

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

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| Expiry Date: 18/04/2011              |
| Decision Notice Sent: 16/09/2011     |
| Grid Reference: E 327769<br>N 341897 |

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| <b>Applicant</b> | TRAILWALK LTD                                                                          | <b>Code No</b>       | CEF P/2011/0128 |
| <b>Agent</b>     | CASSIDY & ASHTON<br>MR P LLEWELLIN<br>7 EAST CLIFF<br>PRESTON<br>LANCASHIRE<br>PR1 3JE | <b>Date Received</b> | 22/02/2011      |
|                  |                                                                                        | <b>Decision Date</b> | 16/09/2011      |

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

#### **Location of application**

LAND BETWEEN 59 AND 69 CAE GWILYM LANE CEFN MAWR  
WREXHAM LL14 3LS

#### **Description of application**

RESIDENTIAL DEVELOPMENT (4 SEMI-DETACHED HOUSES) WITH  
ASSOCIATED PARKING AND ACCESS

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                              |
| GDP2 | Capacity of infrastructure and community facilities |
| H2   | Residential development within settlements          |
| PS1  | Settlement limits                                   |
| PS2  | Development and the environment                     |
| PS3  | Brownfield Land                                     |
| PS4  | Settlement Pattern                                  |
| T8   | Parking                                             |

#### **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. Notwithstanding the details shown on the approved plans and contained within the application documentation the dwellings shall be constructed with facing brick which shall not be rendered, a sample of which

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shall be submitted to and approved in writing by the Local Planning Authority prior to use on the development. The development shall only be carried out in strict accordance with such details as are approved.

3. Prior to their use on the development samples of all 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.

4. 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.

5. No part of the development shall commence until a scheme to deal with potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a phased investigation approach to identify the extent of contamination and any measures required to remediate the site, including post-development monitoring.

6. No part of the development shall be occupied until a Verification Report which demonstrates that the remedial works approved as part of condition no. 5 above have been satisfactorily carried out, has been submitted to and approved in writing by the Local Planning Authority.

7. 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.

8. 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 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

9. 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.

10. 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.

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11. The boundary treatments as shown on the site layout plan shall be fully implemented in strict accordance with these details as are approved prior to first use of the development.

12. Within 3 months of commencement of development a scheme for the planting of a hedge along the front boundary shall be submitted to and approved in writing by the Local Planning Authority.

13. Within six months of first use of the development the planting scheme submitted and approved in connection with condition no. 12 shall be fully implemented in all respects.

14. The planting scheme implemented in connection with condition no. 13 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.

15. Prior to first use of the development a 2.0m wide footway shall be constructed along the entire site frontage in strict accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

16. 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.

17. Nothing shall be planted, allowed to grow or erected to a height greater than 1 metre above the level of the nearside edge of the adjoining highway for a distance of 2.4 metres measured back from the adjoining highway along the entire site frontage. The splays shall be provided prior to first use of the development and shall thereafter be permanently retained clear of any such obstruction.

18. No part of the development shall commence until further details of the proposed vehicular parking and turning facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained prior to first use of the development, and shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times.

19. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.

20. Prior to first use of the development hereby approved a pedestrian visibility splay shall be established measured from the centreline of the vehicular access 2.4 metres back from the back edge of the footway to points 3.3 metres either side measured along the back edge of the footway. Within

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these splays there shall be no obstruction in excess of 0.6 metres in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

21. 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) Detailed layout, design, drainage and construction of the proposed new footway / carriageway,

2) Relocation of telegraph pole and lamp column.

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

22. No part of the development shall commence until the highway land within the development site has been formerly stopped up and has been confirmed as acceptable in writing by the Local Planning Authority.

### **Reason(s)**

1. To comply with Section 91(3) 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.
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 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.
5. In the interests of the amenities of the future occupants of the buildings
6. In the interests of the amenities of the future occupants of the buildings
7. To protect the amenities of the occupiers of nearby properties.
8. To comply with the requirements for sustainable buildings published by the Welsh Assembly Government.
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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.  
To protect the amenities of the occupiers of nearby properties.
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the interests of the visual amenities of the area.

14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

15. In the interests of pedestrian safety.

16. In the interests of highway safety.

17. To ensure that adequate visibility is provided at the proposed point of access to the highway.

18. 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.

19. 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.

20. To ensure that adequate visibility is provided at the proposed point of access to the highway.

21. In the interests of highway safety.

22. In the interests of highway safety.

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

Further advice on compliance with condition no. 5 may be obtained by contacting the Council's Environmental Protection Team on 01978 813722. 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 on 01978 813700 prior to commencement of works on site.

The applicant is advised that compliance with condition no. 7 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.

The applicant should also be advised that the Council has the option to control construction site noise by means of a Control of Pollution Act 1974, Section 60, Notice, where deemed necessary. The applicant is advised to contact the Council's Housing and Public Protection Department on 01978 813700 for further advice and information.

You are advised that this grant of planning permission was made following the completion of an Agreement under Section 106 of the Town and Country Planning Act. Before undertaking any work under this permission you are advised to obtain full details of the Agreement and ensure that you are able to comply with its terms.

If a connection is required to the public sewerage system, the developer is

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advised to contact Dwr Cymru Welsh Water's Network Development Consultants on 01433 331155.

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

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

A licence will need to be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerbline and cross the footpath at the new access position. The licence is a separate form and will need to be obtained from the Highways Department, Wrexham County Borough Council, telephone 01978 297158.

The planning permission requires that development be carried out in accordance with the approved plans, including the construction of an estate road intended for adoption by the Council under the Highways Act 1980. It is essential therefore that the detailed proposals are submitted to the highway authority and confirmed as acceptable BEFORE development commences. Please contact:-

The Operational Manager (Highways Planning), Crown Buildings, Chester Street, Wrexham. LL13 8BG telephone: 01978 292000



**Officer Appointed for this purpose**  
**Refer to the Statement of Applicant's Rights and General Information Enclosed**

**Head of Community Wellbeing and Development, Lambpit Street, Wrexham,  
LL11 1AR**