

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 PAUL WOOLLAM	Code No	WRO P/2016/0023
Agent	PARRY DAVIES ARCHITECTS LTD MRS KATHRYN GRATTON STUDIO 55:20 NORTH WALES BUSINESS PARK ABERGELE CONWY LL22 8LJ	Date Received	14/01/2016
		Decision Date	02/03/2017

Town and Country Planning Act, 1990

Location of application

BRIARY CLOSE, CROESNEWYDD ROAD, WREXHAM, LL11 3BN

Description of application

OUTLINE APPLICATION TO ERECT 9 NO TWO STOREY DWELLINGS
AND CONSTRUCTION OF NEW 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
PS1	Settlement limits
PS2	Development and the environment

Revision	Date	Description of Decision
0	02/03/2017	Planning permission issued
1	24/02/2020	Approval of details submitted in respect of conditions 10, 11, 12 and 18.
2	22/12/2020	Approval of details submitted in respect of conditions 07, 14 and 20

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

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

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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(s) No. 13.5424/2 Rev D

5. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 56 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.

6. 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.

7. 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:

- a) Detailed layout, design, lighting, drainage and construction of the proposed new footway / access / layby
- b) Signage detail
- c) Extension to existing refuge island

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

Date Approved: 22/12/2020 **Reference Number:** P/2020/0539

By: Wrexham County Borough Council

Approved Details: Drawing no. SCP/13160/F03 Revision D

8. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been

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submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.

9. The proposed internal estate road, parking areas and layby shall be maintained in perpetuity by a public management company.

10. 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;
- 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.

Date Approved: 24.2.2020 **Reference Number:** P/2019/0659

By: Wrexham County Borough Council

Approved Details: Tree Solutions Arboricultural Method Statement reference 20/AMS/WXM/104 dated 27.1.2020

11. No part of the development shall commence until full details for any hard surfaced areas 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 details shall include existing and proposed levels, a specification for hard surfaces, and a method statement detailing the construction process. The

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works shall be carried out in strict accordance with the details as are approved.

Date Approved: 24.2.2020 **Reference Number:** P/2019/0659

By: Wrexham County Borough Council

Approved Details: Tree Solutions Arboricultural Method Statement reference 20/AMS/WXM/104 dated 27.1.2020

12. 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.

Date Approved: 24.2.2020 **Reference Number:** P/2019/0659

By: Wrexham County Borough Council

Approved Details: Tree Solutions Arboricultural Method Statement reference 20/AMS/WXM/104 dated 27.1.2020

13. 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.

14. No part of the development shall commence until full details of a hard and soft landscaping scheme together with a timescale for the implementation of works have been submitted to and approved in writing by the Local Planning Authority.

Date Approved: 22/12/2020 **Reference Number:** P/2020/0539

By: Wrexham County Borough Council

Approved Details: Drawing no. 00/105/01

15. The landscaping scheme submitted and approved in connection with condition no. 14 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

16. The planting scheme implemented in connection with condition no. 15 shall be permanently retained. Any planting which becomes severely damaged or seriously diseased, or is in poor physiological condition and/or

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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.

17. The development shall be carried out in strict accordance with the Recommendations and Conclusions of the protected species survey dated 12th January 2016 by Clwydian Ecology.

18. 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.

Date Approved: 24.2.2020 **Reference Number:** P/2019/0659

By: Wrexham County Borough Council

Approved Details: Drawing nos. 5068 02 Revision D and Surface Water Manhole & Catchment Schedule reference 5068 Revision 3 dated 9.12.2019

19. 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 unless the prior written approval of the Local Planning Authority has been obtained.

20. 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.

Date Approved: 22/12/2020 **Reference Number:** P/2020/0539

By: Wrexham County Borough Council

Approved Details: RS Acoustic Engineering Noise Assessment Report, version 2 dated 28 August 2020

21. No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to and approved in writing by the

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Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.

22. Notwithstanding the approved plans, the parking spaces to the front of Plots 1 - 3 shall be provided with an extended level area behind each space (no raised kerbs) and shall be carried out in accordance with plans that have been submitted to and approved in writing by the Local Planning Authority prior to the occupation of those properties.

23. Any boundary fence / planting on the corner of the site where the existing cycleway / footway meets Croesnewydd Road is maintained at a maximum height of 1.0 metres for the last 5 metres leading up to the existing footway.

Reason(s)

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.
5. To ensure that adequate visibility is provided at the proposed point of access to the highway.
6. In the interests of highway safety.
7. In the interests of highway safety.
8. In the interests of highway safety.
9. In the interests of highway safety.
10. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
11. To ensure that hard surfacing does not cause harm to retained trees in the interests of visual amenity.
12. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
13. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

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14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
15. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
16. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
17. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
18. 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.
19. To protect the amenities of the occupiers of nearby properties.
20. To protect the amenities of the occupiers of nearby properties.
21. To protect the amenities of the occupiers of nearby properties.
22. In the interests of highway safety.
23. In the interests of pedestrian safety.

Note(s) to applicant

Your attention is drawn to the advisory notes from Welsh Water and attached to this decision.

Your attention is drawn to the advisory notes from Wales and West Utilities and attached to this decision.

Any existing lighting columns and road gullies affected by the new access arrangements will need to be relocated away from the access points. The applicant will need to contact the Highway Street Lighting Section (Contact Paul Rogers on Tel: 01978 729673) to discuss their requirements and any upgrade to the existing street lighting.

The scheme of arboricultural supervision required in connection with condition no. 12 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

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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

The development site is in close proximity to Croesnewydd Road and commercial units and the developer is therefore required to carry out a noise survey in connection with condition no. 20 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

Applicants are advised that compliance with condition no. 22 does not provide an exemption from the statutory nuisance provisions of the Environmental Protection Act 1990. Under the Act dust from any type of activity can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that the 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.

Your attention is drawn to the comments submitted by North Wales Police - secured by design.

Your attention is drawn to the comments of Natural Resources Wales.

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**Officer Appointed for this purpose
Head of Environment and Planning**

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