

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	WREXHAM COUNTY BOROUGH COUNCIL	Code Number	MAE P/2020/0121
Agent	LAWRAY ARCHITECTS MR KEITH O HANLON THE BYRE CROESNEWYDD HALL WREXHAM LL13 7YP	Date Received	21/02/2020
		Decision Date	21/04/2020

Town and Country Planning Act, 1990

Location of application

THE MAELOR SCHOOL, PENLEY, WREXHAM, LL13 0LU

Description of application

ERECTION OF STAND ALONE TEACHING BLOCK OF 4 NO CLASSROOMS WITH ASSOCIATED WC FACILITIES, OFFICES, LANDSCAPING AND DRAINAGE

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

EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	21/04/2020	Planning permission issued

Particulars of decision that permission be GRANTED Subject to the following:-

Conditions

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 drawings numbered A-062001 P05, A-062002 P03, A-061001 P03 and A-910002 P01, and as contained within the application documentation.

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3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
4. 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.
5. The development shall be carried out in strict accordance with the following plans and report(s) submitted and approved as part of this application:
 - 1) Arboricultural Method Statement ref: OOTC/PC20/377/AMS
 No development or other operations shall take place except in strict accordance with the reports as approved.
6. No building shall be occupied until the foul drainage system for the site has been completed in accordance with the details shown on approved plan ref: A-910002 P01. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.
7. 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.
8. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment Ref: 20188/E1 and dated 23 March 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.
9. Within 3 months of first use of the development hereby approved, a scheme for the decommissioning of any redundant mobile classrooms shall be submitted to and approved in writing by the Local Planning Authority. The mobile classrooms shall thereafter be removed in accordance with the scheme within one month of approval.

Reasons

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.

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4.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.

5.To protect trees which are of significant amenity value to the area in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

6.To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

7.To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 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.

9.In accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan and having regard to their design and materials of construction.

Notes to applicant

The applicant is advised that compliance with condition no. 7 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.

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.

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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.

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.

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Wrexham County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

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

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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 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.



**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