

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	CLWYD ALYN HOUSING LTD	Code Number	WRA P/2021/0263
Agent	MR P LLOYD PL PLANNING 6 RHYD DRIVE RHOS ON SEA LL28 4NE	Date Received	12/03/2021
		Decision Date	07/06/2021

Town and Country Planning Act, 1990

Location of application

TY NOS, HOLT ROAD, WREXHAM, LL13 8NE

Description of application

DYMCHWEL ADEILADAU PRESENNOL AC ETHOLIAD 19 RHIF. TALIADAU GYDA GOFOD SWYDDFA ANCILLARY / DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 19 NO. APARTMENTS WITH ANCILLARY OFFICE SPACE

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

CLF5
EC4
EC6
GDP1
H2
PS1
PS2
PS3
PS4
T8

Revision	Date	Description of Decision
0	07/06/2021	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.

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2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:

003 Rev H

009 Rev B

100 Rev C

101 Rev C

102

103

400

401

402

403

404

410

411

412

414

20269/401 Rev B

20269/402 Rev A

20269/403 Rev A

20269/501 Rev A

20269/502 Rev A

20269/503 Rev A

20269/510 Rev A

Arboricultural Implications Assessment - Roval Environmental 21/1/21
and as contained within the application documentation.

3. No part of the development shall commence until samples of all external facing 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.

4. No part of the development shall commence until a Construction Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.

5. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. 003 H.

6. to the first occupation of the residential development hereby approved, the amenity and bin storage areas shall be laid out in strict accordance with the approved drawing no. 100 Rev C and shall thereafter be retained for those uses.

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7. No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water shall be allowed to connect directly or indirectly with the public sewerage system.

8. 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.

9. No part of the development shall commence until a scheme detailing the construction of the following has been submitted to and approved in writing by the Local Planning Authority:

1) Detailed layout, design, drainage, surfacing and construction of the proposed new access including tactile crossing points

The scheme as is approved shall be fully implemented prior to first use of the development.

10. The development site is in close proximity to Asda and the developer is therefore required to carry out a noise survey in order to determine noise levels for both day (07:00 - 23:00 hours) and night (23:00 - 07:00 hours) having regard to Planning Guidance (Wales), Technical Advice Note (TAN) 11 - Noise. The report of the noise survey findings shall include:

a) Noise levels arising from day/night time activities in the vicinity of the proposed development site and the impact upon the proposed accommodation, and

b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the future occupants of the proposed accommodation hereby approved.

11. No part of the development shall commence until a boundary treatment scheme within and around the site has been submitted to and approved in writing by the Local Planning Authority. 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) and with the exception of those shown on the approved plans, no gate, fence, wall or other means of enclosure shall be erected on the site. The boundary treatment as may be approved shall be completed in all respects prior to first use / occupation of the development and shall thereafter be permanently retained.

12. 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

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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.

13. No part of the development shall commence until full details of both hard and soft landscape works, to include some native planting has been submitted to and approved in writing by the Local Planning Authority. The plan shall include a timescale for the implementation of works, and shall provide for ecological improvement / habitat creation and enhancement in the soft landscape areas for the benefit of biodiversity conservation specifically tailored to the landscape features.

14. The landscaping scheme submitted and approved in connection with condition no. 13 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

15. Prior to commencement a plan to provide net biodiversity benefit on site should be submitted and approved.

16. Prior to commencement the applicant should supply a treatment plan and method statement for dealing with the Japanese knotweed on site.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.

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3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
4. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
8. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. To protect the amenities of the occupiers of the approved development in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
12. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
13. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1, EC4 and EC6 of the Wrexham Unitary Development Plan.
14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
15. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
16. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the retention of this invasive species on the site in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

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Note(s) to applicant

Highways: The proposed access should be constructed to a standard suitable for adoption by the Council for future maintenance at the public expense and the developer will need to enter into an agreement with the Council under s. 278 of the Highways Act 1980.

You are advised that the Highway Authority will require such works to be completed to their satisfaction before they will formally adopt the relevant Highway works for public use and to be maintained at public expense. This will include the provision of a bond to cover the estimated value of such works. The appropriate fees will become due to the Council when the Highways Authority approve the proposed works to be carried out. Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage:

https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk

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 Planning & Regulatory Department on 01978 292040 for further advice and information.

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 Planning & Regulatory Department on

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01978 292040 for further advice and information.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
Welsh Water: The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104

Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""? 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus.

Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re?consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

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**Officer Appointed for this purpose
Chief Officer Planning & Regulatory**

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