

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 M DAVIES	Code Number	COE P/2017/0967
Agent	BLUEPRINT LTD MR DAFYDD EDWARDS OFFICE 3K4 REDWITHER TOWER WREXHAM INDUSTRIAL ESTATE WREXHAM LL13 9XT	Date Received	23/11/2017
		Decision Date	16/03/2018

Town and Country Planning Act, 1990

Location of application

LAND SOUTH OF, NANT COTTAGE, LOWER ROAD, COEDPOETH, WREXHAM, LL11 3TP

Description of application

ERECTION OF 2 NO. DETACHED DWELLINGS WITH ASSOCIATED GARAGES AND PARKING

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

EC6	Biodiversity Conservation
GDP1	Development objectives
H2	Residential development within settlements
PS1	Settlement limits
PS2	Development and the environment
PS3	Brownfield Land
PS4	Settlement Pattern
T8	Parking
T9	Walking, cycling and horse riding routes

Revision	Date	Description of Decision
0	16/03/2018	PLANNING PERMISSION ISSUED
1	21/08/2018	P/2018/0563 - APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2017/0967:- CONDITION 3 - SAMPLES OF ALL EXTERNAL FACING AND ROOFING MATERIALS

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		CONDITION 10 - DETAILS OF SITE INVESTIGATION WORKS IN RELATION TO STABILITY CONDITION 11 - SCHEME DETAILING THE CONSTRUCTION OF THE PASSING BAY AND THE RETAINING WALL CONDITION 15 - DETAILS OF A HARD AND SOFT LANDSCAPING SCHEME
2	04/11/2021	P/2021/1006 - PARTIAL DISCHARGE OF CONDITION 6 (PARKING) AND DISCHARGE OF CONDITION 12 (CONTAMINATION) OF PLANNING PERMISSION P/2017/0967

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 D086/008 Rev C, D086/005 Rev B, D086/006 Rev B and as contained within the application documentation.
3. 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.

Materials Approved on: 22.08.2018

Reference Number: P/2018/0563

By: Wrexham County Borough Council

4. 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.

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5. Any garage erected under this permission shall be used only for a purpose incidental to the use of the dwelling as a single dwelling house provided that such use shall not preclude the garaging of a private motor car.

6. The vehicular parking and turning areas as shown on approved drawing(s) No(s). D086/008 Rev C 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.

Approved on: 04/11/2021 **Reference Number:** P/2021/0006

By: Wrexham County Borough Council

Partial Approval given for a temporary period of 2 years, from the date of this decision.

7. The gradient access from the edge of the existing carriageway shall be a maximum of 1:8.

8. The proposed access shall have visibility splays of 2.4 x 17 m in both directions measured to the centre line of the adjoining highway within which there shall be no obstruction in excess of 1.0m in height.

9. The proposed access shall be surfaced using hard bound materials for a minimum distance of 5 metres behind the highway boundary. Any gates to be erected at the proposed access shall be a minimum of 5m from the edge of the adjacent carriageway.

10. No part of the development shall commence until further details of site investigation works in relation to the stability of the embankment and wall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with any measures as approved.

Site Investigation Works Approved on: 22.08.2018

Reference Number: P/2018/0563

By: Wrexham County Borough Council

Approved Structural Calculations Ref: 2018/152

11. No part of the development shall commence until a scheme detailing the construction of the following has been submitted to and approved in writing by the Local Planning Authority:

- 1) Passing bay
- 2) Retaining wall

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The scheme as is approved shall be fully implemented prior to first use of the development.

Highway Passing Plan Approved on: 22.08.2018

Reference Number: P/2018/0563

By: Wrexham County Borough Council

Approved Plan Ref: D086/010 Rev E

12. Each part of the site subject to the remediation under the scheme approved as part of condition 11 and 12 of planning permission ref: P/2014/0331 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.

Approved on: 04/11/2021 **Reference Number:** P/2021/0006

By: Wrexham County Borough Council

Approved Report Ref: SG LLP Letter Report 'Land off Lower Road, Coedpoeth, dated 8 October 2021

13. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.

14. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.

15. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

Landscaping Plan Approved on: 22.08.2018

Reference Number: P/2018/0563

By: Wrexham County Borough Council

Approved Plan Ref: D086/011 Rev B

16. The landscaping scheme submitted and approved in connection with condition no. 15 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

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17. The landscaping scheme as carried out in connection with condition no. 16 shall be permanently retained. Any planting becoming 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 with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

18. The vehicular access hereby approved shall be a minimum width of 4.8 metres.

19. 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), any window or opening in the elevation facing East (Plot 1) shall only be glazed or re-glazed using obscure glass which shall thereafter be permanently retained.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To define the scope of the planning permission.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. To protect the amenities of the occupiers of nearby properties.
5. To ensure that the garage is not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties and to ensure that facilities for the garaging of a car remain available at this address at all times.
6. 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.
7. In the interests of highway safety.
8. In the interests of highway safety.
9. In the interests of highway safety.
10. In the interests of highway safety.
11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
12. In the interests of the amenities of the future occupants of the buildings

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13. To protect the amenities of the occupiers of nearby properties.
14. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment.
15. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
16. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
17. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
18. To ensure the formation of a safe and satisfactory access.
19. To protect the amenities of the occupiers of nearby properties.

Note(s) to applicant

Further advice on compliance with condition no. 12 may be obtained by contacting the Council's Environmental Protection Team on 01978 315733. Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Housing and Public Protection Department prior to commencement of works on site. 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 applicant is advised that compliance with condition no. 13 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

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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. 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 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 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 Housing and Public Protection Department on 01978 315300 for further advice and information.

Some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water's maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011.

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The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water, the applicant is advised to contact the Operations Contact Centre at Dwr Cymru on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.



**Officer Appointed for this purpose
Head of Environment 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