**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** Mr Peter Mellor

**Reference** P/2025/0567

**Decision Date** 30/01/2026

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## Town and Country Planning Act, 1990

### Location of Application

2 MILL LANE COTTAGES, HORSEMANS GREEN, WHITCHURCH, SY13 3EA

### Description of Application

DYMCHWEL ANNEDD BRESENNOL A CHODI ANNEDD NEWYDD

DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT DWELLING

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

**Development Plan Policies:**

EC 4 - Hedgerows, Trees and Woodland
EC6 - Biodiversity Conservation
H10 - Replacement Dwellings in the Countryside
H5 - Housing in the Countryside
PS1 - Broad Location of Development
PS 11 - Biodiversity
PS2 - Broad Location of Development
T8 - Parking

| Revision | Date | Description of Decision |
|---|---|---|
| 0 | 30/01/2026 | Planning permission issued |
| 1 | 18/05/2026 | Discharge of Condition Application P/2026/0116 Condition 3 (Landscaping), 10 (Drainage), 11 (Ecology) AND 15 (Ecology) |

**Particulars of decision : GRANTED subject to the following:-**

**Condition(s)**

1. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
   - Proposed Site Plan 004
   - Site Plan 21st July 2025
   - Proposed Floor and Section Plan 006
   - Proposed Elevation Plan 007
   - Proposed Roof Plan 008
   - Planting Green Infrastructure Plan 009

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2. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) shown on Green Infrastructure Statement 21ST July 2025, Planting Green Infrastructure Plan 009 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

3. Within three months of commencement of the development hereby permitted, a scheme of landscaping shall be submitted for the written approval of the Local Planning Authority.

**Approval Ref: P/2026/0116**
**Approved By: Wrexham County Borough Council**
**Approved Details: Planting Green Infrastructure Discharge of ConditionsLandscapingSubmitted27 Feb 2026**
**Approved Date: 18/05/2026**

4. The external surfaces of the building(s) shall be constructed of the materials specified on Proposed Site Plan 004, Site Plan 21st July 2025, Proposed Floor and Section Plan 006, Proposed Elevation Plan 007, Proposed Roof Plan 008, Planting Green Infrastructure Plan 009

5. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.

6. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C and D of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no extensions shall take place to the dwelling[s] shall take place.

7. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no buildings shall be erected other than those shown on the plan(s) numbered:
   - Proposed Site Plan 004
   - Site Plan 21st July 2025
   - Proposed Floor and Section Plan 006
   - Proposed Elevation Plan 007
   - Proposed Roof Plan 008
   - Planting Green Infrastructure Plan 009.

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8. Landscaping shall be undertaking in accordance with the scheme submitted and approved in connection with condition 5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting (November to March) and seeding seasons following the first use of the development (April to September). Any trees, hedgerows or plants which, within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

9. 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.

10. No development shall take place until a scheme for the drainage of foul water has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first use/occupation of the development.

**Approval Ref: P/2026/0116**
**Approved By: Wrexham County Borough Council**
**Approved Details: Vortex Installation Manual, Completed Nutrient Calculator Discharge of Conditions Drainage documentation Submitted 27 Feb 2026, Water Quality Exemption Confirmation NRW 27 Feb 2026**
**Approved Date: 18/05/2026**

11. No part of the development shall commence until a detailed mitigation strategy for the translocation of Great Crested Newts to a suitable receptor site, has been submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall thereafter be completed in all respects in strict accordance with the strategy as may be approved no later than within 2 years of the date of the approval of the Local Planning Authority, and prior to commencement of any other part of the development hereby approved, including demolition.

**Approval Ref: P/2026/0116**
**Approved By: Wrexham County Borough Council**
**Approved Details: Reasonable Avoidance Method Statement Discharge of Conditions Ecology Report Submitted 27 Feb 2026, Ecological Appraisal Report (Web) Discharge of Conditions Ecology Report Submitted 27 Feb 2026**
**Approved Date: 18/05/2026**

12. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within shall be erected, constructed or placed across the access within 5 metres of the highway boundary.

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14. The development shall be carried out in strict accordance with the findings and recommendations contained within Ecology Report Client – Peter Mellor Site – 2 Mill Lane Reference – 20240052 Location – Horseman's Green, Whitchurch Central Grid Reference – SJ 45092 40852 Date – 18 th June 2024 Preliminary Ecological Appraisal (PEA) The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

15. Prior to any works on the building, to include demolition, further bat surveys shall be carried out and submitted for the written approval of the Local Planning Authority, in line with the Bat Conservation Trust Good Practice Guidelines (2023). A single bat activity survey is required to be carried out during the peak surveys season of May to August. The survey shall be covered by sufficient surveyors or Night Vision Aids (NVA) to cover all areas of potential around the building. The works shall thereafter be carried out in strict accordance with the recommendations and measures set out with a report of the survey findings as may be approved in writing.

**Approval Ref: P/2026/0116**
**Approved By: Wrexham County Borough Council**
**Approved Details: Ecological Appraisal Report (Web) Discharge of Conditions Ecology Report Submitted 27 Feb 2026**
**Approved Date: 18/05/2026**

16. No external illumination within the site shall take place before a lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall be installed and operated in accordance with the approved details. No other lighting shall be used on any external part of the development.

**Reason(s)**

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

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

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, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

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4 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

5 To comply with Section 91(3) of the Town and Country Planning Act, 1990.

6 In order that the Local Planning Authority can control the amount of development on site for the replacement dwelling and to comply with Policy H10 of the Wrexham Unitary Development Plan.

7 In order that the Local Planning Authority can control the amount of development on site for the replacement dwelling and to comply with Policy H10 of the Wrexham Unitary Development Plan.

8 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, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

9 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 in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

10 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 in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

11 To minimise the development impact from construction works on any protected Great Crested Newt species in compliance with the National Planning Policy Framework, Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.

12 To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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13 In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

14 In order to protect wildlife interests in accordance with Policies GDP1, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

15 In order to protect wildlife interests in accordance with Policies GDP1, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

16 In order to protect wildlife interests in accordance with Policies GDP1, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

**Note(s) to applicant**

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

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.

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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.

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

**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