

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 DAVIES THEO DAVIES AND SONS	Code Number	LGC P/2023/0899
Agent	ANDREW DESIGN SERVICE 4a STATION AVENUE CHIRK WREXHAM LL14 5LS	Date Received	20/12/2023
		Decision Date	28/02/2024

Town and Country Planning Act, 1990

Location of application

BERWYN MILL WORKSHOP, NEW ROAD, GLYN CEIRIOG, WREXHAM, LL20 7HF

Description of application

ESTYNIAD AR WEITHDY/STORFA BRESENNOL / EXTENSION TO EXISTING WORKSHOP/STORE

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
NE2	Local Designations for Nature Conservation and Geological
NE6	Importance
SP11	Waste Water Treatment and River Water Quality
SP12	Transport and Accessibility
SP13	Design Principles & Masterplanning Framework
SP14	Health and Wellbeing
SP2	Natural Environment
SP8	Location of Development
T1	Economic Growth, Employment and Enterprise
	Managing Transport Impacts

Revision	Date	Description of Decision
0	28/02/2024	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:
 PL01 Location and block plan
 PL05A proposed site plan
 PL06 proposed building plan
 PL07 proposed elevations
 and as contained within the application documentation:
 Application forms
 BS4142 assessment 18/12/2023
 Planning statement 18/12/2023
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
4. 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.
5. The development shall be carried out in accordance with the recommendations of the approved noise report dated 18/12/2023. The measures as are approved shall be fully implemented prior to the first occupation / use of the development.
6. The vehicular parking area as shown on approved drawing numbers(s) PL05A shall be fully laid out, surfaced and drained prior to first use of the development. This parking area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.
7. 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 and the Plan as is approved has been fully implemented.
8. Prior to first use of the development hereby approved the westerly vehicular access shall provide a visibility splay of 2.4 metres x 25 metres in the easterly direction measured to the nearside edge of the adjoining highway. Within this splay there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining carriageway. The splay shall thereafter be permanently retained clear of any such obstruction to visibility

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9. No development shall take place until a Service and Delivery Management Plan (SDMP) to include (but not limited to) the details of frequency of deliveries, type of delivery vehicles to be used, management of car parking to facilitate delivery vehicles has been submitted to and approved in writing by the local planning authority. The SDMP as agreed shall be implemented in accordance with the approved details
10. The net benefit for biodiversity measures as outlined within the submitted Planning Statement [Dated: 18/12/2023] shall be fully implemented prior to the first use of the development and shall be retained thereafter for the lifetime of the 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 ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.
4. 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.
5. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
6. To ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.
7. To ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.
8. 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
9. To ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.

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10. 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).

Note(s) to applicant

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;

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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,

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.

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.

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.

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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.

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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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.

The development is adjacent to a public right of way and the applicant should ensure that the footway is not interfered with. Further guidance can be obtained by contacting the Council's Rights of Way Officer on 01978 792761.



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