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 Dean Robinson

Reference P/2024/1257

Agent Simon Smith
Missenden, Back
Lane, Bomere Heath,
Nr Shrewsbury, United
Kingdom, SY4 3PH

Date Received 24/07/2024

Decision Date 31/03/2025

Town and Country Planning Act, 1990

Location of Application

5 CASTLE MILL, CHIRK, WREXHAM, LL14 5BL

Description of Application

NEWID DEFNYDD TIR O GWRTIL PRESWYL, GOSOD DREIF A CHREU ARDAL PARCIO NEWYDD ODDI AR Y FFORDD

CHANGE OF USE OF LAND TO RESIDENTIAL CURTILAGE, LAYING OF DRIVEWAY AND FORMATION OF NEW OFF ROAD PARKING AREA

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

National Policies and Technical Advice Notes (TAN):

TAN 12 : Design
Tan 15 : Development, flooding and coastal erosion
TAN 18 : Transport
TAN 20 : Planning and the Welsh Language
TAN 24 : The Historic Environment
TAN 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations
MW1 - Minerals Safeguarding
NE1 - International and National Nature Conservation Designations
SP11 - Transport and Accessibility
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP15 - Historic and Cultural Environment
SP16 - Minerals Supply and Safeguarding
SP19 - Green Infrastructure

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SP2 - Location of Development
T1 - Managing Transport Impacts
WL1 - Welsh Language and the Social and Cultural Fabric of Communities

Revision	Date	Description of Decision
0	31/03/2025	Planning permission issued
1	02/09/2026	Discharge of condition 10

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 following plan(s) and document(s):
   - Sheet 1 (Figures 1 & 2) dated 11.11.2024;
   - Sheet 2 (Figure 3) dated 11.11.2024;
   - Access Statement dated 28 February 2025.

3. The development hereby permitted shall not be first used until the measures to deliver net benefit for biodiversity (NBB) shown on Sheet 2 (Figure 3) dated 11.11.2024 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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4. The developer shall ensure that a suitably qualified archaeological contractor is present during the undertaking of any groundworks in the development area so that a scheme of archaeological monitoring and recording can be conducted. The archaeological monitoring and recording must meet the standards laid down by the relevant Chartered Institute for Archaeologists Standard and Guidance and will be completed in accordance with a written scheme of investigation, which has been approved in advance by the Planning Authority. 2 A copy of the resulting report should be submitted to the Planning Authority and the Planning Archaeologist, Heneb: Clwyd Powys Archaeology (The Offices, Coed y Dinas, Welshpool, Powys, SY21 8RP). After approval by the Planning Authority project data must be submitted and approved for inclusion in the Heneb: Clwyd Powys Archaeology Historic Environment Record. The full digital archive must also be submitted and approved for inclusion within the National Monuments Record, RCAHMW or the Archaeology Data Service, ADS.

5. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) Sheet 2 (Figure 3) dated 11.11.2024.

6. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 112 metres to the west and 2.4 metres x 60 metres to the east measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

7. 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.

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8. 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 gates shall be erected, constructed or placed across the access within 5 metres of the highway boundary.

9. The existing vehicular access into the site shall be permanently closed up prior to first use of any part of the development in accordance with a specification of works that shall first have been submitted to and approved in writing by the Local Planning Authority.

10. Prior to first use of the development a verge crossing to the site shall be constructed in strict accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority.

Condition discharged 02/09/2026

11. Notwithstanding the provisions of Schedule 2, Part 1, Classes E and F 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 development shall take place other than that shown on the plan(s) Sheet 1 and Sheet 2 dated 11.11.2024.

12. The site shall only be used for purposes ancillary to the enjoyment of the dwelling known as 5 Castle Mill, Chirk, LL14 5BL.

Reason(s)

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

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

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

4. To secure preservation by record of any archaeological remains which may be revealed during ground excavations for the consented development, having regard to Policy SP15 of the Wrexham Local Development Plan.

5. In the interests of highway safety, having regard to Policies DM1 and T1 of the Wrexham Local Development Plan.

6. In the interests of highway safety, having regard to Policies DM1 and T1 of the Wrexham Local Development Plan.

7. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

8. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

9. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

10. In the interests of highway safety, having regard to Policies DM1 and T1 of the Wrexham Local Development Plan.

11. In the interests of the visual amenity of the area, having regard to Policy DM1 of the Wrexham Local Development Plan.

12. In the interests of residential amenity and highway safety, having regard to Policy DM1 of the Wrexham Local Development Plan.

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Note(s) to applicant

A licence should be obtained (as required by section 184 of the Highways Act 1980) from the LHA in order to cross the highway verge at the new access position and to close up / reinstate the existing access to grass verge. Further guidance can be obtained from the Highways Department of Wrexham County Borough Council on telephone 01978 729670.

In the interests of maintaining highway safety, and to avoid obstruction of the public highway (in contravention of the Highways Act), The Applicant is advised to coordinate with the highway authority at highwayroadworks@wrexham.gov.uk in advance of commencement of the development/works with respect to:
1. Skip, scaffolding, hoarding or A frame/signage (Permit required for these items, if on the public highway);
2. Use of a parking space for a set down/delivery area;
3. Record a dilapidation survey of the adjacent carriageway prior to commencement (to avoid being ask to repair damage by the Applicant whilst carrying out their works);
4. If any lane closure or obstruction of the highway is required for a crane or similar;
5. Protection against dust and debris blowing onto the public highway
6. Construction traffic parking locally avoiding nuisance to others;
7. If the Applicant's scope of work includes new apparatus in the highway, such as new mains services then a Section 50 licence will be required. Insurances and demonstration of competency to carry out works in the public highway will be required.
8. Lowering of kerbs or minor pavement alterations require Section 184 agreement. Insurances and demonstration of competency to carry out works in the public highway will be required.
9. A section 278 agreement works agreement is required for more significant alterations to the existing highway
10. Any temporary works affecting traffic lights, [pedestrian/cycle road crossings, or bus stops require pre-planning and permits;
11. For applications with a private driveway (either existing or proposed) connecting onto the public highway, the following conditions of approval apply:

- No surface water from the applicants site should be allowed to drain onto the public highway,

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- The first 5m* minimum (for residential property) should be hard paved, avoiding gravel or loose chippings form spreading.
- No gate should be built in a location where it would result in a car obstructing the highway whilst being unlocked, and it should not swing out and over a pavement or any other part of the highway.

*The hard paved length and set back if required is subject to the applicants proposed vehicular length

The applicants should allow a minimum of 4 weeks' notice for any of the above standard requirements, and 6-8 weeks for lane closures & road closures (lead times may change without notice subject to workload and complexity). Any works involving Trunk roads should be coordinated separately and directly with the North & Mid Wales trunk Road Agency. For larger sites with a significant impact upon the highway, a Construction Traffic Management Plan will be required.

The site lies within Flood Zone C2. There should be no raising of ground levels and all excavated material must be removed from the site and out of the recognised flood zone.

The site lies within Flood Zone C2. The applicant should be aware of potential risk of flooding at the site and is advised to incorporate flood-proofing measures into the development. Further advice can be found here Natural Resources Wales or here Prepare for flooding: Protect yourself from future flooding - GOV.UK

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

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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, 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