

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 IAN WARREN	Code No	RHO P/2020/0669
Agent	GREENSPACE ARCHITECTS LTD MR KEVIN SLACK THE OLD TOWN HALL THE SQUARE ELLESMERE SY12 0EP	Date Received	12/06/2020
		Decision Date	05/03/2021

Town and Country Planning Act, 1990

Location of application

PANT Y GARN, PLAS DRAIN ROAD, PEN Y CAE, WREXHAM, LL14 1UH

Description of application

CAIS AMLINELLOL GYDA MANYLION MYNEDIAD A CHYNLLUN Y SAFE AR GYFER ADEILAD UN LLAWR NEWYDD SY'N CYNNWYS CYNELAU PRESWYL, MAN YMARFER / HYFFORDDI DAN DO A DERBYNFA / SWYDDFA, PARCIO A THIRLUNIO CYSYLLTIEDIG / OUTLINE APPLICATION WITH DETAILS OF ACCESS AND LAYOUT FOR A NEW SINGLE STOREY BUILDING HOUSING BOARDING KENNELS, COVERED EXERCISE / TRAINING AREA, RECEPTION / OFFICE, ASSOCIATED PARKING AND LANDSCAPING

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

E5	Employment in the countryside
EC4	Hedgerows, Trees and Woodland
EC5	Special Landscape Areas
EC6	Biodiversity Conservation
GDP1	Development objectives
PS1	Settlement limits
PS2	Development and the environment
PS3	Brownfield Land
PS4	Settlement Pattern
T8	Parking

Revision	Date	Description of Decision
0	05/03/2021	Planning permission issued

**Particulars of decision that Outline Planning Permission be GRANTED
Subject to the following:-**

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Condition(s)

1. Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced:
 - a. the scale of the building(s)
 - b. the appearance of the building(s)
 - c. the landscaping of the site
2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before 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. Prior to first use of the development the site shall be laid out in strict accordance with layout plan no. 20-13 A101.
5. The vehicular parking and turning areas as shown on approved drawing no. 20-13 A101 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.
6. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any statutory instrument revoking and re-enacting that Order with or without amendment), no part of the premises shall be used except for the precise purposes described in the application plans and documents.
7. As part of the reserved matters application, an external bat friendly lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details prior to first use / occupation of the development.
8. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment ref: S. Worsfold. Ecological Impact Assessment - Pant y Garn, Penycae, Wrexham LL14 1UH. August 2020, approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

Reason(s)

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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. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. 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 in accordance with Policies GDP1 and T8 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 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.
8. 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.

Note(s) to applicant

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

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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.

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 heathandhousing@wrexham.go.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

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Guidance on managing dog waste is available in the following Guidance on Pollution Prevention - 'GPP 24: Stables, kennels and catteries' which is available via the link below: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-andreplacement-series/guidance-for-pollution-prevention-gpps-full-list/>

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-andreplacement-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/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.



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