

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

|                  |                                                                                                                    |                      |                 |
|------------------|--------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| <b>Applicant</b> | MR ANDREW WELLS                                                                                                    | <b>Code Number</b>   | WRC P/2022/0024 |
| <b>Agent</b>     | MR MARK WOOD<br>MWA<br>12 THE GLENMORE CENTRE<br>JESSOP COURT<br>WATERWELLS BUSINESS PARK<br>GLOUCESTER<br>GL2 2AP | <b>Date Received</b> | 14/12/2021      |
|                  |                                                                                                                    | <b>Decision Date</b> | 01/06/2022      |

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### **Town and Country Planning Act, 1990**

#### **Location of application**

UNITS 3 AND 4, BORDER RETAIL PARK, WREXHAM, LL13 8NG

#### **Description of application**

CODI FFENS 4.8M A NEWID DEFNYDD YR IARD GWASANAETH YN Y CEFN I GANOLFAN ARDDIO ALLANOL / ERECTION OF 4.8M FENCE AND CHANGE OF USE OF REAR SERVICE YARD TO EXTERNAL GARDEN CENTRE

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

|      |                                 |
|------|---------------------------------|
| GDP1 | Development objectives          |
| PS1  | Settlement limits               |
| PS2  | Development and the environment |
| S4   | Large-scale retail development  |
| S6   | Local need shopping             |
| T8   | Parking                         |

| Revision | Date       | Description of Decision    |
|----------|------------|----------------------------|
| 0        | 01/06/2022 | 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;

|                  |                                                                                                                          |                                                 |                 |
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|                  |                                                                                                                          | <b>Decision</b><br><b>Date</b>                  | 01/06/2022      |

Site location plan Units 3 and 4

Site location plan: Proposed garden centre

Existing block plan

Proposed block plan 210721-01-01

Existing elevations 38024\_05\_ES

Proposed elevations RB-BRP-03

Ground Floor Plan RB-BRP-01

Fence details BM-GFG-0-011

Rear yard tracking plans received 18 March Location plan and 220000\_SK01 and as contained within the application documentation.

3. Within 3 months of commencement of development a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting as is approved shall be installed in strict accordance with the scheme prior to first use of the development and shall thereafter be permanently retained in a fully operational condition.

4. 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, and not for any other retail or commercial use.

### **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. This is a non-standard reason
4. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

### **Note(s) to applicant**

Your attention is drawn to Highway Supplementary Notes - Refer to Statement of Applicant's Rights and General Information on our planning web site at:-

|                  |                                                                                                                          |                                                 |                 |
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[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 relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs 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 works outside of the specified times, permission to proceed may be sought by contacting Environmental Health and Housing Standards at: [healthandhousing@wrexham.gov.uk](mailto:healthandhousing@wrexham.gov.uk) or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

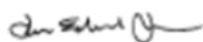
The development site is in close proximity to residential properties and the developer is therefore recommended to carry out a noise survey in order to determine noise levels for both day (0700 - 2300 hours) and night (2300 - 0700 hours) having regard to Planning Guidance (Wales), Technical Advice Note (TAN) 11 - Noise. The report of the noise survey findings shall include:

- a) Noise levels arising from day/night time activities in the vicinity of the proposed development site and the impact upon the proposed accommodation, and
- b) A detailed scheme of noise insulation and / or attenuation measures so

|                  |                                                                                                                          |                                                 |                 |
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designed to safeguard the amenity of the future occupants of the proposed accommodation hereby approved.

Lighting has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If lighting is found to be causing a nuisance than an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting.



Ian Jones

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Interim Chief Officer Planning & Regulatory

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](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)