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

wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

Applicant Overton Community Council David Williams

Agent David Willliams
Overton Village Hall,
Penyllan Street,
Overton, Wrexham,
LL130EE

Reference P/2025/0796

Date Received 15/10/2025

Decision Date 30/01/2026

Town and Country Planning Act, 1990

Location of Application

CEMETERY, CHURCH ROAD, OVERTON, WREXHAM, LL13 0EN

Description of Application

NEWID DEFNYDD TIR I FFURFIO ESTYNIAD I'R FYNWENT BRESENNOL

CHANGE OF USE OF LAND TO FORM EXTENSION TO EXISTING CEMETERY

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

Development Plan Policies:

EC14 - Protection of Controlled Waters
GDP 1- Development Objectives
PS1 - Broad Location of Development
PS 11 - Biodiversity
PS2 - Broad Location of Development
PS8 - Transport
T8 - Parking

Revision	Date	Description of Decision
0	30/01/2026	Planning permission issued

Particulars of decision : 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 following plan(s) and document(s): Location Plan dated 15-Oct-2025, Site Plan produced on 27th Oct 2025, Proposed Site Plan, Extended Tier-1 Risk Assessment dated December 2025 Report Ref: R3558-R01 and within the Application Form.

3. Within 12 months from the date of this permission, the measures to deliver net benefit for biodiversity (NBB) shown on Proposed Site Plan and within the Green Infrastructure Statement need to be implemented. The measures shall thereafter be maintained for the lifetime of the development.

4. All burials in the cemetery shall be:
• a minimum of 250 m from a potable groundwater supply source;
• a minimum of 30 m from a water course or spring;
• a minimum of 10 m distance from field drains;
• no burial into standing water and the base of the grave must be above the local water table

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.

3. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.

4. To protect controlled waters within and in the vicinity of the application site. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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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Note(s) to applicant

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

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.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If, however, there are urgent or unavoidable circumstances requiring work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & Housing Standards at healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

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.

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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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 Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

The Applicant is advised that under the 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 Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

Ian Jones

Prif Swyddog Dros Dro Yr Economi a Chynllunio
Interim Chief Officer Economy and Planning

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
Planning and building control | Wrexham County Borough Council