

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	WALES AND WEST HOUSING LIMITED	Code Number	CEF P/2020/0627
Agent	MR GARY COOK WALES AND WEST HOUSING TY DRAIG ST DAVIDS PARK EWLOE CH5 3DT	Date Received	28/08/2020
		Decision Date	14/07/2021

Town and Country Planning Act, 1990

Location of application

WRENBURY COURT, WRENBURY WAY, CEFN MAWR, WREXHAM,
LL14 3NE

Description of application

DATBLYGIAD PRESWYL O 34 ANHEDDAU FFORDDIADWY /
RESIDENTIAL DEVELOPMENT OF 34 AFFORDABLE DWELLINGS

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

Revision	Date	Description of Decision
0	14/07/2021	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.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:
100 Rev A
101 Rev A
102 Rev A
103 Rev A
104 Rev A
105
701 Rev H
703 Rev A

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200 Rev A
201 Rev A
202 Rev A
203 Rev A
204 Rev A
205

and as contained within the application documentation.

3. Prior to their use on the development samples of all external roofing and facing materials, including windows, doors and retaining walls, 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 part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment shall be submitted in writing to the Local Planning Authority.

Where a SuDS scheme is to be implemented, the submitted details shall:

- i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
- ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
- iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

5. No part of the development shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with condition no. 4. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-

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enacting that Order with or without modification), no further development shall take place under Classes A, B, C, D, E, F, G and H of Schedule 2 Part 1, and Classes A, B and C of Schedule 2 Part 2, other than the development hereby granted permission.

7. No part of the development shall be occupied until boundary treatments have been constructed on site in strict accordance with a scheme which has been submitted to, and approved in writing by, the Local Planning Authority. The boundary treatments shall thereafter be permanently retained and only replaced on a like for like basis. No other gate, fence, wall or other means of enclosure shall be erected on any part of the site.

8. 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 buildings.

9. Prior to first use of the development hereby approved the vehicular access to the site shall provide visibility splays of 2.4 metres x 25 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction above the level of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

10. The vehicular parking areas as shown on approved drawing number 701 Rev H shall be fully laid out, surfaced and drained prior to first use of the development. These parking areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.

11. Prior to first use of the development the site shall be laid out in strict accordance with layout plan no. 701 Rev H.

12. No part of the development shall be occupied / first used until the new footways and carriageways have been constructed in strict accordance with Highway Authority adoptable standards.

13. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:

a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;

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- b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
 - c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
 - d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
 - e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
 - f) Method for protecting retained trees during demolition works;
 - g) Details of all proposed tree works, including felling and pruning.
14. No part of the development shall commence until full details for the arboricultural supervision of tree protection measures and any ground works within retained tree(s) Root Protection Areas, as specified by BS5837:2012 or as shown on a Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The supervisory works shall be carried out in strict accordance with the details as approved.
15. Within three months of commencement of development, full details of a hard and soft landscaping scheme including below-ground tree planting pit specifications in accordance with BS8545:2014 section F.1, together with a five year Maintenance Plan and timescales for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.
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.
17. The planting scheme implemented in connection with condition no.16 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.
18. No part of the development shall commence until the site has been inspected by a competent ecologist for signs of occupation by badgers. The results of this survey should be submitted to and approved in writing by the Local Planning Authority. The development shall commence no later than within one month of the approval of these survey results.

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19. No part of the development shall commence until details of the role and responsibilities of, and operations to be overseen by, an appropriately competent person (e.g. an ecological clerk of works) have been submitted to and approved in writing by the Local Planning Authority. The appointed competent person shall undertake all roles and responsibilities, and oversee all operations, in strict accordance with these details as are approved.

20. Prior to first use of the development, an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- a) identify those areas and features on site that are particularly sensitive for wildlife and that are likely to cause disturbance in or around their foraging or commuting routes; and
- b) indicate where external lighting will be installed and the type of lighting to be used.

The scheme as is approved shall be fully implemented in strict accordance with the details as are approved and no other external lighting shall be installed on any part of the site.

21. The existing trees, shrubs and hedges shown on drawing nos. 701 Rev H and Tree Protection Plan No. 03 to be permanently retained shall not be cut down, grubbed out, lopped or uprooted. Any trees, shrubs or hedges removed or being severely damaged or becoming diseased shall be replaced with trees, shrubs or hedging plants of the equivalent size and species.

22. The site shall be developed in accordance with the ground and / or floor levels indicated on the approved plan refs: 701 Rev H (Site Plan) and 703 Rev A (Sections). No other changes to floor levels or external ground levels shall be made without the prior written approval of the Local Planning Authority.

23. 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.

24. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment referenced 0978-Wrenbury Way Report-V1 and dated February 2019, approved as part of this application. The mitigation, compensation and Reasonable Avoidance Measures contained within Ecology Assessment referenced 0978-Wrenbury Way Addendum Report-V1 and dated February 2021, and Mitigation Plan referenced 0978- Mitigation Plan MIT-03 Rev C,

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hereby approved, shall be fully implemented in all respects prior to first use of the development.

25. No development shall take place within 3 metres either side of the public sewers which cross the site.

26. No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.

27. No part of the development shall commence until an Odour Impact Assessment Report which has regard to the Institute of Air Quality Managements "Guidance on the assessment of odour for planning", has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the recommendations contained with the approved report.

28. No part of the development shall commence until a noise survey in order to determine noise levels for both day and night has been carried out, and a detailed report of the survey findings together with a detailed scheme of noise attenuation and/or noise insulation measures has been submitted to and approved in writing by the Local Planning Authority. The measures as are approved shall be fully implemented prior to the first occupation / use of the development.

29. No part of the development shall commence until a scheme for the provision of affordable housing within the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in strict accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of Welsh Government Technical Advice Note 2 or any future guidance which replaces it. The scheme shall include:

- i. The numbers, type, tenure and location on the development of the affordable housing provision to be made which shall consist of not less than 100% of housing units;
- ii. The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved;
- iv. The arrangements to ensure such provision is affordable for both first and subsequent occupiers of the affordable housing; and

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v. The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

30. No part of the development shall commence until details of secure cycle storage facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be provided on site prior to first use of the development and shall thereafter be permanently retained.

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 satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
5. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
6. 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 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 protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. 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.

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10. To provide for the parking of vehicles clear of the highway in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
11. In the interests of highway safety 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 work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
14. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
15. 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.
16. 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.
17. 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.
18. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
19. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
20. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
21. To ensure the amenity afforded by the trees is continued into the future in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
22. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.

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23. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

24. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

25. To protect the integrity of the public sewer and avoid damage thereto in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

26. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

27. To protect the amenities of the future occupiers of the dwellings hereby approved in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

28. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

29. To secure the provision of affordable housing in accordance with Policy H7 of the Wrexham Unitary Development Plan.

30. To enable the control of matters not detailed in the application in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Note(s) to applicant

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our 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. The presence of such assets may affect the proposal. In order to assist us in

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dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The written consent of the Highway Authority (as required by section 38 of the Highways Act 1980) must be obtained before any work is carried out on private land that is intended for adoption by the Highway Authority in connection with condition no. 12. All works shall be constructed to a safe and usable condition and completed to an adoptable standard. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council.

This 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 Highway Authority on telephone no. 01978 729690 for further guidance.

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

The scheme of arboricultural supervision required in connection with condition no. 14 above shall make provision for a pre-commencement site meeting between the Local Planning Authority's Arboriculturist, the Developer/ Applicant/ Agent and their appointed Arboricultural Supervisor to agree matters of detail. It shall specify the frequency of arboricultural monitoring and reporting to the Local Planning Authority on the status of all tree protection measures throughout the course of the development and make provision for the submission and approval of a satisfactory arboricultural completion statement

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.

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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.

You should check carefully that the levels agreed as part of this permission are complied with. Any divergence from these levels is likely to invalidate your permission and could result in enforcement action. You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties in that section include the following:

*** Notice of initiation of development**

Before beginning any development to which this planning permission relates, notice must be given to the Local Planning Authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The forms set out the details that must be given to the Local Planning Authority to comply with this duty.

*** Display of notice**

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details that the person carrying out development must display to comply with this duty.

The person carrying out development must ensure that the notice is:

- a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- b) Legible and easily visible to the public without having to enter the site; and
- c) Printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

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

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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, must be registered with Natural Resources Wales as an exempt / permissible 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. 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.

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

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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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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.

The development site is in close proximity to a sewage treatment works and the developer is therefore required to carry out a noise survey in connection with condition no. 26 in order to determine noise levels for both day (0700 - 2300 hours) and night (2300 - 0700 hours) having regard to Planning Guidance (Wales), Technical Advice Note (TAN) 11 - Noise. The report of the noise survey findings shall include:

- a) Noise levels arising from day/night time activities in the vicinity of the proposed development site and the impact upon the proposed accommodation, and
- b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the future occupants of the proposed accommodation hereby approved.

You are advised to consider naming the site bilingually or in the Welsh language.

Applicant WALES AND WEST
HOUSING LIMITED

**Code
Number** CEF P/2020/0627

Agent MR GARY COOK
WALES AND WEST
HOUSING
TY DRAIG
ST DAVIDS PARK
EWLOE
CH5 3DT

**Date
Received** 28/08/2020

**Decision
Date** 14/07/2021



**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