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for archaeological watching briefs.

Date Approved: 10/11/2021 **Reference Number:** P/2021/0813

By: Wrexham County Borough Council

Approved Details: Written Scheme of Investigation for Land off High Street, High Road, Johnstown dated August 2021

6. No development shall take place until a scheme that includes the following has been submitted to and approved in writing by the Local Planning Authority:

i. A scheme of Reasonable Avoidance Measures in respect of Great Crested Newts.

ii. A Biosecurity Risk Assessment

Development shall thereafter take place in strict accordance with the scheme as approved.

Date Approved: 10/11/2021 **Reference Number:** P/2021/0813

By: Wrexham County Borough Council

Approved Details: Updated Layout, Reasonable Avoidance Measures with Respect to Great Crested Newts and Biosecurity Risk Assessment at Land off High Street/Ruabon Road, Johnstown, Wrexham LL14 2AD Version 4 dated 28th September 2021 by Susan Worsfold.

7. No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.

Date Approved: 10/11/2021 **Reference Number:** P/2021/0813

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By: Wrexham County Borough Council

Approved Details: Gower homes Construction Phase dust Management Plan dated 10 August 2021

8. 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.

Date Approved: 10/11/2021 **Reference Number:** P/2021/0813

By: Wrexham County Borough Council

Approved Details: Materials specified in letter dated 10 August 2021 reference DB/PP/23/01

Date Approved: 13/04/2022 **Reference Number:** P/2022/0186

By: Wrexham County Borough Council

Approved Details: External Materials Schedule dated 23 March 2022.

9. Within three months of commencement of development, a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i) Details of all hard and soft landscaping;
- ii) Details of all boundary treatment;
- iii) A time scale for the implementation of the scheme;
- iv) A landscape management plan

Landscaping shall thereafter be implemented and managed in strict accordance with the scheme as approved.

Date Approved: 13/04/2022 **Reference Number:** P/2022/0186

By: Wrexham County Borough Council

Approved Details: Letter dated 23 Feb 2022 reference DB/PP/23/02 and drawings nos. 02/106/01 v1 dated February 2022 and 19.5991/SK1 Revision B.

10. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 43 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining highway. The splays

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shall thereafter be permanently retained clear of any such obstruction to visibility.

11. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 19/5991/1 Revision D 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.

12. No dwelling shall be occupied until the existing bus stop located to the north of the proposed site access has been repositioned in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority

13. The development shall be carried out in strict accordance with the Tree Solutions Arboricultural Impact Assessment & Method Statement reference 21/AIA/WXM/262 (Rev A) dated May 2021.

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 the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. The site contains archaeological remains which it is essential should be protected from damage in accordance with Policies GDP1 and EC11 of the Wrexham Unitary Development Plan.
6. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
7. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
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.

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9. 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.

10. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

11. 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

12. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

13. To protect trees which are of significant amenity value to the area in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

Note(s) to applicant

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

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

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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 Environmental Health and Housing Standards at: heathandhousng@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 Planning & Regulatory Department on 01978 292040 for further advice and information.



Officer Appointed for this purpose
Chief Officer Planning & Regulatory

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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