

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 R A LAMBERT T/A C LAMBERT BUILDERS	Code Number	BRY P/2015/0204
Agent	T R DESIGN SERVICES 19 OULTON AVENUE UPTON CHESTER CH2 1QY	Date Received	20/03/2015
		Decision Date	05/05/2015

Town and Country Planning Act, 1990

Location of application

LAND AT JUNCTION OF, BRYN ROAD AND HARWD ROAD, BRYMBO, WREXHAM, LL11 5BW

Description of application

ERECTION OF THREE DETACHED DWELLINGS AND NEW VEHICULAR AND PEDESTRIAN 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
H2	Residential development within settlements
PS1	Settlement limits
PS2	Development and the environment
PS3	Brownfield Land
PS4	Settlement Pattern
T8	Parking
T9	Walking, cycling and horse riding routes

Revision	Date	Description of Decision
0	05/05/2015	Planning permission issued
1	04/05/2020	APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS IMPOSED UNDER PLANNING PERMISSION P/2015/0204:- CONDITION 2 - SAMPLES OF ALL EXTERNAL

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T/A C LAMBERT BUILDERS

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		FACING AND ROOFING MATERIALS CONDITION 4 - SUBMISSION OF SCHEME TO DEAL WITH POTENTIAL CONTAMINATION AT THE SITE CONDITION 18 - SUBMISSION OF SCHEME OF FOOTWAY CONSTRUCTION DETAILS CONDITION 19 - SUBMISSION OF SCHEME OF FOOTWAY AND BOUNDARY WALL CONSTRUCTION DETAILS
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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.

Approval: 04/05/2020 **Reference Number:** P/2020/0192

By: Wrexham County Borough Council

Approved Facing Brick: Caernarvon Red / Red Rustic

Approved Roof Tile: Marley Edgemere – Slate Grey Colour

3. 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 house type A shall be non-opening and permanently fixed shut at all time, and shall only be glazed or re-glazed using obscure glass which shall thereafter be permanently retained.

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4. No part of the development shall commence until a scheme to deal with potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a phased investigation approach to identify the extent of contamination and any measures required to remediate the site, including post-development monitoring.

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5. No part of the development shall be occupied until a Verification Report which demonstrates that the remedial works approved as part of condition no. 4 above have been satisfactorily carried out, has been submitted to and approved in writing by the Local Planning Authority.

6. 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.

7. The site shall be developed in accordance with the ground and / or floor levels indicated on the approved site plan. No changes to floor levels or external ground levels shall be made without the prior written approval of the Local Planning Authority.

8. 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.

9. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a plan indicating the positions, design, materials and type of boundary treatment and timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

10. The landscaping scheme submitted and approved in connection with condition no. 9 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

11. The landscaping scheme as carried out in connection with condition nos. 9 and 10 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 with trees or shrubs and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

12. The proposed access to the Conservative Club shall have a visibility splay of 2.4m x 18m to the centre line of the adjoining highway in a southerly direction over land within the control of the applicant and/or the Highway

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Authority. Within the splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining carriageway. The splay shall be provided prior to commencement of occupation of the development hereby approved and shall thereafter be retained clear of such obstruction.

13. The proposed access to the Conservative Club shall have a visibility splay of 2.4m x 25m to the nearside edge of the adjoining highway in a northerly direction over land within the control of the applicant and/or the Highway Authority. Within the splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining carriageway. The splay shall be provided prior to commencement of occupation of the development hereby approved and shall thereafter be retained clear of such obstruction.

14. The proposed access points to the dwellings shall each have a visibility splay of 2.0m x 25m in both directions measured along the nearside edge of the adjoining carriageway over land within the control of the applicant and/or the Highway Authority. Within the splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining carriageway. The splay shall be provided prior to commencement of use/occupation of the development hereby approved and shall thereafter be retained clear of such obstruction.

