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 Victoria Bishop

Agent Mark Fidler
Wrexham County
Borough Council,
Ruthin Road,
Wrexham, LL11 2JA

Reference P/2024/1123

Date Received 20/06/2024

Decision Date 07/10/2024

Town and Country Planning Act, 1990

Location of Application

CHANTICLEERS, STRYT MAELOR, BWLCHGWYN, WREXHAM, LL11 5YA

Description of Application

NEWID DEFNYDD O ADEILAD AC ANECS O DDOSBARTH C3 (ANNEDD) I DDOSBARTH C2 (SEFYDLIAD PRESWYL) YN CYNNWYS DISODLI ELFEN UN LLAWR AR OCHR Y PRIF ADEILAD
CHANGE OF USE OF BUILDING AND ANNEXE FROM CLASS C3 (DWELLING) TO CLASS C2 (RESIDENTIAL INSTITUTION) INCLUDING REPLACEMENT OF SINGLE STOREY SIDE ELEMENT ON MAIN BUILDING

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 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

SP1 - Housing Provision
SP11 - Transport and Accessibility
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP19 - Green Infrastructure
DM1 - Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE6 - Waste Water Treatment and River Water Quality
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	07/10/2024	Planning permission issued

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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 following plan(s) and document(s):
Dwg No 1 - Existing and Proposed plans and elevations - received on the 20.07.2024
Dwg No 3 - Proposed site plan - received on the 26.07.2024

3. The external surfaces of the building(s) shall be constructed of the materials specified on:

   Dwg No 1 - Existing and Proposed plans and elevations - received on the 20.07.2024
   Materials section on the submitted application form

4. No part of the development 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.

5. Prior to first use of the development on-site bicycle parking facilities shall be provided in strict accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of bicycles.

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6. Prior to the first occupation of the care facility hereby permitted, a detailed Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. For the avoidance of doubt the Management Plan shall set out:

    - Details of the number of staff to occupy the property at one time and the pattern of staff shift changes;
    - The maximum number of residents to occupy the property at one time;
    - Expected frequency and purpose of visitors to the site;
    - The arrangements for the management and maintenance of all the outdoor amenity area within the site.

    The care facility will be operated in accordance with the approved Management Plan at all times.

7. Notwithstanding the details shown on Dwg No 3 - Proposed site plan, prior to the first use of the development, a vehicular parking and turning area shall be fully laid out, surfaced and drained in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. The parking area shall include 1 space to mobility standards. The parking and turning area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of vehicles at all times.

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 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.

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

5 To assist occupiers/users of the development to make sustainable transport choices in accordance with Policy DM1 of the Wrexham Local Development Plan.

6 To safeguard the amenities of the adjoining premises and the area generally, having regard to Policy DM1 of the LDP.

7 To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan

Note(s) to applicant

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.

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

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applicant should contact the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

Welsh Water informative

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 not 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 Development 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 proposal, including utilising approaches that improve water efficiency and reduce water consumption. Dwr Cymru/Welsh Water would recommend that the applicant liaises with the relevant Local Authority building Control department to discuss their water efficiency requirements.

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.

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