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 Christopher Moore &
Lorrae James

Agent Kyle Swift
Assetz House, 335
Styal Road,
Manchester, United
Kingdom, M22 5LW

Reference P/2024/1685

Date Received 17/12/2024

Decision Date 03/03/2025

Town and Country Planning Act, 1990

Section 73

Location of Application

THE MOUNT, TOWER HILL, ACREFAIR, WREXHAM, LL14 3SU

Description of Application

AMRYWIO AMODAU 2 A 3 CANIATÂD CYNLLUNIO P/2022/0733 I DIWYGIO DYLUNIAD ANNEDD
VARIATION OF CONDITIONS 2 AND 3 OF PLANNING PERMISSION P/2022/0733 TO AMEND DESIGN OF DWELLING

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

National Policies and Technical Advice Notes (TAN):

Wrexham Local Development 2013 – 2028:
DM1 - Development Management Considerations
H8 - Replacement Dwellings in the Countryside
NE2 - Local Designations for Nature Conservation and Geological Importance
NE6 - Waste Water Treatment and River Water Quality
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP19 - Green Infrastructure
T1 - Managing Transport Impacts
SP15 - Historic and Cultural Environment
SP19 - Green Infrastructure
SP6 - Green Wedge

Revision	Date	Description of Decision
0	03/03/2025	Planning permission issued
1	21/04/2026	P/2026/0133 – Condition Discharged – 3, 4,5,8,9,10,11 and 14

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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.

2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered CH-021-02 Rev B and CH-021-03, and as contained within the application documentation.

3. Prior to their use on the development hereby permitted, samples of the materials to be used in the construction of the external surfaces of the development shall be submitted for the written approval of the Local Planning Authority. Development shall be carried out in accordance with the details that are approved.

   Condition 3 Discharged – P/2026/0133 – 21/04/2026

4. No part of the construction works on the dwelling shall commence until a plan to provide net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped has been submitted to, and approved in writing by, the Local Planning Authority. The measures shall be implemented in full, prior to first occupation / use of the development, and thereafter maintained for the lifetime of the development.

   Condition 4 Discharged – P/2026/0133 – 21/04/2026

5. Within three months of commencement of the construction works on the dwelling, full details of a hard and soft landscaping scheme together with a five year Maintenance Plan and timescales for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

   Condition 5 Discharged – P/2026/0133 – 21/04/2026

6. The landscaping scheme submitted and approved in connection with condition no. 5 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

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7. The planting scheme implemented in connection with condition no. 6 shall be permanently retained. Any planting which becomes 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 within the next available planting season by trees or shrubs of similar size and species to those originally required to be planted.

8. No part of construction works on the dwelling shall commence until a scheme for the comprehensive and integrated drainage of the site, including infiltration testing and calculations, indicating how foul water will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The scheme as approved shall be implemented in accordance with a timescale to be agreed as part of the submitted details and maintained thereafter.

Condition 8 Discharged – P/2026/0133 – 21/04/2026

9. No part of the construction works on the dwelling shall commence until details of an on-site watching brief, prepared and to be carried out by a suitably qualified archaeologist, for the duration of the groundworks has been submitted to and approved in writing by the Local Planning Authority. The archaeological watching brief must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for archaeological watching briefs.

Condition 9 Discharged – P/2026/0133 – 21/04/2026

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10. The works shall be carried out in strict accordance with the watching brief approved in connection with condition no. 9 and a copy of the resulting report should be submitted to and approved in writing by the Local Planning Authority and the Development Control Archaeologist, Clwyd Powys Archaeological Trust (The Offices, Coed y Dinas, Welshpool, Powys, SY21 8RP Email: mark.walters@cpat.org.uk Tel: 01938 553670), within 2 months of completion of the fieldwork. On approval the digital archive shall be submitted to the Historic Environment Records Officer at Clwyd-Powys Archaeological Trust (gary.duckers@cpat.org.uk) and the National Monuments Record, RCAHMW (nmr.wales@rcahmw.gov.uk).

Condition 10 Discharged – P/2026/0133 – 21/04/2026

11. Within 3 months of commencement of construction works on the dwelling, an external bat friendly lighting scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details prior to first use / occupation of the development.

Condition 11 Discharged – P/2026/0133 – 21/04/2026

12. The development shall be carried out in strict accordance with the following report submitted and approved as part of application reference P/2022/0733 :
1) Arboricultural Method Statement ref no: Tree Solutions/22/AIA/WXM/301
No development or other operations shall take place except in strict accordance with the reports as approved.

13. The development shall be carried out in strict accordance with the findings and recommendations contained within the Preliminary Ecology Assessment as carried out by AMC Ecological Limited and dated July 2022, ref: AMC_ACREFAIR_LL143SU_PEA2022_01, approved as part of application ref: P/2022/0733. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

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14. All means of enclosure and boundary treatments associated with the development hereby approved shall be completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority, prior to their erection. The means of enclosure shall be completed in accordance with the approved details prior to the first beneficial occupation of the development.

Condition 14 Discharged – P/2026/0133 – 21/04/2026

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 a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.

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

5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.

6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local 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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7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.

8. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system in accordance with Policy DM1 of the Wrexham Local Development Plan.

9. The site may contain archaeological remains which should be recorded if they are damaged in accordance with Policies DM1 and SP15 of the Wrexham Local Development Plan.

10. The site may contain archaeological remains which should be recorded if they are damaged in accordance with Policies DM1 and SP15 of the Wrexham Local Development Plan.

11. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.

12. To protect trees which are of significant amenity value to the area in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.

13. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.

14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect residential amenity in accordance with Policy DM1 of the Wrexham Local Development Plan.

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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;

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- 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 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.

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
Detailed advice has been issued by Natural Resources Wales (NRW) which is available on the Council's planning applications website. A permit or exemption certificate is require in connection with the proposed PWTP.

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.

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Further information is also available on the Coal Authority website at:
www.gov.uk/coalauthority

David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wrecsam
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