

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



Applicant	MR JOHN FIFIELD OSBORNE HOUSE	Code Number	WRR P/2024/0055
Agent	MR RUSSELL AFZAL INITIATIVES DESIGN LTD 48 HIGH STREET WEAVERHAM NORTHWICH CHESHIRE CW8 3HB	Date Received	19/01/2024
		Decision Date	25/03/2024

Town and Country Planning Act, 1990

Location of application

UNIT 1B, GROUND FLOOR, REGENT HOUSE, REGENT STREET, ,
WREXHAM, LL11 1PR

Description of application

NEWID DEFNYDD ADEILAD O DDOSBARTH A2 (SIOP) I DDOSBARTH A3 (BWYTY/CAFFI/BWYD I FYND) / CHANGE OF USE OF BUILDING FROM CLASS A1 (SHOP) TO CLASS A3 (RESTAURANT/ CAFE/ TAKE-AWAY)

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
NE6	Waste Water Treatment and River Water Quality
R1	Retail, Leisure and Commercial Centre Hierarchy
SP2	Location of Development
T1	Managing Transport Impacts

Revision	Date	Description of Decision
0	25/03/2024	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.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 806.5/OBH/200/02,

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806.5/OBH/200/03 and as contained within the application documentation.

3. Prior to the first use of the cafe/restaurant/take away a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the provision of 5 parking spaces allocated for the proposed use, with details how they will be marked out and details of appropriate signage directing to the rear car park. The spaces shall be provided for the duration of the proposed use.
4. The rating level of any noise generated by air handling plant associated with the 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.
5. No part of the development shall commence until details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, its appearance and finish have been submitted to, and approved in writing by the Local Planning Authority. The system design shall have regard to the guidance set out in EMAQ Report - Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Update to the 2004 report prepared by NETCEN for DEFRA). The approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an effective condition.
6. Prior to the first use of the building as a takeaway, restaurant, cafe details of proposed hours of opening shall be submitted to and approved in writing by the Local Planning Authority. Opening hours shall thereafter be in strict accordance with details as approved.
7. 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.
8. Prior to first use of the development on-site cycle parking facilities shall be provided in strict accordance with a scheme which has 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 cycles.

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9. Prior to first use of the development a suitable grease trap shall be provided in order to prevent entry into the public sewerage system of matter (cooking fats, oils and grease etc.) likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal of such contents. The grease trap shall thereafter be permanently retained in a working condition.

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. In the interests of highway safety.
4. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
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6. To ensure that the level of noise emanating from the building is reduced to levels which would not adversely affect the amenities of the occupiers of nearby properties.
7. 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).
8. To ensure that adequate parking facilities are provided and maintained within the curtilage of the site in the interests of the free flow of traffic, highway safety and the amenities of the locality in accordance with Policy DM1 of the Wrexham Local Development Plan.
9. To prevent pollution of the water environment in accordance with Policy DM1 of the Wrexham Local Development Plan.

Note(s) to applicant

In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

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You are advised that the premises should comply with the relevant Food Hygiene Legislation, and you are advised to contact Council's Food & Farming Team on foodandfarming@wrexham.gov.uk or 01978 298989 for further advice and information.

Guidance on best management practice for catering outlet for the dispersal of fats, oils, grease and food waste, as issued by Water UK is available by contacting the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 298989 for further advice and information.

In the interests of maintaining highway safety, and to avoid obstruction of the public highway (in contravention of the Highways Act), The Applicant is advised to coordinate with the highway authority at highwayroadworks@wrexham.gov.uk in advance of commencement of the development/works with respect to:

1. Skip, scaffolding, hoarding or A frame/signage (Permit required for these items, if on the public highway);
2. Use of a parking space for a set down/delivery area;
3. Record a dilapidation survey of the adjacent carriageway prior to commencement (to avoid being ask to repair damage by the Applicant whilst carrying out their works);
4. If any lane closure or obstruction of the highway is required for a crane or similar;
5. Protection against dust and debris blowing onto the public highway
6. Construction traffic parking locally avoiding nuisance to others;
7. If the Applicant's scope of work includes new apparatus in the highway, such as new mains services then a Section 50 licence will be required. Insurances and demonstration of competency to carry out works in the public highway will be required.
8. Lowering of kerbs or minor pavement alterations require Section 184 agreement. Insurances and demonstration of competency to carry out works in the public highway will be required.
9. A section 278 agreement works agreement is required for more significant alterations to the existing highway.
10. Any temporary works affecting traffic lights, [pedestrian/cycle road crossings, or bus stops require pre-planning and permits;
11. For applications with a private driveway (either existing or proposed)

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connecting onto the public highway, the following conditions of approval apply:

No surface water from the applicants site should be allowed to drain onto the public highway,

The first 5m* minimum (for residential property) should be hard paved, avoiding gravel or loose chippings form spreading.

No gate should be built in a location where it would result in a car obstructing the highway whilst being unlocked, and it should not swing out and over a pavement or any other part of the highway.

The hard paved length and set back if required is subject to the applicants proposed vehicular length.

The applicants should allow a minimum of 4 weeks notice for any of the above standard requirements, and 6-8 weeks for lane closures & road closures (lead times may change without notice subject to workload and complexity). Any works involving Trunk roads should be coordinated separately and directly with the North & Mid Wales trunk Road Agency. For larger sites with a significant impact upon the highway, a Construction Traffic Management Plan will be required.



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