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 Violetta Niklas-Pecha

Agent Mrs PET TWIGG
HOLMCROFT,
TOWNFIELD LANE,
TARVIN, United
Kingdom, CH3 8EG

Reference P/2024/1362

Date Received 23/08/2024

Decision Date 29/04/2025

Town and Country Planning Act, 1990

Location of Application

36 BROOK STREET, WREXHAM, LL13 7LL

Description of Application

CADW LLAWR GWAELOD FEL SIOP GYDAG ARDAL STORIO YN Y CEFN, BLAEN SIOP NEWYDD A THROSI LLAWR CYNTAF AC AIL LAWR YN 3 FFLAT

RETENTION OF GROUND FLOOR AS SHOP WITH STORAGE AREA TO REAR, NEW SHOPFRONT AND CONVERSION OF FIRST AND SECOND FLOORS INTO 3 APARTMENTS

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 12 : Design
TAN 15 : Development and Flood Risk
TAN 18 : Transport
TAN 24 : The Historic Environment
TAN 4 : Retail and Commercial Development

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations
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
R2 - Development within the Wrexham City Centre Masterplan Area
R4 - Development outside Primary Shopping Streets

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SP11 - Transport and Accessibility
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP15 - Historic and Cultural Environment
SP18 - Climate Change
SP19 - Green Infrastructure
SP2 - Location of Development
SP7 - Wrexham City
T1 - Managing Transport Impacts

Particulars of decision : REFUSED

Reason(s)

1. The proposed development would discharge to the public sewer system which drains to the Five Fords Wastewater Treatment Works (WwTW). The WwTW benefits from an up to date Environmental Permit. The waste water discharges from the site could be accommodated within existing permit limits as well as the revised permit limits effective from 31 March 2030. However, despite discharges from the WwTW being below permitted limits, use of this 'headroom' would lead to a net increase in phosphorus being discharged into the River Dee & Bala Lake Special Area of Conservation (SAC).

   The River Dee where the WwTW discharges into presently has no headroom (i.e. capacity) to accommodate further unmitigated increases in phosphorus discharges. Consequently it is not possible to conclude that the proposed development would not have a significant effect on the SAC and the development is therefore considered to be contrary to policies NE1 and NE6 of the Wrexham Local Development Plan.

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

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2. Insufficient information has been provided to satisfy the Local Planning Authority that flood risk has adequately and accurately been assessed at the site or that sufficient mitigation measures would be provided to avoid harm from flooding. The proposal is therefore considered to be unacceptable and to be contrary to Policy SP18 (vii) and (viii) of the Wrexham Local Development Plan and the requirements of TAN15: Development and Flood risk.

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