

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 KEITH JONES	Code No	BRY P/2013/0293
Agent	BOB DEWEY PLANNING MR BOB DEWEY THE GABLES LLANFYNYDD FLINTSHIRE LL11 5HG	Date Received	26/04/2013
		Decision Date	07/06/2013

Town and Country Planning Act, 1990
Section 73

Location of application

LAND SOUTH OF GLYN HEULOG, GREEN ROAD, BRYMBO, WREXHAM,
LL11 5DR

Description of application

VARIATION OF CONDITIONS 2 AND 3 OF PLANNING PERMISSION
P/2010/0357 TO EXTEND TIME PERIODS FOR SUBMISSION OF
RESERVED MATTERS AND PLANNING 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
PS1	Settlement limits
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	07/06/2013	Planning permission issued

Particulars of decision that permission be GRANTED
Subject to the following:-

Condition(s)

- Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced:
 - the scale of the building(s)
 - the appearance of the building(s)
 - the landscaping of the site
- Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before

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the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.

3. The development hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.

4. No part of the development shall commence until full details of a hard and soft landscaping scheme together with a timescale for the implementation of works have been submitted to and approved in writing by the Local Planning Authority.

5. No part of the development shall commence until full details of a hard and soft landscaping scheme together with a timescale for the implementation of works have been submitted to and approved in writing by the Local Planning Authority.

6. The landscaping scheme submitted and approved in connection with condition no.4 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

7. The landscaping scheme as carried out in connection with condition no. 5 shall be retained for a minimum of 5 years. Within this timescale, 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 and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

8. 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.

9. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating how foul water, surface water and land drainage will be dealt 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.

10. A 2 metre wide footway shall be constructed back from the edge of the existing highway along the full frontage of the development site prior to the occupation of the proposed dwelling.

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11. The first 5 metres of the access back from the highway carriageway shall be hard surfaced, shall be free of any gates and shall have a gradient no steeper than 1 in 10.

12. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2 metres x 39 metres to the north only measured to the centreline of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

13. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2 metres x 39 southerly direction only 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 adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

14. No part of the development shall commence until details of retaining wall and road widening proposals including channel blocks have been 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.

15. 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 buildings (to include garages, sheds, greenhouses, outbuildings etc) shall be erected, or placed on the land edged red on the approved plan under Class E of Schedule 2 Part 1.

16. 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 extensions or additions to the dwelling as approved shall be erected under Class(es) A, B, C, D of Schedule 2 Part 1.

17. No development shall be permitted until full approval for the siting and construction of the retaining wall has been further agreed with the Local Planning Authority.

18. No development shall be permitted until a scheme for the replacement of channel blocks and widening of the carriageway fronting the site has been submitted to and further approved by the Local Planning Authority.

19. Each new dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 - Dwelling Emission Rate' in accordance with the

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requirements of the Code for Sustainable Homes: Technical Guide Version 3. The development shall be carried out entirely in accordance with the approved assessment and certification

20. Construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.

21. Prior to the occupation of the individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide Version 3.

Reason(s)

1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012
2. To comply with Section 92 of the Town and Country Planning Act, 1990.
3. To comply with Section 92 of the Town and Country Planning Act, 1990.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
8. To ensure satisfactory drainage of the site and to avoid flooding.
9. To ensure proper drainage of the site.
10. In the interests of highway safety.
11. In the interests of highway safety.
12. In the interests of highway safety.
13. In the interests of highway safety.

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14. To enable the control of matters not detailed in the application in compliance with the appropriate policies and standards
15. Due to the restricted application site and its relationship with adjoining properties it is considered important to ensure that no additional development as described in the condition is carried out without the permission of the Local Planning Authority.
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17. In the interests of highway safety.
18. In the interests of highway safety.
19. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales February 2011 4.11.4)
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Note(s) to applicant

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional

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hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. 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 Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Your attention is drawn to Highway Supplementary Notes Numbered 1, 3, 4 and 5 on the enclosed ""Applicants' Rights and General Information"".

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Public footpath number 4 abuts the site and must be safeguarded.

The applicant must seek approval for the siting and construction of the retaining wall prior to any development. Please contact the Highway Authority to discuss the proposals.

Please note the attached comments from Public Protection Officers and Welsh Water.

Your attention is drawn to the Council's requirements from separation distances and parking provision, set out in Local Planning Guidance Notes 21- Space Around Dwellings and 16 - Parking Standards available from this office. Further discussion should take place with the Planning Department prior to the submission of a reserved matter application.



Officer Appointed for this purpose
Head of Community Wellbeing and Development

Refer to the Statement of Applicant's Rights and General Information enclosed or refer to the following link:-

http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm