

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

|                  |                                                                                       |                      |                 |
|------------------|---------------------------------------------------------------------------------------|----------------------|-----------------|
| <b>Applicant</b> | MR LIAM O'SULLIVAN<br>OSOS ESTATES LTD                                                | <b>Code Number</b>   | RHO P/2019/0380 |
| <b>Agent</b>     | CB ARCHITECTURAL DESIGN<br>MR CRAIG BAUGH<br>41<br>FOSTER ROAD<br>WREXHAM<br>LL11 2LT | <b>Date Received</b> | 17/05/2019      |
|                  |                                                                                       | <b>Decision Date</b> | 01/07/2019      |

### **Town and Country Planning Act, 1990**

#### **Location of application**

SITE OF FORMER HOPE VIEW, HAND LANE, PONCIAU, WREXHAM, LL14 1ET

#### **Description of application**

APPLICATION FOR APPROVAL OF RESERVED MATTERS PURSUANT TO OUTLINE PLANNING PERMISSION P/2015/0340 - LAYOUT, SCALE, APPEARANCE AND LANDSCAPING (3 NO. DETACHED DWELLINGS AND 1 NO. PAIR OF SEMI DETACHED DWELLINGS AND ACCESS)

#### **Submission of Reserved Matters pursuant to Outline Planning Permission Code No. Granted on, and in accordance with, the conditions attached to that permission**

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                     |
| H2   | Residential development within settlements |
| T8   | Parking                                    |

| Revision | Date       | Description of Decision                                                                                                             |
|----------|------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 0        | 01/07/2019 | RESERVED MATTERS APPROVAL ISSUED                                                                                                    |
| 1        | 26/04/2021 | P/2021/0298 - NON-MATERIAL AMENDMENT TO RESERVED MATTERS APPROVAL P/2019/0380 - AMENDED FINISHED FLOOR LEVELS AND MATERIALS         |
| 2        | 27/09/2021 | P/2021/0865 - DISCHARGE OF CONDITIONS 2 (MATERIALS), 6 (LANDSCAPING) AND 10 (BOUNDARY TREATMENT) OF PLANNING PERMISSION P/2019/0380 |

|                  |                                                                                       |                      |                 |
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## Particulars of decision **APPROVAL** of reserved matters

**Subject to the following:-**

### **Condition(s)**

1. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered -

- 818/L(2)01 Rev A
- 818/L(2)02
- 818/L(2)03 Rev A
- 818/L(2)04 Rev A
- 818/L(9)01 Rev B

and as contained within the application documentation.

**S96 Non-material amendment Approved on:** 26/04/2021

**Reference Number:** P/2021/0298

**By:** Wrexham County Borough Council

### **Additional Approved Levels Refs:**

- Proposed New Amended Finished Floor Levels **Dated:** March 23 202, and
- DWG No. 220. 18. L 01.

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.

**Approved on:** 27/09/2021

**Reference Number:** P/2021/0865

**By:** Wrexham County Borough Council

3. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 818/L(9) 01 Rev B 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.

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4. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. 818/L(9) 01 Rev B.

5. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

6. No part of the development shall commence until full details of a hard and soft landscaping scheme together with a five year Maintenance Plan and timescale for the implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

**Approved on:** 27/09/2021

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7. The landscaping scheme submitted and approved in connection with condition no. 6 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

8. The planting scheme implemented in connection with condition no. 7 shall be permanently retained. Any planting which becomes severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced within the next available planting season by trees or shrubs of similar size and species to those originally required to be planted.

9. With the exception of those shown on the approved plan and 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.

10. No part of the development shall commence until a boundary treatment scheme within and around the site has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment as may be approved shall be completed in all respects prior to first use / occupation of the development and shall thereafter be permanently retained.

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11. 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) and with the exception of those shown on the approved plans, no gate, fence, wall or other means of enclosure shall be erected on the site.

### **Reason(s)**

1. To comply with section 71ZA (2) 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 in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
3. 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
4. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. 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.
7. 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.
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.
9. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
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11. 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.

### **Note(s) to applicant**

This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as ""conditions precedent"". You should be aware that it is important that you comply with any ""conditions precedent"". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

The separate written consent of the Local Highway Authority must be obtained before any work is carried out within the confines of the highway.

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided.

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In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

The Applicant is advised that the development to which these reserved matters are pursuant shall commence by 01/07/2021



**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](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)

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|------------------|--------------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------------------------------------------|
| <b>Applicant</b> | «APPAPPTITLE»<br>«APPapp1st»<br>«APPAPPSURNAME»<br>«APPCompany»                                  | <b>Code<br/>Number</b>                                   | «APPParish»<br>«APPCategory»/«APPREFa»<br>»/«APPREFb» |
| <b>Agent</b>     | «APPAGENTNAME»<br>«APPAGENTA1»<br>«APPAGENTA2»<br>«APPAGENTA3»<br>«APPAGENTA4»<br>«APPAGENTPOST» | <b>Date<br/>Received</b><br><br><b>Decision<br/>Date</b> | «APPReceived»<br><br>«APPDECDATE»                     |