

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 RALPH PUGH SUMMERHILL MOTORS	Code Number	LLR P/2023/0715
Agent	MR STUART HATHERALL BLUEPRINT ARCHITECTURAL SERVICES REDWITHER TOWER REDWITHER BUSINESS PARK WREXHAM LL13 9XT	Date Received	10/10/2023
		Decision Date	30/04/2024

Town and Country Planning Act, 1990

Location of application

AQUEDUCT GARAGE, LLANGOLLEN ROAD, TREVOR, LLANGOLLEN, WREXHAM, LL20 7TF

Description of application

NEWID DEFNYDD ADEILAD O DDOSBARTH A1 (MANWERTHU) I DDOSBARTH A3 (BWYD A DIOD) / CHANGE OF USE OF BUILDING FROM CLASS A1 (RETAIL) TO CLASS A3 (FOOD AND DRINK)

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

BE1	Pontcysyllte Aqueduct and Canal World Heritage Site
DM1	Development Management Considerations
NE1	International and Nationally Designated Nature Conservation Sites
SP11	Transport and Accessibility
SP15	Historic and Cultural Environment
SP2	Location of New Development
SP6	Location of New Development
T1	Managing Transport Impacts

Revision	Date	Description of Decision
0	30/04/2024	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 P1 52/003, P1 52/004 Rev B, and as contained within the application documentation.
3. No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
4. 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.
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. 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.
7. Opening times for customers shall be limited to 4pm until 10pm Monday to Friday, midday until 10pm Saturday and midday until 9pm on a Sunday or Bank Holiday.
8. The building shall not be used for the purpose hereby permitted until a plan to provide net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped, has been implemented in accordance with a scheme that has first been submitted to, and approved in writing by, the Local Planning Authority. The measures shall thereafter be maintained for the lifetime of the development.

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9. The building shall not be used for the purposes hereby permitted until a rubbish bin for use by customers has been installed outside of the premises in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The bin shall thereafter be retained for the lifetime of the development.
10. Prior to the first use of the take away hereby permitted, the customer parking areas for the take away and the MOT garage as shown on plan P1 52/004 Rev B, shall be fully laid out and made available free of obstruction for customer parking, during hours of opening and shall thereafter permanently be retained for such use.
11. Prior to the first use of the take away hereby permitted, the yellow hatched area as shown in plan P1 52/004 Rev B shall be laid out and thereafter permanently retained unless otherwise agreed by the Local Planning Authority.
12. Prior to the first use of the take away hereby permitted, directional 'customer car parking' signs and 'no parking' signs shall be erected within the site in accordance with details to first be submitted to and agreed in writing by the Local Planning Authority. Once erected, the signage shall be retained for the lifetime of the approved development.

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 prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
4. To prevent pollution of the water environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
5. 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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7. To ensure that the take away is not used at a time which would be likely to cause nuisance or disturbance to nearby residents or conflict with access to the adjoining MOT use in accordance with Policies T1 and 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 12.
9. In the interests of public and residential amenity in accordance with policy DM1 of the Wrexham Local Development Plan.
10. In the interests of highway safety.
11. In the interests of highway safety and the freeflow of traffic.
12. In the interests of customer and highway safety and the freeflow of traffic.

Note(s) to applicant

The applicant is advised that some public sewers and lateral drains may not be recorded on our maps; some sewers were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The applicant may also need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

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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.

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.

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.

Lighting has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If lighting is found to be causing a nuisance than an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting.

It is advised that depending on the size and illumination of any proposed shop front signage that separate Advertisement Consent may be required.

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 asked 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;

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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) 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,

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 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.

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

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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



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