

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 STEVE GRIFFIN S G ESTATES LTD	Code Number	GRE P/2018/0887
Agent	CAPS MR ROBERT CARTWRIGHT 90 MAIN ROAD WYNBUNBURY NANTWICH CHESHIRE CW5 7LS	Date Received	18/10/2018
		Decision Date	16/04/2019

Town and Country Planning Act, 1990

Location of application

BRYN Y GROES, CHESTER ROAD, GRESFORD, WREXHAM, LL12 8UA

Description of application

AMENDED SITE LAYOUT AND SUBSTITUTION OF HOUSE TYPES ON PLOT NOS. 22 - 33 AS PREVIOUSLY APPROVED UNDER CODE NO. P/2005/0613

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
GDP2	Capacity of infrastructure and community facilities
H2	Residential development within settlements
PS2	Development and the environment
T8	Parking
T9	Walking, cycling and horse riding routes

Revision	Date	Description of Decision
0	16/04/2019	PLANNING PERMISSION ISSUED
1	02/07/2020	P/2020/0217 - NON MATERIAL AMENDMENTS TO PLANNING PERMISSION P/2018/0887 - LANDSCAPE PLANTING AND MANAGEMENT

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

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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 PH5 HL1A, PH5 PL1E, PH5 SS 1A, WDDRH 2, WDRH 4, WDRH 6, WDRH 10, PD PH5 RH 2, PD PH5 RH 4, PD PH5 RH 6, PD PH5 RH 7, PD PH5 HAM 10A, PD PH5 HAM 2.1, PD PH5 HAM 5.2, PL AL 1, PD PH5 CH 12B, PH5 CH 8, PH5 CH 2C, PH5 CH 5D, PD GRA 2C 1 of 2, PD GRA 2C 2 of 2, PD GRA 5A, PD GRA 8, PD GRA 12B, PD GRA 12BC and as contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
4. 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.
5. 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 extensions or additions to the dwellings or within their residential curtilages hereby approved shall be erected under Classes A, B, C, D or E of Schedule 2 Part 1.
6. Any garage erected under this permission shall be used only for a purpose incidental to the use of the dwelling as a single dwelling house provided that such use shall not preclude the garaging of a private motor car.
7. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.
8. The development shall be carried out in strict accordance with the following plans and reports submitted and approved as part of this application:
 - 1) Arboricultural Method Statement ref: 18/AMS/WXM/198/Rev C provided by Tree Solutions Ltd October 2018', and
 - 2) Installation of 'no-dig footpath/driveway/turning head/ Rev A' 18th December 2018.

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No development or other operations shall take place except in strict accordance with the reports as approved.

9. The tree protection fencing and ground protection measures approved in connection with condition no. 08 shall be kept in place until all external site works have been completed and the removal of the fencing has been approved in writing by the Local Planning Authority.
10. The arboricultural supervision of the tree protection measures and ground works within retained trees' root protection areas, shall be carried out in strict accordance with the details specified in the 'Tree Planting and Supervision' proposals letter dated 22 January 2019, approved as part of this application.
11. 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 gate, fence, wall or other means of enclosure shall be erected, constructed or placed in front of the forward most part of the dwelling fronting onto the highway under Class A, of Schedule 2, Part 2.
12. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. PH5 HL1A.
13. The development shall be carried out in strict accordance with the Reasonable Avoidance Measures (Newts) as approved as part of the reserved matters approval reference: P/2005/0613.
14. The vehicular parking and turning areas as shown on approved drawing no PH5 HL1A 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.
15. The development shall be carried out in strict accordance with the remediation scheme ref: Report 15SGE008/RS Dated: 13.02.19 and Email Dated 04.03.19 approved as part of this application.
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 unless the prior written approval of the Local Planning Authority has been obtained.

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18. The landscaping scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing no. 029.01.16.Rev C - 'Planting & Maintenance Schedules', 029.01.15.Rev D - 'Hard and Soft Landscape Layout' within three months of the first use of the development with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use.

S96 Non-material amendment Approved on: 02.07.2020

Reference Number: P/2020/0217

By: Wrexham County Borough Council

Deleted Drawing Refs: 029.01.15.Rev D - 'Hard and Soft Landscape Layout'

Approved Drawing Refs: 029.01.15.Rev E - 'Hard and Soft Landscape Layout' and 029.01.12 – 'New Tree Planting Adjacent to Chester Road.

19. The landscaped areas completed in accordance with condition no.18 shall be managed and maintained in perpetuity in strict accordance with the details contained within Landscaping Management Plan Ref: 029.01.Bryn Y Groes - Landscape Management Plan - V5, prepared by 'Above Zero Landscape Architecture' and Dated 08 April 2019, submitted and approved as part of this application.

S96 Non-material amendment Approved on: 02.07.2020

Reference Number: P/2020/0217

By: Wrexham County Borough Council

Deleted Plan Ref: Landscaping Management Plan Ref: 029.01.Bryn Y Groes - Landscape Management Plan - V5.

Approved Amended Plan Ref: Landscaping Management Plan Ref: 029.01.Bryn Y Groes - Landscape Management Plan – V6.

20. Planting implemented in accordance with approved landscaping scheme drawing no. 029.01.16.Rev C - 'Planting & Maintenance Schedules', 029.01.15.Rev D - 'Hard and Soft Landscape Layout' 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 within the next available planting season by trees or shrubs of similar size and species to those originally required to be planted.

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Deleted Drawing Refs: 029.01.15.Rev D - 'Hard and Soft Landscape Layout'

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and 029.01.12 – 'New Tree Planting Adjacent to Chester Road'.

21. Prior occupation of any part of the development hereby approved, details of the boundary treatments within and around the site, shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be installed in strict accordance with these details as are approved and shall thereafter be permanently retained. No other fences, walls, or other means of enclosure shall be erected on any part of the site.

22. No part of the development shall be occupied until the drainage scheme approved as part of this application has been completed in accordance with approved plan ref: 7938 01.

23. 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), any window or opening in the elevation facing North in Plots 24 and 25 shall only be glazed or re-glazed using obscure glass which shall thereafter be permanently retained.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To define the scope of the planning permission
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. To protect the amenities of the occupiers of nearby properties.
5. To define the scope of the planning permission
6. To ensure that the garage is not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties and to ensure that facilities for the garaging of a car remain available at this address at all times.
7. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment.

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8. To protect trees which are of significant amenity value to the area.
9. To protect trees which are of significant amenity value to the area.
10. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
12. In the interests of highway safety.
13. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
14. 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.
15. In the interests of the amenities of the future occupants of the buildings
17. To protect the amenities of the occupiers of nearby properties.
18. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
19. To ensure landscape features are properly considered and protected.
20. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
21. To protect the amenities of the occupiers of nearby properties.
To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
In the interests of highway safety.
22. To ensure satisfactory drainage of the site and to avoid flooding.
23. To protect the amenities of the occupiers of nearby properties.

Note(s) to applicant

The scheme of arboricultural supervision required in connection with condition no. 10 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.

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Applicants are advised that compliance with condition no. 17 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.

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.

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.

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The development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority



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