

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 IAN STONE TBE SOUTHERN LTD	Code Number	WRR P/2021/0076
Agent	REAL PLANNING MR GERRY KELLETT DUNMORE CHURCH STREET PENYCAE WREXHAM LL14 2RL	Date Received	25/01/2021
		Decision Date	24/03/2021

Town and Country Planning Act, 1990

Location of application

CHAPTER COURT, BETWEEN ARGYLE STREET, HOPE STREET, QUEEN STREET, AND RHOSDDU ROAD, WREXHAM, LL11 1AT

Description of application

NEWID DEFNYDDIO I DDATBLYGU DEFNYDD CYMYSGOL (DOSBARTH A1 AC A3) / CHANGE OF USE TO MIXED USE DEVELOPMENT (CLASS A1 AND A3)

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

EC7	Conservation Areas
GDP1	Development objectives
S1	Principal shopping streets in Wrexham town centre
T8	Parking

Revision	Date	Description of Decision
0	24/03/2021	PLANNING PERMISSION ISSUED
1	16/11/2022	P/2022/0909 - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2021/0076 TO AMEND APPROVED PLANS

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 R362-05-A1 and R362-10-A1, and as contained within the application documentation.

S96 Non-material amendment Approved on: 16.11.2022

Reference Number: P/2022/0909

By: Wrexham County Borough Council

Deleted Drawing Refs: R362-05-A1

Approved Amended Drawing Refs: T002 Rev E, T201 Rev F, T202 Rev F, T203 Rev C and T204 Rev B

3. Prior to their use on the development samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

4. No part of the development shall be occupied 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 approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an effective condition.

S96 Non-material amendment Approved on: 16.11.2022

Reference Number: P/2022/0909

By: Wrexham County Borough Council

Amended Condition:

No part of Phase II of the development hereby approved shall be occupied / used until full details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, and its appearance and finish, have been submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be fully implemented prior to first use of Phase II of the development and shall thereafter be permanently retained in an effective condition.

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5. The rating level of any noise generated by air handling plant associated with the 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 Method for rating and assessing industrial and commercial sound.

6. 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.

S96 Non-material amendment Approved on: 16.11.2022

Reference Number: P/2022/0909

By: Wrexham County Borough Council

Amended Condition:

Prior to first use of Phase II of the development, a suitable grease trap shall be installed on site in order to prevent entry into the public sewerage system of matter (cooking fats, oils etc.) likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal of such contents.

7. No use of the development shall be made before 0800 or after 2300 hours on any day.

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 GDP1 and PS2 of the Wrexham Unitary Development Plan.
4. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
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6. To prevent pollution of the water environment in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

7. To ensure that the premises are not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Note(s) to applicant

The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.

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 Planning & Regulatory Department on 01978 292040 for further advice and information.

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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