

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 STEPHEN OULTON ALMAR CONSTRUCTION LTD	Code Number	MAE P/2017/0079
Agent	GREENSPACE ARCHITECTS LTD MR JAMES BENNETT THE OLD TOWN HALL THE SQUARE ELLESMERE SY12 0EP	Date Received	27/01/2017
		Decision Date	08/11/2017

Town and Country Planning Act, 1990

Location of application

THE LODGE, TUDOR DRIVE, LLANERCH PANNA, PENLEY, WREXHAM,
LL13 0LR

Description of application

ERECTION OF 5 NO. DWELLINGS AND ASSOCIATED ACCESS WORKS

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

EC4	Hedgerows, Trees and Woodland
EC5	Special Landscape Areas
EC6	Biodiversity Conservation
GDP1	Development objectives
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	08/11/2017	Planning permission issued

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 only be carried out in strict accordance with the details shown on the approved drawing(s) numbered A22101 Rev J, A22100 Rev P, A4100 Rev A, A3300 Rev A, A5301 Rev A, A5100 Rev A, A5300

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Rev A, A6301 Rev B, A6100, Rev A, A6300 Rev A, A7100 Rev C, A7300 Rev C, A7300A Rev C, Materials Study dated January 2017 Rev B, Tree Bat Roost Survey SE0715-02_02_J_REVD_DH Dated 1 August 2017 and 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. The landscaping and boundary treatment scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing no. A22101 Rev J 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.

5. The landscaping scheme as carried out in connection with condition no. 4 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 of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

6. The vehicular access and parking areas as shown on approved drawing no. A22100 Rev P 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.

7. 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.

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) Tree Protection Plan ref no. PC17/191/TPP;
- 2) Arboricultural Method Statement ref no. OOTC/PC17/191/MS dated 18 August 2017.

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

9. The tree supervisory works shall be carried out and documented in strict accordance with the procedures contained within the Method Statement

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ref: OOTC/PC17/191MS and site inspection timetable ref:

OOTC/PC17/191/MS/ADD/2 approved as part of this application, details of which shall be submitted to and approved in writing by the Local Planning Authority within the agreed timescales.

10. With the exception of the hedgerow removal required to form the vehicular access, the existing trees, shrubs and hedges shown on drawing no. A22101 Rev J shall be permanently retained and shall not be cut down, grubbed out, lopped or uprooted. Any trees, shrubs or hedges removed or being severely damaged or becoming diseased shall be replaced with trees, shrubs or hedging plants of the equivalent size and species all within a timescale to be approved in writing by the Local Planning Authority.

11. The new mitigation area as shown on approved drawing no. 13-38 A100 A22101 Rev J shall be permanently retained and managed in strict accordance with the management plan provided by Solum Environmental, referenced: SE0715-02_1_J_REVB_DH and dated 1 August 2017 approved as part of this application.

12. 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.

13. 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

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for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

14. No part of the development shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with condition no. 13. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.

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

16. 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.

17. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 25 metres to the West measured to the nearside edge of the adjoining highway, and 2.4 metres x 33 metres to the East measured to the centreline of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

18. The vehicular access hereby approved shall be a minimum width of 4.8 metres.

19. The vehicular access(es) hereby approved shall take the form of a dropped vehicular crossing.

20. Within 3 months of the commencement of development, a scheme of replacement native species hedgerow planting to be located behind the access visibility splays shall be submitted to and approved in writing by the Local planning authority. The hedge planting shall be carried out in strict accordance with the details are approved within the first available planting season (October to February) following the first use of the development.

21. Within 3 months of the commencement of development, a scheme of understorey species, woodland ground cover planting for the buffer zone between the woodland and the residential curtilage of Plot no.7 shall be submitted to and approved in writing by the Local planning authority. The planting shall be carried out in strict accordance with the details are approved within the first available planting season (October to February) following the first use of the development and shall thereafter be permanently retained. Any planting becoming severely damaged or seriously diseased, or is in poor

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physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

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.
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5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
6. To provide for the parking of vehicles clear of the highway.
7. To protect the amenities of the occupiers of nearby properties.
8. To protect trees which are of significant amenity value to the area.
9. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
10. To ensure the amenity afforded by the trees and hedges are continued into the future and to ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect the amenities of the occupiers of nearby properties.
11. In order to protect wildlife interests, which are afforded special protection.
12. 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.
13. To ensure satisfactory drainage of the site and to avoid flooding.
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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. In the interests of highway safety.

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17. To ensure that adequate visibility is provided at the proposed point of access to the highway.
18. To ensure the formation of a safe and satisfactory access.
19. In the interests of highway safety.
20. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted and in the interests of visual and residential amenity.
21. To protect the woodland edge

Note(s) to applicant

The applicant is advised that compliance with condition no. 8 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.

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.

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.

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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.

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.

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.

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

The scheme of arboricultural supervision required in connection with condition no. 8 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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**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