

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 MICHAEL CUNNINGHAM	Reference	P/2023/0260
Agent	MR MICHAEL CUNNINGHAM MDG LTD MDG LTD CLEVELAND HOUSE 41 SHAW STREET LIVERPOOL L6 1HL	Date Received	27/03/2023
		Decision Date	12/06/2024

Town and Country Planning Act, 1990

Location of Application

TYN Y COED, CHESTER ROAD, ROSSETT, WREXHAM, LL12 0DE

Description of Application

DYMCHWEL YR ANHEDDAU PRESENNOL, CODI HYD AT 10 ANNEDD A CHREU
MYNEDIAD NEWYDD I GERBYDAU
/ DEMOLITION OF THE EXISTING DWELLINGS, ERECTION OF UP TO 10
DWELLINGS AND FORMATION OF NEW VEHICULAR ACCESS

In reaching this decision the Council has had regard to the following relevant policies: -

Wrexham Local Development 2013 – 2028:

DM1- Development Management Considerations
T1 - Managing Transport Impacts
Policy SP1 - Housing Provision
NE1 - International and National Nature Conservation Designations
NE3 -Trees, Woodlands and Hedgerows
NE6 - Waste Water Treatment and River Water Quality
SP18 - Climate Change
SP19 - Green Infrastructure
SP2 - Location of Development
SP5 - Planning Obligations
Policy SP1 - Housing Provision
SP13 - Health and Wellbeing
SP14 - Natural Environment
SP15 - Historic and Cultural Environment
H2 - Affordable Housing, Non-Strategic Housing Allocations and Windfall Sites

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MW3 - Sustainable Supply of Minerals

Revision	Date	Description of Decision
0	12/06/2024	Planning permission issued

Particulars of decision: GRANTED subject to the following:-

Condition(s)

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Any application for reserved matters shall be made to the Local Planning Authority before the expiry of three years from the date of this permission.
3. The development hereby approved shall be commenced before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
4. The development hereby permitted makes provision for the demolition of the existing dwelling and the erection of maximum of 10 dwellings (a net increase of 9 dwellings).

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5. A detailed scheme of boundary treatment shall be submitted with the reserved matters that shall include, but not be limited to, full details of all sections of new boundary wall to be erected in conjunction with the formation of the proposed site access and the closure of the existing site access. The scheme shall be implemented in full prior to the first occupation of any dwelling hereby permitted in accordance with the approved details. All section of new boundary wall shall thereafter be permanently retained.
6. A scheme to provide net benefit for biodiversity (NBB) shall be submitted with the reserved matters. The scheme shall include, but not be limited to:
 - i. A scheme of tree planting on land edged red and the area edged blue on drawing no. PL(00)01;
 - ii. A scheme of native hedgerow planting;
 - iii. A scheme of bat and bird box provision;
 - iv. A Landscape Management Plan for the land edged red and the land edged blue on drawing no. PL(00)01
 - iv. A timescale for the implementation.The measures shall be fully implemented in accordance with the approved plan and agreed timescale and shall be retained thereafter for the lifetime of the development. All tree and hedgerow planting shall be managed in accordance with the approved Landscape Management Plan.

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7. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:
 - a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
 - b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
 - c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
 - d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
 - e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
 - f) Method for protecting retained trees during demolition works;
 - g) Details of all proposed tree works, including felling and pruning.

8. Development shall not commence until a scheme to enable the provision of Gigabit capable broadband infrastructure from the site boundary to the dwellings hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the occupation of each dwelling.

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9. No development shall commence, to include the demolition of the existing dwelling, until a scheme of Reasonable Avoidance Measures in respect of bats and nesting birds has been submitted to and approved in writing by the Local Planning Authority. If demolition of the dwelling does not occur within 12 months of the date of this planning permission, the scheme shall include additional bat surveys and full details of any mitigation measures as may be necessary. The development shall be carried out in strict accordance with the scheme as approved.
10. No development shall commence until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - 1) the parking of vehicles of site operatives and visitors;
 - 2) loading and unloading of plant and materials;
 - 3) storage of plant and materials used in constructing the development;
 - 4) an earthwork balance in respect of materials arising from excavations carried out on site, including measures to ensure those materials are re-used on-site;
 - 5) hours of working and deliveries;
 - 6) a scheme of dust management; and
 - 7) a scheme to manage the impacts of construction noise and vibration.
11. No dwelling hereby permitted shall be occupied until a scheme for the permanent closure of the existing site access has been implemented in accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority.
12. The finished floor levels of the dwellings hereby permitted shall be a minimum of 15.2m AOD.

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Reason(s)

- 1 To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
- 2 To comply with Section 92 of the Town and Country Planning Act, 1990.
- 3 To comply with Section 92 of the Town and Country Planning Act, 1990.
- 4 To define the scope of the planning permission.
- 5 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to preserve the character and appearance of the Conservation Area in accordance with Policies DM1, SP12, SP14 and SP15 of the Wrexham Local Development Plan.
- 6 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
- 7 To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.
- 8 To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales
- 9 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.

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- 10 In the interests of minimising disruption arising from the development as well as securing a sustainable use of materials excavated during construction in accordance with policy DM1 of the Wrexham Local Development Plan.
- 11 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 12 To manage and minimise the risk of flooding in accordance with TAN15 and LDP policy SP18

Note(s) to applicant

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties in that section include the following:

* Notice of initiation of development

Before beginning any development to which this planning permission relates, notice must be given to the Local Planning Authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The forms set out the details that must be given to the Local Planning Authority to comply with this duty.

* Display of notice

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details that the person carrying out development must display to comply with this duty.

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The person carrying out development must ensure that the notice is:

- a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- b) Legible and easily visible to the public without having to enter the site; and
- c) Printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

David Fitzsimon

***Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wreccsam
Chief Officer Economy and Planning, Wrexham County Borough Council***

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-

[Planning and building control | Wrexham County Borough Council](#)