

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 PHIL GARDNER

Reference P/2024/0082

Agent MS KERRY JAMES
KERRY JAMES
PLANNING
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PLANNING, HEN
VICARAGE,
LLANRHAEDR,
DENBIGH, LL16 4NU

Date Received 24/01/2024

Decision Date 07/04/2025

Town and Country Planning Act, 1990

Location of Application

PARRYS RETAIL FURNITURE WAREHOUSE MOLD ROAD GWERSYLLT
WREXHAM LL11 4AQ

Description of Application

NEWID DEFNYDD O DDOSBARTH D2 I DDEFNYDD CYMYSG SY'N CYNNWYS
STORIO CERBYDAU, GWASANAETHU, ATGYWEIRIO CYRFF CEIR, PARATOI
CEIR, GLANHAU A SWYDDFEYDD (DOSBARTH B2 A B8), NEWIDIADAU
ALLANOL A MEWNOL / CHANGE OF USE FROM CLASS D2 TO MIXED USE
COMPRISING VEHICLE STORAGE, SERVICING, BODYWORK REPAIRS, CAR
PREPARATION, VALETING AND OFFICES (CLASS B2 AND B8), EXTERNAL AND
INTERNAL ALTERATIONS

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

National Policies and Technical Advice Notes (TAN):

TAN 11 : Noise

TAN 18 : Transport

Wrexham Local Development 2013 – 2028:

Revision	Date	Description of Decision
0	07/04/2025	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

Condition(s)

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1. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
CR/PD/01 REV B, CR/PD/06, CR/PD/02, CR/PD/03, CR/PD/07
2. The use hereby permitted shall be permanently ceased within 28 days of a failure to meet any one of the requirements set out in i) to iv) below:
 - i) Within 12 weeks of the date of this decision details of a scheme of noise mitigation shall be submitted for the written approval of the Local Planning Authority. The scheme shall include full details of any measures and/or procedures to ensure the closing of the roller shutter doors following the entry or exit of any vehicle.
 - ii) If within 20 weeks of the date of this decision the Local Planning Authority refuse to approve the details or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Welsh Ministers
 - iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted details shall have been approved by the Welsh Ministers;
 - iv) The scheme of noise mitigation shall implemented in full within 1 month from the date of approval in writing by the Local Planning Authority or, in the event of ii) and iii) above, by the Welsh Ministers.

The scheme of noise mitigation shall thereafter be adhered to for the lifetime of the development.

3. No use of the development shall be made before 0730 hours or after 1800 hours Monday to Friday and before 0800 hours or after 1700 hours on Saturdays. No part of the development shall be used on Sundays or Bank Holidays.

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4. The use hereby permitted shall be permanently ceased within 28 days of a failure to meet any one of the requirements set out in i) to iv) below:
 - i) Within 12 weeks of the date of this decision details of a scheme of on-site bicycle parking facilities shall be submitted for the written approval of the Local Planning Authority;
 - ii) If within 20 weeks of the date of this decision the local planning authority refuse to approve the details or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Welsh Ministers;
 - iii) If an appeal is made in pursuance of ii) above, that appeal shall have been finally determined and the submitted details shall have been approved by the Welsh Ministers;
 - iv) The scheme of on-site bi-cycle parking shall be fully implemented in accordance with approved details within 12 weeks from the date of approval in writing by the Local Planning Authority or, in the event of ii) and iii) above, by the Welsh Ministers.

The on-site cycle parking facilities shall be permanently retained in accordance with the approved scheme and kept free of any obstruction, and made available solely for the parking of bicycles
5. The use hereby permitted shall cease to operate within 12 weeks of the date of this decision if there is a failure to implement in full the measures to deliver net benefit for biodiversity (NBB) shown on drawing No. CR/PD/06 and detailed within the Green Infrastructure and Planning Statement.
6. Customers are not permitted on the premises at any time.

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Reason(s)

- 1 To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- 2 In the interest of protecting residential amenity in accordance with Policy DM1 of the Local Development Plan.
- 3 In the interest of protecting residential amenity in accordance with Policy DM1 of the Local Development Plan.
- 4 To assist occupiers/users of the development to make sustainable transport choices in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 5 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
- 6 Due to the limited on-site parking and in the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

Note(s) to applicant

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.

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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.

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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A handwritten signature in black ink, appearing to be 'DF' or similar, located below the agent's address.

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](#)