

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 RALPH PUGH	Code	BRO P/2018/0814
Agent	BLUEPRINT LTD MR DAFYDD EDWARDS OFFICE 3K4 REDWITHER TOWER WREXHAM INDUSTRIAL ESTATE WREXHAM LL13 9XT	No Date Received	24/09/2018
		Decision Date	04/02/2019

Town and Country Planning Act, 1990
Section 73

Location of application

LAND OFF, QUARRY ROAD AND NEW ROAD, BRYNTEG, WREXHAM,
LL11 6AB

Description of application

APPLICATION FOR VARIATION OF CONDITION NO. 3 IMPOSED UNDER
PLANNING PERMISSION P/2016/0411 TO VARY DESIGN

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	04/02/2019	Planning permission issued
1	29/01/2020	Approval of details submitted in respect of conditions 02, 09, 10, 12, 13 and 15.

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. 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: 29/01/2020 **Reference Number:** P/2019/0269

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By: Wrexham County Borough Council

Approved Details: Marley Edgemere roofing tile and Ibstock Old Chapel Blend 65mm roofing tile.

3. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered P113/003 Revision A and P113/004 Revision B and the application documentation.

4. 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.

5. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.

6. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.

7. The vehicular access hereby approved shall be a minimum width of 4.1 metres.

8. 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 centreline of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height about the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

9. Notwithstanding the approved plans no part of the development shall commence until further details of the proposed vehicular parking and turning facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained prior to first use of the development, and shall thereafter be permanently retained and kept free of any obstruction and made available solely for the parking and turning of vehicles at all times.

Date Approved: 29/01/2020 **Reference Number:** P/2019/0269

By: Wrexham County Borough Council

Approved Details: Drawing no. P113/005

10. No part of the development shall commence until a scheme detailing the construction of the following has been submitted to and approved in

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writing by the Local Planning Authority: Improvements to the road surface of New Road from the proposed site access in a westerly direction to its junction with Quarry Road. The scheme as is approved shall be fully implemented prior to first occupation of the dwellings.

Date Approved: 29/01/2020 **Reference Number:** P/2019/0269

By: Wrexham County Borough Council

Approved Details: Drawing no.7340 – SK02 Revision A

11. No land drainage/or surface water shall be allowed to connect directly or indirectly with the public sewerage network.
12. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment shall be submitted in writing to the Local Planning Authority. Where a SuDS scheme is to be implemented, the submitted details shall:
 - i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
 - ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
 - iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Date Approved: 29/01/2020 **Reference Number:** P/2019/0269

By: Wrexham County Borough Council

Approved Details: Drawing no. 7340-SK01

13. Notwithstanding the approved plans full details of boundary treatment shall be submitted to and approved in writing by the Local Planning Authority. Works shall only be carried out strictly in accordance with the details as

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approved and retained hereafter unless otherwise agreed to in writing with the Local Planning Authority.

Date Approved: 29/01/2020 **Reference Number:** P/2019/0269

By: Wrexham County Borough Council

Approved Details: Drawing no. P113/005

14. Works shall only be carried out in accordance with the levels approved on the site plan accompanying the application.

15. No part of the development shall commence until an appropriate Dust Management Scheme has been submitted to and approved in writing by the Local Planning Authority. The dust mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase.

16. 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 further development shall take place under Classes A, B, C, D, E of Schedule 2 Part 1 other than the development hereby granted.

17. With the exception of those shown on the approved plans 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 approved dwellings other than those indicated on the approved plans.

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 that the development fully complies with the appropriate policies and standards.
4. To protect the amenities of the occupiers of nearby properties.
5. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.
6. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
7. To ensure the formation of a safe and satisfactory access.

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8. To ensure that adequate visibility is provided at the proposed point of access to the highway.
9. 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.
10. In the interests of highway safety.
11. 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.
12. To ensure satisfactory drainage of the site and to avoid flooding.
13. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect residential amenity.
14. In the interests of amenity of nearby properties.
15. To protect the amenities of the occupiers of nearby properties.
16. Due to the restricted application site and its relationship with adjoining properties it is considered important to ensure that no additional development as described in the condition is carried out without the permission of the Local Planning Authority. (090R)
17. To protect the amenities of the occupiers of nearby properties

Note(s) to applicant

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.

This planning permission requires that development be carried out in accordance with the approved plans, including the construction of an estate road intended for adoption by the Council under the Highways Act 1980. It is essential therefore that the detailed proposals are submitted to the Highway Authority and confirmed as acceptable BEFORE development commences. Please contact the Highway Authority on telephone no. 01978 729690 for

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further guidance.

The applicant is advised that submission of a copy of the relevant section 38 adoption agreement, between the applicant and the Highway Authority, to the Local Planning Authority will allow the above condition no(s). 9 and 10 to be formally discharged in writing.

With regard to Condition 13 - details should include the retention of existing hedgerow and provision of fences where no hedging exists.

The applicant is advised that compliance with condition no. 4 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.

Applicants are advised that compliance with condition no. 15 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.



**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