

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 ROBERT THOMAS NUNNDALE LTD RBS3	Code Number	WRC P/2023/0082
Agent	DAFYDD EDWARDS BLUEPRINT LTD OFFICE 3K4 REDWITHER TOWER WREXHAM INDUSTRIAL ESTATE WREXHAM LL13 9XT	Date Received	08/02/2023
		Decision Date	25/05/2023

Town and Country Planning Act, 1990

Location of application

BUILDERS YARD, RIVULET ROAD, WREXHAM, LL13 8DY

Description of application

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

E4	Employment development within settlements
EC12	Biodiversity Conservation
EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
PS1	Settlement limits
PS11	Biodiversity
PS2	Development and the environment
PS3	Brownfield Land
PS4	Settlement Pattern
PS6	Strategic employment provision
PS8	Transport network
T8	Parking
T9	Walking, cycling and horse riding routes
FW	Future Wales: The National Plan 2040
PPW	Planning Policy Wales (Edition 11)
TAN 11	Noise

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TAN 12	Design
TAN 15	Development and Flood Risk
TAN 18	Transport
TAN 23	Economic Development
TAN 5	Nature Conservation and Planning

Revision	Date	Description of Decision
0	25/05/2023	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 be carried out in accordance with the following approved plans and documents:
 - NO41/009
 - NO41/003
 - NO41/001
 - NO41/002
 - NO41/007
 - NO41/008
 - Planning Statement [By: Blueprint Architectural Services Ltd; Dated: 30/01/23]
 - Inspection & Assessment in relation to Bats & Breeding Birds [Dated: May 2023]
 - Net Biodiversity Benefit Plan [Dated: May 2023]
3. The biodiversity net-benefit measures as detailed within the approved Net Biodiversity Benefit Plan shall be implemented in full as approved prior to the first beneficial use of the development hereby permitted, and shall be maintained thereafter for as long as the development remains in existence.

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4. 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.
5. The off-street vehicle parking and turning facilities as indicated on approved drawing no. NO41/009 shall be made available for use prior to the first use of the development and shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times.
6. 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.

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 the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 11.
4. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan.
6. 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.

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Note(s) to applicant

The accuracy of the detailed plans and drawings forming part of the application documents hereby approved shall remain the responsibility of the applicant/developer.

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 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

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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.

Dwr Cymru Welsh Water:

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

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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.

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.

NRW:

The application site is surrounded by fluvial flood risk, and events greater than the design event could affect the site. We therefore recommend that consideration be given to the incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels.

Other than the new building footprint, we advise that there should be no raising of ground levels and any alterations to the access should ensure that overland flow routes are not affected (e.g., kerbstones altered).

We refer the applicant to our website for further advice and guidance. Additional guidance is provided within the leaflet "Prepare your Property for flooding".

The developer can also access advice and information on protection from flooding from the ODPM publication 'Preparing for Floods: Interim Guidance for Improving the Flood Resistance of Domestic and Small Business Properties'.

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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