

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 GEOFF BRERETON	Code Number	HOL P/2023/0548
Agent	BLUEPRINT LTD DAFYDD EDWARDS OFFICE 3K4 REDWITHER TOWER WREXHAM INDUSTRIAL ESTATE WREXHAM LL13 9XT	Date Received	02/08/2023
		Decision Date	29/04/2024

Town and Country Planning Act, 1990

Location of application

THE WAREHOUSE, BUCK ROAD, COMMONWOOD, HOLT, WREXHAM, LL13 9TF

Description of application

NEWID DEFNYDD ADEILAD DIWYDIANNOL YSFAFN A GOFOD IARD I DDARPARU CYFLEUSTER STORIO / CHANGE OF USE OF LIGHT INDUSTRIAL BUILDING AND YARD SPACE TO PROVIDE STORAGE FACILITY.

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
EM4	Employment Development Outside of Settlement Limits
SP11	Transport and Accessibility
SP12	Design Principles & Masterplanning Framework
SP13	Health and Wellbeing
SP14	Natural Environment
SP2	Location of New Development
SP8	Economic Growth Employment and Enterprise
T1	Managing Transport Impacts

Revision	Date	Description of Decision
0	29/04/2024	Planning permission issued

Particulars of decision that permission be GRANTED
Subject to the following:-

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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:
B165/001 Site Plan and location plan
B166/001 existing building
B166/004 Proposed building
B165/003G Proposed site plan
8346/01B Swept path analysis
and as contained within the application documentation.
3. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 86 metres to the north and 2.4 metres x 16 metres to the south-east measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
4. Prior to first use of development a verge crossing to the site shall be constructed in strict accordance with Highway Authority adoptable standards.
5. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 10 metres behind the adjoining highway.
6. There shall be no gates or other means of enclosure across the vehicular access point within 10 metres of the highway boundary.
7. 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.
8. 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.

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9. The development shall be carried out in strict accordance with the findings and recommendations including net biodiversity benefit measures contained within the Ecology Assessment as carried out by Tyrer Associates and dated December 2023 approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development and the net benefit measures shall thereafter be retained for the lifetime of the development.
10. No development shall take place until a GCN Reasonable Avoidance Measures scheme has been submitted to and approved in writing by the Local Planning Authority.
The Reasonable Avoidance Measures (RAMs) shall include, but not necessarily be limited to:
 - further details and associated plans concerning amphibian avoidance and mitigation measures including, but not limited to, one-way amphibian fence design and locations (prior to and throughout the duration of any work) including installation of permanent amphibian fencing into the boundary fence line.
 - details of timing, phasing and duration of construction activities and conservation measures;
 - a timetable for implementation demonstrating that works are aligned with the proposed phasing of the development; and
 - persons responsible for implementing the works.
 - Biosecurity measures to be adhered to onsite
 The Reasonable Avoidance Measures scheme shall be carried out in accordance with the approved details.
11. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any statutory instrument revoking and re-enacting that Order with or without amendment), no part of the premises shall be used except for the precise purposes described in the application plans and documents.
12. The vehicular parking area as shown on approved drawing number B165/003G 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.
13. The landscaping scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing no. B165/003 REV G within three months of the first use of the

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development with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use.

14. The landscaping scheme as carried out in connection with condition no. 13 shall be retained for a minimum of 5 years. Within this timescale, any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

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 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.
4. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
5. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
6. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.
7. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
8. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
9. 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.

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10. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
11. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
12. To provide for the parking of vehicles clear of the highway in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan.
13. 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.
14. 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.

Note(s) to applicant

A licence must be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerbline and cross the footpath in connection with condition no. @@. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council on telephone 01978 729670.

Your attention is drawn to Highway Supplementary Notes - 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.h
tm](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)

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.

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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.

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

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Environmental Health & Housing Standards Team on
healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and
information.

The proposed development lies within a coal mining area which may contain
unrecorded coal mining related hazards. If any coal mining feature is
encountered during development, this should be reported immediately to the
Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority



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