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	MR PAUL CLIFTON	**Code Number**	WRA P/2022/0181
Agent	BLUEPRINT LTD DAFYDD EDWARDS OFFICE 3K4 REDWITHER TOWER WREXHAM INDUSTRIAL ESTATE WREXHAM LL13 9XT	**Date Received**	22/02/2022
		Decision Date	13/02/2024

Town and Country Planning Act, 1990

Location of application

LAND TO THE REAR OF, 120, RHOSNESNI LANE, WREXHAM, LL12 7NB

Description of application

DYMCHWEL STRWYTHUR AC ADEILADU 7 UNED FASNACHOL (B1) / DEMOLITION OF STRUCTURE AND CONSTRUCTION OF 7 COMMERCIAL UNITS (B1)

In reaching this decision the Council has had regard to the relevant policies in the Wrexham Local Development Plan which are as follows:-

DM1	Development Management Considerations
NE1	International and National Nature Conservation Designations
NE6	Waste Water Treatment and River Water Quality
SP12	Design Principles & Masterplanning Framework
SP14	Natural Environment
SP2	Location of Development
T1	Managing Transport Impacts

Revision	Date	Description of Decision
0	13/02/2024	Planning permission issued
1	21/07/2025	Discharge of Conditions 3, 4, 5, 6, 7, 8, 9, 10 and 11 – P/2025/0380

Particulars of decision that permission be 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.

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2. The development shall only be carried out in strict accordance with the details shown on the approved drawing REFS: CI39/004, CI39/005, CI39/006 1 of 2 Rev F and CI39/006 2 of 2 Rev G, and as contained within the application documentation.

3. No external illumination within the site shall take place before a lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall be installed and operated in accordance with the approved details. No other lighting shall be used on any external part of the development.

Details approved under reference number P/2025/0380

4. Prior to their installation on the development hereby permitted samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as approved.

Details approved under reference number P/2025/0380

5. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating how foul water will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The scheme as approved shall be implemented in accordance with a timescale to be agreed as part of the submitted details and shall be maintained thereafter.

Details approved under reference number P/2025/0380

6. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority.

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6. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

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7. Each part of the site subject to the remediation under the scheme(s) approved as part of condition no. 6 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

Details approved under reference number P/2025/0380

8. 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 within a timescale agreed with the Local Planning Authority and shall be maintained thereafter for the lifetime of the development.

Details approved under reference number P/2025/0380

9. No part of the development shall commence until details of a boundary treatment scheme for the whole of the site, including a timescale for implementation, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme as approved shall be implemented in all respects within the agreed timescale and shall thereafter be permanently retained and not reduced in height.

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10. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority. The plan as approved shall be fully implemented for the duration of the construction phase.

Details approved under reference number P/2025/0380

11. No part of the development shall be first occupied until a Service Delivery Management Plan (SDMP) including the details of the frequency of deliveries, type / size of vehicle and management of car parking to facilitate delivery vehicles has been submitted to, and approved in writing by, the Local Planning Authority. The SDMP as is approved shall be fully implemented before any unit is first occupied and shall be retained for the life of the development.

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12. No use of the development shall be made before 0830 hours or after 1730 hours Monday to Saturday. No part of the development shall be used on a Sunday or Bank Holiday.

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13. The vehicular parking and turning areas as shown on approved drawing nos. CI39/006 1 of 2 Rev F and CI39/006 2 of 2 Rev G shall be fully laid out, surfaced and drained prior to first use of the development hereby permitted. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.

14. There shall be no gates or other means of enclosure across the vehicular access point to the highway boundary.

15. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.

16. The rating level of any noise generated by reason of this development shall not exceed the pre-existing background level at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound.

17. The building shall not be illuminated outside of the opening hours referred to in condition 12.

18. No storage shall take place in the open on any part of the site.

19. Demolition of the building subject to this grant of planning permission shall only be carried out in a precautionary manner to include the following:

    a. Any weather boarding, hanging tiles, soffits, fascia and barge boarding shall be removed by hand, and

    b. Should any bats be discovered all works on the building shall cease and Natural Resources Wales contacted for further advice.

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20. Notwithstanding the provisions of Part 3, Class B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any statutory instrument revoking and re- enacting that Order with or without amendment) not part of the development hereby permitted shall be used for any purpose other than one falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987 (or any equivalent Class or Classes in any statutory instrument revoking and re-enacting that Order with or without amendment).

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21. With the exception of those shown on the approved plan and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification) no windows or other openings shall be inserted in any elevation of the building.

22. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 43 metres in both directions 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 nearside edge of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

23. The vehicular access hereby approved shall take the form of a widened dropped vehicular crossing.

24. No part of the development shall be occupied / first used until the HGV restriction signage, as shown on approved plan ref: CI39/006 2 of 2 Rev G have been erected at the site. The signage shall thereafter be permanently retained.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) 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 and residential amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
4. 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.
5. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system in accordance with Policy DM1 of the Wrexham Local Development Plan.
6. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.

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7. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.
8. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 11.
9. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
10. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
11. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
12. To ensure that the premises is not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policy DM1 of the Wrexham Local Development Plan.
13. 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 T1 and DM1 of the Wrexham Local Development Plan.
14. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.
15. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
16. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
17. To ensure a satisfactory standard of appearance of the development in the interests of the visual and residential amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
18. 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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19. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies SP14 and DM1 of the Wrexham Local Development Plan.
20. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
21. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
22. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy DM1 of the Wrexham Local Development Plan.
23. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
24. To ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.

Note(s) to applicant

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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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 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.

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage: https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk

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Detailed advice has been issued by Natural Resources Wales (NRW) which is available on the Council's planning applications website.
A written agreement must be obtained (as required by section 278 of the Highways Act 1980) from the Highway Authority in order to make any changes to the adopted highway in connection with condition no. 12. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council on telephone 01978 729670.

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.

Further advice on compliance with condition nos. 6 and 7 may be obtained by contacting the Council's Contaminated Land Officer on 01978 298771 or 298333, or contaminatedland@wrexham.gov.uk
Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Council's Contaminated Land Officer prior to commencement of works on site.

A licence must be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerbline and cross the footpath in connection with condition no. 22. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council on telephone 01978 729670.

The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.

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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.



David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio
Chief Officer Economy and Planning

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm