

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



|                  |                                                                               |                      |                 |
|------------------|-------------------------------------------------------------------------------|----------------------|-----------------|
| <b>Applicant</b> | MR N CUNNINGHAM                                                               | <b>Code Number</b>   | WRR P/2017/0843 |
| <b>Agent</b>     | HARDIE BRACK<br>PEKIN BUILDING<br>23 HARRINGTON STREET<br>LIVERPOOL<br>L2 9QA | <b>Date Received</b> | 10/10/2017      |
|                  |                                                                               | <b>Decision Date</b> | 04/06/2019      |

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### **Town and Country Planning Act, 1990**

#### **Location of application**

LAND NORTH OF TOTAL FITNESS, STANSTY ROAD, WREXHAM,  
LL11 2BU

#### **Description of application**

ERECTION OF 6 NO. DWELLINGS WITH ANCILLARY OFF-STREET  
PARKING AND CONSTRUCTION OF ADDITIONAL PARKING SPACES TO  
SERVE THE ADJOINING GYM

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

|      |                                                           |
|------|-----------------------------------------------------------|
| CLF5 | Open space requirements from new residential developments |
| GDP1 | Development objectives                                    |
| H2   | Residential development within settlements                |
| T8   | Parking                                                   |

| Revision | Date       | Description of Decision                                                       |
|----------|------------|-------------------------------------------------------------------------------|
| 0        | 04/06/2019 | Planning permission issued                                                    |
| 1        | 06/11/2019 | Non-material amendment                                                        |
| 2        | 25/02/2020 | Approval of details submitted in respect of conditions 03, 04, 05, 06 and 09. |

#### **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.
2. The development shall be carried out in strict accordance with the following approved drawings:

|                  |                                                                               |                                                 |                 |
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- i. PLN-07 Revision L Proposed Landscape Site Plan
- ii. PLN-03 House Type 1 Revision A
- iii. PLN-06 House Type 4 Revision A

**Non-material amendment:** 06/11/2019 **Reference Number:** P/2019/0808

**By:** Wrexham County Borough Council

**Approved Details:** Drawings nos. PLN-07 Revision K Proposed Landscape Site Plan, PLN-03 House Type 1 and PLN-06 House Type 4 substituted for drawings nos. PLN-07 Revision L Proposed Landscape Site Plan, PLN-03 Revision A House Type 1 and PLN-06 Revision A House Type

3. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

**Date Approved:** 25/02/2020 **Reference Number:** P/2019/0809

**By:** Wrexham County Borough Council

**Approved Details:** GroundSolve Remediation Strategy Letter Report dated 9<sup>th</sup> December 2019

4. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 3 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

5. No part of the development shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:

- i) a noise survey to determine noise levels within the site during the day time and night time both has been carried out; and
- ii) a detailed report of the survey findings together with a scheme of noise mitigation.

|                  |                                                                               |                                                 |                 |
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Each dwelling requiring noise mitigation measures shall not be occupied until mitigation measures have been implemented in full in strict accordance with the scheme as approved.

**Date Approved:** 25/02/2020 **Reference Number:** P/2019/0809

**By:** Wrexham County Borough Council

**Approved Details:** PDA Acoustic Consultants Ambient Noise and Building Envelope Assessment reference CW/J002584/3945/1 dated 21 August 2019

6. 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:** 25/02/2020 **Reference Number:** P/2019/0809

**By:** Wrexham County Borough Council

**Approved Details:** Surface Water Drainage Maintenance Plan reference 4097/SGJ/SWMP/191001 A and drawing no. 4097/EW01 Revision E.

7. Construction of any dwelling hereby permitted shall not begin until the parking and turning spaces numbered 1-20 and 81, 83 and 106 on drawing no. PLN-07 Revision L have been laid out surfaced and drained. Thereafter they shall be permanently retained and kept free of any obstruction, and at all times made available solely for the parking and turning of motor vehicles in conjunction with the operation of the gym located to the south of the land subject to this planning permission.

**Non-material amendment:** 06/11/2019 **Reference Number:** P/2019/0808

**By:** Wrexham County Borough Council

**Approved Details:** Drawing no. PLN-07 Revision K Proposed Landscape Site Plan substituted for drawings nos. PLN-07 Revision L Proposed Landscape Site Plan

8. The parking spaces referred to in conditions 07 and 13 shall not be brought into use until the acoustic fences along the full length of the eastern boundary of the site in strict accordance with the details specified on drawing no. PLN-07 Revision L has been provided. The fences shall thereafter be permanently retained.

**Non-material amendment:** 06/11/2019 **Reference Number:** P/2019/0808

**By:** Wrexham County Borough Council

**Approved Details:** Drawing no. PLN-07 Revision K Proposed Landscape Site Plan substituted for drawings nos. PLN-07 Revision L Proposed Landscape Site Plan

|                  |                                                                               |                                                 |                 |
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|                  |                                                                               | <b>Decision</b><br><b>Date</b>                  | 04/06/2019      |

9. 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.

**Date Approved:** 25/02/2020 **Reference Number:** P/2019/0809

**By:** Wrexham County Borough Council

**Approved Details:**

Facing Brick: Wienerberger Warm Golden Buff Brick facing brick

Recessed Entrance: Wienerberger Silver Grey

Roofing Tile: Richmond 10 Slate, 30 Slate Grey Smooth Finish roof tile

Ridge Tile: Marley Eternit Concrete Modern Ridge Tile Anthracite

Gable and Parapet Cappings: Powder coated aluminium anthracite grey

Windows and Doors: Upvc anthracite grey

Rainwater goods: Upvc black

Fascia: Upvc black

Dormer roof and Cheeks: single ply membrane light grey,

10. No dwelling shall be occupied until a 1.8m wide footway has been provided across the full frontage of plots 3-6 and the frontage of the parking spaces shared yellow on drawing no. PLN-07 Revision L in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The footway shall thereafter be permanently retained.

**Non-material amendment:** 06/11/2019 **Reference Number:** P/2019/0808

**By:** Wrexham County Borough Council

**Approved Details:** Drawing no. PLN-07 Revision K Proposed Landscape

Site Plan substituted for drawings nos. PLN-07 Revision L Proposed

Landscape Site Plan

11. Prior to the first occupation of plots 1 and 2 a trespass proof fence of at least 1.8m high shall be erected along the full length of the western boundary of the site in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The fence shall thereafter be permanently retained and maintained.

12. Prior to the first occupation of each dwelling, the means of boundary for that dwelling shall be erected in full in strict accordance with the details shown on drawing. PLN-07 Revision L.

**Non-material amendment:** 06/11/2019 **Reference Number:** P/2019/0808

**By:** Wrexham County Borough Council

|                  |                                                                               |                                                 |                 |
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**Approved Details:** Drawing no. PLN-07 Revision K Proposed Landscape Site Plan substituted for drawings nos. PLN-07 Revision L Proposed Landscape Site Plan

13. The vehicular parking and turning areas as shown on approved drawing(s) No(s). PLN-07 Revision L 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.

**Non-material amendment:** 06/11/2019 **Reference Number:** P/2019/0808  
**By:** Wrexham County Borough Council

**Approved Details:** Drawing no. PLN-07 Revision K Proposed Landscape Site Plan substituted for drawings nos. PLN-07 Revision L Proposed Landscape Site Plan

14. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 18 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.

15. 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.

### **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. In the interests of the amenities of the future occupants of the buildings
4. In the interests of the amenities of the future occupants of the buildings
5. In the interests of ensuring the amenity of future occupiers of the development.
6. To ensure satisfactory drainage of the site and to avoid flooding.
7. In the interests of ensuring that adequate off-street parking is provided for the adjacent site.
8. To protect the amenities of the occupiers of nearby properties.

|                  |                                                                               |                                                 |                 |
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9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
10. To ensure a safe means of pedestrian access to the adjoining gym site is maintained.
11. To protect the railway from unauthorised access.
12. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
13. 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.
14. To ensure that adequate visibility is provided at the proposed point of access to the highway.
15. In the interests of highway safety.

#### **Note(s) to applicant**

Prior to any works commencing on site a method statement and risk assessment must be submitted to Network Rail's Asset Protection Engineer (AssetProtectionWales@networkrail.co.uk) for approval. This must take full account of the consultation response received from Network Rail dated 12 October 2017.

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

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](http://www.gov.uk/government/organisations/the-coal-authority)



**Officer Appointed for this purpose**

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**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](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)