

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	HUGH DAVID PORTECK LTD	Code Number	OVE P/2023/0216
Agent	ROGER PARRY & PARTNERS LLP MR RICHARD CORBETT THE ESTATE OFFICE 20 SALOP ROAD OSWESTRY SHROPSHIRE SY11 2NU	Date Received	29/03/2023
		Decision Date	19/07/2023

Town and Country Planning Act, 1990

Location of application

BRYN HALL, KNOLTON BRYN, OVERTON, WREXHAM, LL13 0LF

Description of application

CODI ADEILAD WARWS/ERECTION OF WAREHOUSE BUILDING

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

E5	Employment in the countryside
GDP1	Development objectives
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	19/07/2023	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 75841/22/03 and 75841/22/04 and as contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.

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- No development shall commence until a plan to provide net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped has been submitted and approved by the LPA. The measures should thereafter be implemented in full and maintained for the lifetime of the development.

Reason(s)

- To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
- To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
- To comply with Welsh Government Planning Policy Wales and subsequent letter to LPAs which requires all development to provide NBB. Failing to provide such a benefit is a valid reason for refusal.

Note(s) to applicant

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.

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.

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.

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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