

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 COLIN EDWARDS	Code Number	CEF P/2020/0771
Agent	DMS ARCHITECTURAL SERVICES MR DAVID SELVEY 31 HAIG ROAD WREXHAM LL13 7BU	Date Received	05/11/2020
		Decision Date	15/04/2021

Town and Country Planning Act, 1990

Location of application

LAND ADJACENT TO PENDIL, LLANGOLLEN ROAD, ACREFAIR, WREXHAM, LL14 3RT

Description of application

CODI ANNEDD GYDA MYNEDIAD NEWYDD I GERBYDAU / ERECTION OF DWELLING WITH NEW VEHICULAR ACCESS

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

EC11	Archaeology
EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
GDP1	Development objectives
H2	Residential development within settlements
PS1	Settlement limits
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	15/04/2021	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.

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2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) received 30/11/2021 and as contained within the application documentation.
3. Prior to their use on the development details of all external facing 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. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.
5. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.
6. The vehicular access hereby approved shall take the form of a dropped vehicular crossing.
7. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 22 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.
8. 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.
9. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.
10. Prior to first use of the development, the proposed vehicular access shall be laid out in strict accordance with approved plan no. SLK1/A1120/1. The visibility splays shall thereafter be permanently retained free of all obstruction in excess of 1 metre in height.
11. The vehicular access hereby approved shall be a minimum width of 3.2 metres.
12. Prior to first use of the development, the highway fronting the existing vehicular access which is to be closed up as part of this permission, shall be reinstated to full height footway in accordance with Highway Authority adoptable standards.

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13. The vehicular access hereby approved shall be a maximum gradient of 1 in 8 (12.5%).
14. The frontage wall shall be retained and altered in accordance with the approved plan SLK1/A1120/1.
15. 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.
16. The site shall be developed in accordance with the ground and / or floor levels indicated on the approved plans. No changes to floor levels or external ground levels shall be made without the prior written approval of the Local Planning Authority.
17. The roof of the garage hereby approved shall not be used as a balcony area.

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 no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. 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 in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. 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.
8. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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9. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. To ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. To ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
13. To ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
14. To safeguard the amenities of the area
15. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
16. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
17. To safeguard residential amenity

Note(s) to applicant

Your attention is drawn to Highway Supplementary Notes - 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.h
tm](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Natural Resources Wales

Groundwater Protection / Land Contamination

We note that there is a record of a historic landfill site 170m from the proposed development site. Natural Resources Wales considers that the controlled waters at this site are not of the highest environmental sensitivity,

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therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

It is recommended that the requirements of Planning Policy Wales and the Guiding Principles for Land Contamination (GPLC) should be followed. These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult Natural Resources Wales.

Please note that in relation to the proposed development, in so far as it relates to land contamination, Natural Resources Wales only considered issues relating to controlled waters.

Protected Species

We note that there is no information about protected species with the application and, therefore, are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

NRW Advice for the Developer

Environmental Management:

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which are available on the following website:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

The activity of importing waste into the site for use as, for example hardcore,

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must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site. If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes. 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 is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If however there are urgent or unavoidable circumstances requiring works outside of the specified times, permission to proceed may be sought by contacting Environmental Health and Housing Standards at: heathandhousng@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

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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 Planning & Regulatory Department on 01978 292040 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 Planning & Regulatory Department on 01978 292040 for further advice and information.

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage:
https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk

A licence must 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 in connection with condition no. 6. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council on telephone 01978 729670.

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Officer Appointed for this purpose
Chief Officer Planning & Regulatory

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