

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 R EVASON	Code Number	MAE P/2022/0076
Agent	MICHAEL LLOYD BERRYS BEECH HOUSE ANCHORAGE AVENUE SHREWSBURY BUSINESS PARK SHEWSBURY SY2 6FG	Date Received	24/01/2022
		Decision Date	13/05/2022

Town and Country Planning Act, 1990

Location of application

CHESHIRE CHEESE, OVERTON ROAD, PENLEY, WREXHAM, LL13 0LU

Description of application

TRAC MYNEDIAD A PHONT NEWYDD ARFAETHEDIG / PROPOSED NEW ACCESS TRACK AND BRIDGE

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

EC12	Development and flood risk
EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
EC5	Special Landscape Areas
EC6	Biodiversity Conservation
GDP1	Development objectives
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	13/05/2022	Planning permission issued

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 only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:

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- SA36154-01

- SA36154-02

SA36154-BRY-ST-PL-A-100

and assessments:

- Woodsyde Developments Ltd. January 2020. Flood Risk Consequence Assessment

- Elite Ecology, January 2022. Preliminary Ecological Appraisal as contained within the application documentation.

3. The development shall be carried out in strict accordance with the following plans and report(s) submitted and approved as part of this application:

1) Tree Protection Plan ref no. 'Elite Ecology - Tree Protection Drawing'

No development or other operations shall take place except in strict accordance with the reports as approved.

4. Within three months of commencement of development, full details of a hard and soft landscaping scheme including ecological enhancement together with a five year Maintenance Plan and timescales for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

5. The vehicular parking area as shown on approved drawing numbers SA36154-BRY-ST-PL-A-100 shall be fully laid out, surfaced and drained prior to first use of the development. This parking area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.

6. The existing vehicular access as shown on approved plan no. SA36154-BRY-ST-PL-A-100 shall be permanently closed up prior to first use of any part of the development in accordance with a specification of works which has been submitted to and approved in writing by the Local Planning Authority.

7. 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 10 metres behind the adjoining highway.

8. There shall be no gates or other means of enclosure across the vehicular access point within 10 metres of the highway boundary.

9. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 120 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction above the level of the adjoining

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

10. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment as carried out by Elite Ecology, January 2022. Preliminary Ecological Appraisal approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

11. No part of the development shall commence until a scheme for the creation of a flood compensation zone comprehensive with has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in accordance with a timescale to be agreed as part of the submitted details and maintained thereafter.

12. No part of the development shall be occupied until the sustainable drainage and flood compensation scheme for the site has been completed in accordance with the approved report Flood Risk and Flood Consequences assessment Woodsyde Developments Limited dated January 2020 and condition 11 above. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.

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 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.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and biodiversity in accordance with Policies GDP1 EC6 and PS2 of the Wrexham Unitary Development Plan.
5. To provide for the parking of vehicles clear of the highway in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
6. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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7. 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.
8. 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.
9. 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.
10. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
11. To ensure that no adverse impact occurs to the environment or the existing public sewerage system in accordance with Policies GDP1 EC12 and EC13 of the Wrexham Unitary Development Plan.
12. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 EC12 and EC13 of the Wrexham Unitary Development Plan.

Note(s) to applicant

Public Footpath No.1 - Penley (Maelor Way) appears to pass through the development site and should not be interfered with. I would strongly recommend that the applicant liaise with our Public Rights of Way Section to discuss the proposed development. Please contact Mr. Sean Hanratty on Tel: 01978 729761.

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.

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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 Environmental Health and 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.

The applicant is advised that some public sewers and lateral drains may not be recorded on our maps; some sewers were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The applicant may also need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""? 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we

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kindly request that we are re?consulted and reserve the right to make new representation.

If you have any queries please contact WW on 0800 917 2652 or via email at developer.services@dwrcymru.com

The scheme of landscaping referred to in the above conditions shall include any changes to ground levels (shown by existing and proposed contours/levels) and any existing vegetation (showing that to be retained) and proposed planting. In addition, any of the following which apply to the particular site must be included:-

means of enclosure, car parking layout, access and circulation areas, materials for hard surfaced areas, any minor structures (e.g. refuse stores, lamp columns, play equipment) location of services, and any historic landscape features to be retained/improved.

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

Your attention is drawn to Highway Supplementary Notes - 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.h
tm](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)

A licence must be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerblin and cross the verge. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council on telephone 01978 729670.

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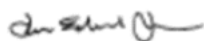
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Detailed advice has been issued by Natural Resources Wales (NRW) which is available on the Council's planning applications website.



Ian Jones

Prif Swyddog Cynllunio a Rheoleiddio Dros Dro

Interim Chief Officer Planning & Regulatory

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