

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 E ALEXANDER	Code Number	WRO P/2021/0528
Agent	MR STEVE JONES D S JONES AND CO 26 PROSPECT DRIVE COEDPOETH LL11 3PE	Date Received	21/05/2021
		Decision Date	08/04/2024

Town and Country Planning Act, 1990

Location of application

23 - 24, HOPE STREET, WREXHAM, LL11 1BD

Description of application

TROSI LLORIAU UWCH YN 9 FFLAT A 3 SWYDDFA (DEFNYDDIO DOSBARTH A2) / CONVERSION OF UPPER FLOORS TO 9 APARTMENTS AND 3 OFFICES (USE CLASS A2)

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
H6	Conversion of Buildings to Self-Contained Flats or Houses in
NE1	Multiple Occupation
NE6	International and National Nature Conservation Designations
R1	Waste Water Treatment and River Water Quality
SP11	Retail, Leisure and Commercial Centre Hierarchy
SP12	Transport and Accessibility
SP14	Design Principles & Masterplanning Framework
SP15	Natural Environment
SP2	Historic and Cultural Environment
T1	Location of Development
	Managing Transport Impacts

Revision	Date	Description of Decision
0	08/04/2024	Planning permission issued

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(s) numbered 10495.04G.dsj and 10495.02.dsj, and as contained within the application documentation.
3. Prior to their use on the development 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 are approved.
4. No part of the development shall commence 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.
5. No development shall commence until a detailed plan to provide net benefit for biodiversity (NBB) has been submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented as approved prior to the first beneficial use of the development and shall be retained thereafter for the lifetime of the development.
6. Prior to their installation on the building, drawings to scale 1:5 and 1:20 fully detailing all new or replacement windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The details shall fully describe the proposed materials, decorative/protective finishes, method of opening and glazing type and include cross sections for glazing bars, sills and heads etc. The works shall only be carried out in strict accordance with such details as are approved.
7. All new and replacement rainwater goods on the front elevation of the building shall be cast iron or aluminium only.

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8. Any works to the roof of the building to which this permission relates shall only be carried out in a precautionary manner to include the following:
 - Any weather boarding, hanging tiles, soffits, fascia and barge boarding shall be removed by hand, and
 - Should any bats be discovered all works on the building shall cease and Natural Resources Wales contacted for further advice.
9. No part of the development 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, access, storage areas, corridors and stairways. The building shall thereafter be serviced and managed in strict accordance with the Plan as is approved.
10. Notwithstanding the details shown on drawing ref: 10495.02.dsj, prior to the first use of the development, cycle and bin storage areas shall be provided in accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority. 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.

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 amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
4. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
5. To ensure the development delivers net benefit to biodiversity in accordance with Policy 9 of Future Wales and Paragraph 6.4.5 of Planning Policy Wales (Edition 12).
6. To ensure the works reflect the character and appearance of the building in accordance with Policy DM1 of the Wrexham Local Development Plan.
7. To ensure the works reflect the character and appearance of the building in accordance with Policies DM1 and SP15 of the Wrexham Local Development Plan.

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8. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 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 and suitable standard of residential accommodation in accordance with Policies DM1 and SP15 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 Policies DM1 and SP15 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.

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.

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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

Detailed advice has been issued by Natural Resources Wales (NRW) which is available on the Council's planning applications website.

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.

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.

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.

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



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