

In pursuance of its powers under the Acts an 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

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Expiry Date: 19/10/2004
Decision Notice Sent:
Grid Reference:
E 330621
N 344665

Applicant	Bellway Homes (West Lancashire)	Code Number	RUA P/2004/1144
Agent	MPSL Planning & Design 6 Broad Road Sale Cheshire M332AL	Date Received	24/08/2004
		Decision Date	03/08/2005

Town and Country Planning Act, 1990

Location of application

Land off Bedwell Close Ruabon Wrexham

Description of application

Residential development (88 No. dwellings), construction of new vehicular and pedestrian access, public open space and all associated works

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
EC11	Archaeology
EC12	Development and flood risk
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
GDP2	Capacity of infrastructure and community facilities
H1	Housing allocations
H7	Affordable housing within new developments
PS1	Settlement limits
T8	Parking
T9	Walking, cycling and horse riding routes

Particulars of decision that permission be GRANTED

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Subject to the following:-

Condition(s)

1. The development hereby permitted shall be begun before the expiry of five years from the date of this permission.
2. No part of the development shall be commenced until samples of all external facing and roofing materials have been 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.
3. Details of foul and surface water drainage, private drive and parking area surfacing, pedestrian access to plots 5-8 and 67-73 and estate road design, screen walls and fences, the barrier to prevent access to the service station site and traffic calming on the estate road shall be submitted to the Local Planning Authority before any part of the development is commenced and the development shall only be carried out in strict conformity with such details as are thereby approved.
4. No part of the development hereby permitted shall be commenced until full details of both hard and soft landscape works for the site have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with a timescale to be approved in conjunction with the scheme of details.
5. All hard and soft landscape works shall be carried out in accordance with the approved details as set out in Condition 4. The works shall be carried out:
 - a) prior to the occupation of any part of the development;
 - b) in accordance with the programme agreed with the Local Planning Authority;
 - c) within 3 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.
6. The open amenity areas indicated on the submitted 1:500 scale layout plan (drawing No. BH/TP/O5A) shall be completed to a standard indicated in writing by the Local Planning Authority as suitable as Public Open Space, to include a footpath link to footpath 106 to the north from the western open space, prior to occupation of any dwelling erected on land adjacent thereto and shall thereafter be maintained to that standard for a minimum period of one year.
7. The estate roads and footways shall be progressively constructed to base coat standard from the junction with progressive construction of estate road across the frontage of each plot prior to the first occupation of the building erected thereon.
8. Vehicle parking areas and driveways shall be provided within the site in compliance with the adopted Local Planning Guidance Note No. 16 and details to be approved in writing by the Local Planning Authority prior to commencement of the development. The parking areas and driveways shall be laid out, surfaced and drained

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prior to the occupation of the adjoining dwellings and shall thereafter be retained for those purposes, free of all obstruction.

9. There shall be no direct access between the site and the trunk road.

10. There shall be no drainage connection between the site and the trunk road drainage system.

11. Suitable fencing shall be provided along the trunk road boundary of the site sufficient to prevent direct access to the trunk road.

12. *The development shall only be carried out in accordance with the noise attenuation report submitted by Wardell Armstrong dated September 2004 and a detailed noise mitigation scheme to be submitted to and approved by the Local Planning Authority prior to the commencement of development.*

13. Floor and ground levels for the development shall be in accordance with details agreed in writing by the Local Planning Authority.

14. No development shall take place within the site until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted and approved by the Local Planning Authority.

15. A report detailing a scheme of mitigation measures for Water Vole within the site shall be submitted to and approved by the Local Planning Authority. Any mitigation measures required shall be implemented in accordance with timescales to be agreed as part of the measures before development commences on site.

16. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority (in conjunction with the Agency). Such a scheme shall be implemented to the reasonable satisfaction of the Local Planning Authority prior to the consideration of any impermeable surfaces draining to the system.

17. The gradient of the driveways from the edge of the existing carriageway shall not exceed 1 in 8.

18. The fronts of the garages shall be set back a minimum of 5.5 metres behind the highway boundary.

19. The proposed access roads shall have forward visibility splays in accordance with the details shown on the approved drawing no. XBH/TP/05A. Within the splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining carriageway. The splays shall be provided prior to occupation of the dwellings hereby approved and shall thereafter be retained clear of such obstruction.

20. Notwithstanding the details shown on the submitted plan, the watercourse adjoining plots 87 and 88 shall not be part of the gardens and shall be laid out in accordance with details to be submitted to and agreed by the Local Planning Authority prior to commencement of work on these plots. The details shall provide for a continuous open treatment of the watercourse and no structures or fencing shall

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be erected in the area shown hatched on the approved plan without the prior written approval of the Local planning Authority.

21. A footway/cycleway shall be provided along the New Hall Road frontage of the site with a link to the estate roads as shown on the approved plan in accordance with details to be agreed in writing by the local planning authority.

22. Prior to the commencement of development, a programme of sustainable works shall be submitted for the written approval of the Local Planning Authority. The approved programme shall be implemented in accordance with a timescale to be agreed with the Local Planning Authority.

23. The development shall provide for 18 units of affordable housing within the overall housing scheme and as agreed with the Local Planning Authority. The number and mechanism for securing continued affordability shall be in accordance with details to be agreed in writing by the local planning authority prior to commencement of development.

24. No trees, shrubs or hedges shown on the approved drawings No BH/TP/05B to be retained, shall be cut down, lopped or uprooted until the expiration of three years from the date of occupation of the building for its permitted use without prior written permission of the Local Planning Authority nor shall they be wilfully damaged or wilfully destroyed. Any pruning of trees approved shall be carried out in accordance with the current British Standard 3998 and subsequent revisions (Tree Work). The erection of fencing for protection of the above mentioned trees, shrubs and hedges and the Black Brook within the site shall be undertaken before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The above mentioned fencing shall consist of 1.5 metre high chestnut paling fence or other approved fence erected to the full extent of each tree, shrub or hedge. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made without the written consent of the Local Planning Authority.

25. No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed and showing the relationship of proposed mounding to existing vegetation and surrounding landform. Details of soil stripping, storage and replacement shall be included where appropriate. Development shall be carried out in accordance with the approved details.

26. Construction works, ancillary works and the use of plant or machinery audible at or beyond the site boundary shall only be carried out between the hours of 07:30 and 19:30 (Monday to Friday) and 08:00 to 14:00 (Saturday) and at no time on Sundays or Bank Holidays.

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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.
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6. To ensure an adequate provision of open amenity space for use by residents in accordance with the Council's standards.
7. To ensure that a properly constructed access is available for use when the development is completed thereby enabling safe and convenient access to and egress from the site in the interests of road users and pedestrians.
8. 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.
9. In the interests of the safety and free flow of traffic on the trunk road, as directed by the Welsh Assembly Government for Wales Highways Directorate.
10. In the interests of the safety and free flow of traffic on the trunk road, as directed by the Welsh Assembly Government for Wales Highways Directorate.
11. In the interests of the safety and free flow of traffic on the trunk road, as directed by the Welsh Assembly Government for Wales Highways Directorate.
12. To safeguard the amenities of occupiers of the dwellings.
13. To safeguard the amenities of the locality.
14. To provide for an investigation of possible archaeological features of the site.
15. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
16. To prevent the increased risk of flooding.
17. In the interests of highway safety.
18. In the interests of highway safety.
19. In the interests of highway safety.
20. To safeguard the appearance and wildlife value of the Black Brook
21. To provide for satisfactory pedestrian and vehicular access to the site.
22. To meet the criteria set out in the Local Planning Guidance Note 22.
23. To accord with UDP policy H7

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24. To ensure the amenity afforded by the trees, hedges and watercourse is continued into the future.
25. To ensure that the works on the site properly take account of the future health of the trees and natural features.
26. To protect the occupiers of nearby properties.

Note(s) to applicant

Your attention is drawn to Highway Supplementary Notes Numbered 1, 3, 4, 5, 6, 7 and 8 on the enclosed "Applicants' Rights and General Information".

The site is affected by an overhead line and you should contact MANWEB, Electricity House, Rhostyllen, Wrexham, LL14 4DU regarding any diversion which may be necessary.

The proposed development lies within a former coal mining area. You should take account of any hazards to stability which may arise from coal working in or near the site. Specific advice on any past working may be obtained from the Coal Authority Mining Reports Service. Phone 0845 762 6848 or from www.coal.gov.uk.

Any operations which may involve entry into former workings, shafts or adits or implementation of site investigations or other works may need permission from the Coal Authority.

When preparing detailed drawings and/or implementing this permission you are advised to give full consideration to the housing needs of the disabled.

This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as "conditions precedent". You should be aware that it is important that you comply with any "conditions precedent". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

Please note the attached comments from the Highway Authority, National Assembly, Chief Public Protection Officer, Welsh Water.

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Officer Appointed for this purpose
Refer to the Statement of Applicant's Rights and General Information Enclosed
Chief Planning Officer, Lambpit Street, P O Box 1290, Wrexham, LL11 1WL.