

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 ALUN RICHARDS	Code Number	RHO P/2023/0679
Agent	MR GLYN ROBERTS BUILDING DESIGN SOLUTIONS BEECH COTTAGE WAVERLEY CRESCENT ROSSETT WREXHAM LL12 0EG	Date Received	14/09/2023
		Decision Date	21/02/2024

Town and Country Planning Act, 1990

Location of application

LAND ADJACENT TO 19 CHURCH STREET, RHOSLLANERCHUGOG, WREXHAM, LL14 2BN

Description of application

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

DM1	Development Management Considerations
FW	Future Wales: The National Plan 2040
H2	Affordable Housing
NE1	International and National Nature Conservation Designations
NE6	Waste Water Treatment and River Water Quality
PPW	Planning Policy Wales (Edition 11)
SP1	Housing Provision
SP2	Location of Development
T1	Managing Transport Impacts
TAN 12	Design
TAN 18	Transport
TAN 5	Nature Conservation and Planning

Revision	Date	Description of Decision
0	21/02/2024	Planning permission issued
1	03/06/2025	P/2025/0384 – Conditions 3, 6 and 9 Discharged.
2	21/07/2026	P/2026/0374 – Application for non-material amendment

Particulars of decision that permission be GRANTED
Subject to the following:-

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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 be carried out in accordance with the following approved plans/documents:
Application Form [Dated: 14/09/2023]
Site Location Plan
Proposed Block Plan
Dwg No: 03 - Proposed Plans & Elevations
Design & Access Statement
Email from Agent [Received: 24/01/2024]

Detail approved under non-material amendment ref: P/2026/0374

- Plan and elevation as proposed dwg no. 07

3. No development shall commence until a detailed plan to provide net benefit for biodiversity (NBB) has been submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented as approved prior to the first beneficial occupation of the dwelling and shall be retained thereafter for the lifetime of the development.

Condition 3 Discharged (P/2025/0384) – 03/06/2025

4. No development shall commence until;
 - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from past coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations, remedial works and migratory measures shall be carried out in accordance with authoritative UK guidance.

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5. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.
6. No development shall commence until a detailed on-site parking layout plan, drawn to an identified scale, has been submitted to and approved in writing by the Local Planning Authority. The plan shall detail up to four 4.8 x 2.4 metre parking spaces, together with pedestrian circulation space.

Condition 6 Discharged (P/2025/0384) – 03/06/2025

7. Prior to the first occupation of the dwelling, the on-site parking area shall be fully laid out, surfaced and drained, and made available for use, in accordance with the details approved under Condition 6. The parking area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times for the lifetime of the approved development.
8. Prior to their use on the development, samples of all external facing and roofing materials (to include windows and doors) shall be 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.
9. All means of enclosure 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 9 Discharged (P/2025/0384) – 03/06/2025

Reason(s)

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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 Policy 9 of Future Wales and Paragraph 6.4.5 of Planning Policy Wales (Edition 12).
4. In the interests of the amenities of the future occupants of the dwelling in accordance with Policy DM1 of the Wrexham Local Development Plan.
5. In the interests of the amenities of the future occupants of the dwelling in accordance with Policy DM1 of the Wrexham Local Development Plan.
6. To provide for the parking of vehicles clear of the highway and in the interest of traffic safety in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan.
7. To provide for the parking of vehicles clear of the highway in accordance with Policies DM1 and T1 of the Wrexham Local 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 Policy DM1 of the Wrexham Local Development Plan.
9. To safeguard local visual amenities, and to ensure compliance with Policy DM1 of the Local Development Plan.

Note(s) to applicant

1. This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as ""conditions precedent"". You should be aware that it is important that you comply with any ""conditions

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precedent"". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

2. 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.

3. Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property. In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

4. Dwr Cymru Welsh Water:

The applicant is advised that some public sewers and lateral drains may not be recorded on our maps; some sewers 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. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. The applicant may also 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

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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. In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

5. 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.

6. 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.

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7. 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.



David Fitzsimon

Prif Swyddog Yr Economi a Chynllunio
Chief Officer Economy and Planning

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.