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

16. Prior to first use of the vehicular access points 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.

17. The vehicle parking areas indicated on the approved plans shall be laid out, surfaced and drained prior to the first use of the building hereby granted and shall thereafter be retained clear of any obstruction for the parking of motor vehicles.

18. A 2.0m wide footway shall be provided on Bryn Road and Harwd Road prior to the occupation of any dwellings hereby approved along the full frontage of the site (beyond the Conservative club access) for a distance of approximately 55m in accordance with details to be agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the details as agreed prior to first use of the development.

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19. No part of the development shall commence until a scheme showing a detailed layout, design, drainage and construction of the proposed new footway, retaining wall, relocation of utility services and road widening has been submitted to and approved in writing by the Local Planning Authority.

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The development shall be carried out in accordance with the details as agreed prior to first use of the development.

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20. 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.

21. 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 to H of Schedule 2 Part 1, other than the development hereby granted permission.

22. The new vehicular access to the Conservative Club hereby approved shall be a minimum width of 4.5 metres.

23. The vehicular access points to the dwellings hereby approved shall be a maximum gradient of 1 in 8 (12.5%).

24. Prior to first use of the development hereby approved a pedestrian visibility splay shall be established measured from the centreline of the vehicular access 2.4 metres back from the back edge of the footway to points 3.3 metres either side measured along the back edge of the footway. Within these splays there shall be no obstruction in excess of 0.6 metres in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

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 protect the amenities of the occupiers of nearby properties.
4. In the interests of the amenities of the future occupants of the buildings
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6. To protect the amenities of the occupiers of nearby properties.
7. To ensure that the development fully complies with the appropriate policies and standards.
8. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health

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and safety of existing residents and to ensure no detriment to the environment.

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 satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
12. To ensure that adequate visibility is provided at the proposed point of access to the highway.
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14. To ensure that adequate visibility is provided at the proposed point of access to the highway.
15. 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.
16. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.
17. To provide for the parking of vehicles clear of the highway.
18. In the interests of highway safety.
19. In the interests of highway safety.
20. In the interests of highway safety.
21. 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.
22. In the interests of highway safety.
23. In the interests of highway safety.
24. To ensure that adequate visibility is provided at the proposed point of access to the highway.

Note(s) to applicant

Further advice on compliance with condition nos. 4 and 5 may be obtained by contacting the Council's Environmental Protection Team on 01978 315733. Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Housing and Public Protection Department prior to commencement of works on site.

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The applicant is advised that compliance with condition no. 6 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.

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 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.

The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.

You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control Section on 01978 292050.

The scheme of landscaping referred to in the above conditions shall include

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any changes to ground levels (shown by existing and proposed contours/levels) and any existing vegetation (showing that to be retained) and proposed planting. In addition, any of the following which apply to the particular site must be included:-

means of enclosure, car parking layout, access and circulation areas, materials for hard surfaced areas, any minor structures (e.g. refuse stores, lamp columns, play equipment) location of services, and any historic landscape features to be retained/improved.

You are advised that the planning permission hereby granted does not authorise any building over, diversion, connection or other interference with any sewer, public or private, which crosses the site. You are advised to contact Welsh Water, PO Box 10, Treharris, CF46 6XZ (Tel: 01443 331155) in this regard, prior to undertaking any groundwork in connection with the development. Should you be required to depart from the details hereby approved, you should contact the Council's planning department to seek further advice with regard to the submission of amended plans and / or a new planning application.

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability

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purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority.

The separate written consent of the Local Highway Authority must be obtained before any work is carried out within the confines of the highway.

Technical approval for any construction works affecting any existing retaining walls supporting the highway or any change of use of the land supported by any existing retaining wall in relation to structural stability will be required under the provisions of the Highways Act 1980. You must submit further details prior to undertaking any construction on site.

This planning permission requires that development be carried out in accordance with the approved plans, including the construction of a footway and road widening 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 number 01978 729696.



Officer Appointed for this purpose
Head of Community Wellbeing and Development

Refer to the Statement of Applicant's Rights and General Information enclosed or refer to the following link:-

http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm

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