

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 & MRS ROBERTSON	Code	HOL P/2020/0408
Agent	MR DARREN MUIR PEGASUS GARAGE 4 ST PAULS SQUARE LIVERPOOL L3 9SJ	No Date Received	27/07/2020
		Decision Date	15/10/2020

Town and Country Planning Act, 1990
Section 73

Location of application

ACADEMY GARAGE, CASTLE STREET, HOLT, WREXHAM, LL13 9YL

Description of application

AMRYWIO AMOD 1 O GANIATÂD CYNLLUNIO P/2015/0417 (CODI 4 ANNEDD) I YMESTYN Y CYFNOD AMSER AR GYFER CYCHWYN Y DATBLYGIAD / VARIATION OF CONDITION 1 OF PLANNING PERMISSION P/2015/0417 (ERECTION OF 4 DWELLINGS) TO EXTEND TIME PERIOD FOR COMMENCEMENT OF DEVELOPMENT

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

EC7	Conservation Areas
GDP1	Development objectives
GDP2	Capacity of infrastructure and community facilities
H2	Residential development within settlements
PS1	Settlement limits
PS2	Development and the environment
PS4	Settlement Pattern
PS6	Strategic employment provision
T8	Parking
T9	Walking, cycling and horse riding routes

Revision	Date	Description of Decision
0	15/10/2020	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.

Applicant	MR & MRS ROBERTSON	Code No	HOL P /2020 /0408
Agent	MR DARREN MUIR PEGASUS GARAGE 4 ST PAULS SQUARE LIVERPOOL L3 9SJ	Date Received	27/07/2020 15/10/2020
		Decision Date	

2. Prior to their use on the development samples of all external facing and 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.
3. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a plan indicating the positions, design, materials and type of boundary treatment and timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.
4. The landscaping scheme submitted and approved in connection with condition no. 03 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
5. Within six months of the first use of the development, trees and shrubs shall be planted on the site in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
6. The landscaping scheme as carried out in connection with condition nos. 3, 4 and 5 shall be permanently retained. 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.
7. All means of enclosure as approved as part of condition no.3 for each individual plot shall be erected prior to the first occupation of the building in which plot they are located and shall thereafter be permanently retained.
8. The vehicle parking and turning areas indicated on approved plan no. PR02 Site Plan and Landscaping Scheme shall be laid out, surfaced and drained prior to the first use of the building hereby granted and shall thereafter be retained for those purposes, free of all obstruction.
9. No part of the development / works shall commence until details of an on-site watching brief, prepared and to be carried out by a suitably qualified archaeologist, for the duration of the construction works has been submitted to and approved in writing by the Local Planning Authority. The archaeological watching brief must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for archaeological watching briefs.

Applicant	MR & MRS ROBERTSON	Code No	HOL P /2020 /0408
Agent	MR DARREN MUIR PEGASUS GARAGE 4 ST PAULS SQUARE LIVERPOOL L3 9SJ	Date Received	27/07/2020 15/10/2020
		Decision Date	

10. The works shall be carried out in strict accordance with the watching brief approved in connection with condition no. 9 and a copy of the resulting report should be submitted to and approved in writing by the Local Planning Authority and the Development Control Archaeologist, Clwyd Powys Archaeological Trust (41 Broad Street, Welshpool, Powys, SY21 7RR Email: markwalters@cpat.org.uk Tel: 01938 553670), prior to first use of the development hereby approved.

11. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered PR02 Site Plan and Landscaping Scheme, PR02 Proposed General Arrangement 1 of 2 and PR02 Proposed General Arrangement 2 of 2, and contained within the application documentation.

12. 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.

13. No part of the development shall be occupied until a Verification Report which demonstrates that the remedial works approved as part of condition no. 12 above have been satisfactorily carried out, has been submitted to and approved in writing by the Local Planning Authority.

14. No part of the development shall commence until the 6 no. underground petroleum storage tanks are permanently removed from the site in accordance with The Guidance for the Design, Construction, Modification and Maintenance of Petrol Filling Stations, published by the APEA/ Institute of Petroleum.

15. Within 3 months of commencement of development details for a 2.0m high wall along the boundary with Dee Park shall be submitted to and approved in writing by the Local Planning Authority. The wall as approved shall be erected prior to first occupation of any house erected under this permission and shall thereafter be retained in perpetuity.

16. Within one month of the date of this permission, the temporary fencing along the highway frontage of the site shall receive a painted finish, coloured dark grey, as detailed on approved plan ref: SFE 01. The fence shall be retained until the commencement of the development hereby approved, and shall be re-painted dark grey in colour at 18 month intervals from the date of this permission.

Applicant	MR & MRS ROBERTSON	Code No	HOL P /2020 /0408
Agent	MR DARREN MUIR PEGASUS GARAGE 4 ST PAULS SQUARE LIVERPOOL L3 9SJ	Date Received	27/07/2020 15/10/2020
		Decision Date	

17. 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.

18. The mitigation, compensation and enhancement measures as detailed within the submitted Ecological Appraisal and Preliminary Bat Roost Assessment, dated September 2020, shall be fully implemented in all respects prior to first use / occupation of the development.

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 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 and to protect the amenities of the occupiers of nearby properties.
8. 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.
9. The site contains archaeological remains which it is essential should be protected from damage.
10. The site contains archaeological remains which it is essential should be protected from damage.
11. To ensure that the development fully complies with the appropriate policies and standards.
12. In the interests of the amenities of the future occupants of the buildings
13. In the interests of the amenities of the future occupants of the buildings
14. To ensure the petroleum tanks are removed in an appropriate manner.
15. To protect the amenities of occupiers of nearby residential properties
16. In the interests of the visual amenities of the area.

Applicant	MR & MRS ROBERTSON	Code No	HOL P /2020 /0408
Agent	MR DARREN MUIR PEGASUS GARAGE 4 ST PAULS SQUARE LIVERPOOL L3 9SJ	Date Received	27/07/2020 15/10/2020
		Decision Date	

17. To protect the amenities of the occupiers of nearby properties.

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.

Note(s) to applicant

Further advice on compliance with condition nos 12 and 13 may be obtained by contacting the Council's Environmental Protection Team on 01978 315733. 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 prior to commencement of works on site. 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. 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 are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control Section on 01978 292050.

The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.

The applicant is advised that compliance with condition no. 17 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.

Applicant	MR & MRS ROBERTSON	Code No	HOL P /2020 /0408
Agent	MR DARREN MUIR PEGASUS GARAGE 4 ST PAULS SQUARE LIVERPOOL L3 9SJ	Date Received	27/07/2020 15/10/2020
		Decision Date	

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. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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 Housing and Public Protection Department on 01978 315300 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 Housing and Public Protection Department on 01978 315300 for further advice and information.



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