

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 AND MRS DRUKKER

Reference P/2023/0293

Agent BLUEPRINT LTD
MR STUART HATHERALL
Office 34K
Redwither Tower
Wrexham Industrial Estate
Wrexham
LL13 9XT

Date Received 27/04/2023

Decision Date 17/07/2024

Town and Country Planning Act, 1990

Location of Application

BLACK PARK CHAPEL, HALTON, CHIRK, WREXHAM, LL14 5BB

Description of Application

TROSI'R CYFLEUSTER CERDDORIAETH PRESENNOL YN 2 ANNEDD
CONVERSION OF EXISTING MUSIC FACILITY TO 2 NO DWELLINGS

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

National Policies and Technical Advice Notes (TAN):

TAN 12 : Design

TAN 18 : Transport

TAN 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

DM1- Development Management Considerations

MW1 - Minerals Safeguarding

NE1 - International and National Nature Conservation Designations

NE2 - Local Designations for Nature Conservation and Geological Importance

NE5 - Special Landscape Areas

NE6 - Waste Water Treatment and River Water Quality

SP11 - Transport and Accessibility

SP12 - Design Principles & Masterplanning Framework

SP13 - Health and Wellbeing

SP2 - Location of Development

T1 - Managing Transport Impacts

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Revision	Date	Description of Decision
0	17/07/2024	Planning permission issued

Particulars of decision : 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 following plan(s) and document(s):
 - D140/001 1 of 2;
 - D140/001 2 of 2;
 - D140/003 Revision B;
 - D140/002 Revision A (1 of 2);
 - D140/002 Revision A (2 of 2).
3. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development and thereafter permanently retained.
4. No development shall commence, including any works of demolition, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period.
5. The development hereby permitted shall not be occupied until measures to deliver net benefit for biodiversity (NBB) shown on Drawing D140/002 Revision A (Sheet 2 of 2) have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within shall be erected, constructed or placed across the access within [INSERT DISTANCE] metres of the highway boundary.

Reason(s)

- 1 To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- 2 To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- 3 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 4 In the interests of highway safety 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 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

Note(s) to applicant

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed may be 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:

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https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk

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.

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.

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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.

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](#)