



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	MRS RACHEL LLOYD	Code Number	GRE P/2019/0189
Agent	MRS RACHEL LLOYD HOMESTEAD NURSERY OLD WREXHAM ROAD GRESFORD WREXHAM LL12 8TY	Date Received	26/02/2019
		Decision Date	02/05/2019

Town and Country Planning Act, 1990

Location of application

HOMESTEAD NURSERY, OLD WREXHAM ROAD, GRESFORD, WREXHAM, LL12 8TY

Description of application

CONSTRUCTION OF TIMBER FRAMED BUILDING FOR USE AS CLASSROOMS

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

EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	02/05/2019	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 HS-2019-01, 02, 03, 04, 05, 06 and 07 and as contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.



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

5. The vehicular parking and turning areas as shown on approved drawing(s) No(s). HS-2019-07 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.

6. 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) Arboricultural Method Statement ref no. 19/AMS/WXM/246

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

7. The existing trees, shrubs and hedges shown on drawing(s) No(s). 19/AMS/WXM/246 01 and HS-2019-01 to be permanently retained shall not be cut down, grubbed out, lopped or uprooted. Any trees, shrubs or hedges removed or being severely damaged or becoming diseased shall be replaced with trees, shrubs or hedging plants of the equivalent size and species.

8. No equipment, machinery, plant or materials of any kind in connection with the development shall be brought onto the site until tree protection fencing and ground protection measures have been fully implemented. The fencing shall consist of a scaffold framework in accordance with Figure 2 of British Standard 5837:2012 comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3 metres. Onto this, 2.1 metre weldmesh panels shall be securely fixed with wire or scaffold clamps. This fencing shall be erected at the extent of each tree(s) Root Protection Area, as set out in British Standard 5837:2012 or as shown as the Construction Exclusion Zone on the approved Tree Protection Plan Ref. 19/AMS/WXM/246 01. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made.

9. The tree protection fencing and ground protection measures approved in connection with condition no. 08 shall be kept in place until all external site works have been completed and the removal of the fencing has been approved in writing by the Local Planning Authority.



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10. The concrete pad foundation hereby approved shall be laid onto a non-porous Visqueen type damp proof membrane.

11. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any statutory instrument revoking and re-enacting that Order with or without amendment), no part of the premises shall be used except for the precise purposes described in the application plans and documents.

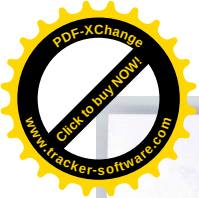
12. The application site shall be operated as a single business unit and shall not at any time be sub-divided to form smaller individual operating businesses or units.

13. The application site shall be for a maximum of 96 children.

14. No use of the development shall be made before 07.30 or after 18.00 hours on any weekday and at no time on a Sunday or Bank Holiday.

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. 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.
5. 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
6. 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.
7. To ensure the amenity afforded by the trees is continued into the future in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
8. To ensure that the retained trees are adequately protected during development in the interests of amenity in accordance with Policies GDP1 and EC4 of the Wrexham Unitary Development Plan..



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9. To ensure that the retained trees are adequately protected during development in the interests of amenity in accordance with Policies GDP1 and EC4 of the Wrexham Unitary Development Plan..
10. In order to prevent any lime leaching into the underling soil.
11. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
13. The application site shall be operated as a single business unit and shall not at any time be sub-divided to form smaller individual operating businesses or units.
14. To ensure that the @@@@ is not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Note(s) to applicant

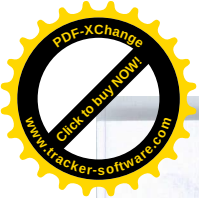
All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site 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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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



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

The developer/applicant should ensure that the existing septic tank has sufficient capacity to accommodate any increase in flows from the proposed development. The Applicant should note, it is a legal requirement to apply for an environmental permit or register an exemption with Natural Resources Wales (NRW). Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environment permit if certain criteria are met. Please note, should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold pre-application discussion with the Permitting Team at NRW on tele no 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements.

If the Applicant already holds an exemption / permit, they should check whether the proposed increase in flows would require a further application to be made for a new / varied permit. It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

More information, including a step by step guide to registering and the relevant application forms are available on NRW's website. Where private sewage treatment / disposal facilities are utilised, they must be installed and maintained in accordance with British Standards 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to



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Guidance for Pollution Prevention 4 on the NatRegs website, which provides further information.

Officer Appointed for this purpose
Chief Officer Planning & Regulatory

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