

Applicant MR GRANT OWENS

Reference P/2023/0625

Agent MR SUBHAN
SALEEM
64 HEATON STREET
PRESTWICH M25
1HH

Date Received 04/09/2023

Decision Date 24/07/2024

Town and Country Planning Act, 1990

Location of Application

PRIORY CAFÉ, PRIORY STREET, WREXHAM, LL11 1SU

Description of Application

NEWID DEFNYDD O DDOSBARTH B1 (SWYDDFA) I DDOSBARTH C3 (ANNEDD)
I GREU 15 ANNEDD YN CYNNWYS ESTYNIAD FERTIGOL I UN LAWR NEWYDD
A NEWIDIADAU I'R DRYCHIADAU PRESENNOL
CHANGE OF USE FROM CLASS B1 (OFFICE) TO CLASS C3 (DWELLING) TO
CREATE 15 DWELLINGS INCLUDING VERTICAL EXTENSION OF ONE NEW
STOREYS AND ALTERNATIONS TO EXISTING ELEVATION

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

National Policies and Technical Advice Notes (TAN):

Future Wales Policy 1 - Where Wales will grow

Future Wales Policy 20 - National Growth Area - Wrexham and Deeside

TAN 11 : Noise

TAN 12 : Design

TAN 2 : Planning and Affordable Housing

TAN 24 : The Historic Environment

Wrexham Local Development 2013 – 2028:

H2 - Affordable Housing, Non-Strategic Housing Allocations and Windfall Sites

H6 - Conversion of Buildings to Self-Contained Flats or Houses in Multiple Occupation (HMOs)

NE1 - International and National Nature Conservation Designations

NE6 - Waste Water Treatment and River Water Quality

R4 - Development outside Primary Shopping Streets

SP1 - Housing Provision

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



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SP14 - Natural Environment
SP15 - Historic and Cultural Environment
SP2 - Location of Development
SP5 - Planning Obligations
SP7 - Wrexham City

Revision	Date	Description of Decision
0	24/07/2024	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.
2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
A500 REV A - Location Plan
A200 REV A - Proposed Ground Floor Plan
A201 REV A - Proposed First Floor Plan
A202 REV A - Proposed Second Floor Plan
A203 REV B - Proposed Third Floor Plan
A205 REV C - Proposed Roof Plan
A302 REV C - Proposed Front Elevation
A303 REV C - Proposed Side Elevation
A304 REV C - Proposed Service Yard Section
Green Infrastructure Statement REV P01 [Dated: November 2023]

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3. No development shall take place until a noise survey has been carried out, and a detailed report of the survey findings has been submitted to, and approved in writing by, the Local Planning Authority. The noise survey shall determine noise levels for both Day (07:00 – 23:00 hours) and Night (23:00 – 07:00 hours), having regard to Planning Policy Wales (PPW) Guidance, Technical Advice Note (TAN) 11 – Noise. The report of the noise survey findings shall include: a) Noise levels arising from day / night time activities in the vicinity of the proposed development site and the impact upon the existing or proposed accommodation, and
b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the existing or occupants of the proposed accommodation hereby approved. The measures as are approved shall be fully implemented prior to the first occupation / use of the development.
4. No part of the development shall commence until a scheme of noise insulation and attenuation measures between the walls with commercial use and also floors, in compliance with Building Regulations Guidance: Part E - Resistance to the Passage of Sound, has been submitted to, and approved in writing by, the Local Planning Authority. The measures as are approved shall be fully implemented in strict accordance with the scheme prior to the first occupation of any unit of residential accommodation approved, and shall thereafter be permanently retained.
5. Prior to the commencement of development, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include details of parking for construction traffic and contractor parking, the proposed routes for heavy construction vehicles, timings of construction traffic and means of defining and controlling such traffic routes and timings. The development shall be carried out in accordance with the approved Management Plan.

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6. No unit of residential accommodation hereby approved shall be occupied until a Servicing and Management Plan for the building has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the management of the refuse storage and collection, and maintenance of all communal areas and access. The building shall thereafter be serviced and managed in strict accordance with the plan as is approved.
7. Prior to their use on the development, a schedule of external materials (to include all facing and roofing materials) to be used in the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and thereafter retained.
8. Notwithstanding the submitted plans and details, prior to their first use/installation full details of
 - a) soffits and fascias;
 - b) windows and external doors;
 - c) the green roof; and
 - d) balustradesshall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and shall thereafter be so retained.
9. Prior to their installation, further details (scaled elevation drawings and brochure details) of the solar PV panels and any supporting structures, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, which shall be thereafter retained.

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10. The cycle and bin storage areas as shown on approved drawing no: A200 REV A shall be fully laid out prior to the first occupation of any unit of residential accommodation hereby approved. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the purposes of cycle and refuse storage at all times.
11. The roof of the building shall be laid out in accordance with approved drawing no: A205 REV C prior to the first occupation of any unit of residential accommodation hereby approved, and shall not be used as an outdoor amenity area, or for any other purpose, at any time.
12. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
13. The development shall be for a maximum of 15 no. apartments and shall be laid out strictly in accordance with the plans listed within Condition 2.

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.
- 3 To protect the amenities of the occupiers of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.

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- 4 To protect the amenities of the occupiers of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 5 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 6 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan
- 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 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 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.
- 10 To protect the amenities of the occupiers of the dwellings, highway safety and the character and appearance of the area, in accordance with the requirements of Policy DM1 of the Wrexham Local Development Plan.
- 11 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.

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- 12 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 13 To define the scope of the planning permission.

Note(s) to applicant

You are advised that this grant of planning permission was made following the completion of an Agreement under Section 106 of the Town and Country Planning Act. Before undertaking any work under this permission you are advised to obtain full details of the Agreement and ensure that you are able to comply with its terms.

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

You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property, or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control Section on 01978 298884.

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.

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



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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.

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.

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.

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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 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 12) 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.

David Fitzsimon

***Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wreccsam
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](#)