

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 ANDREW WELLS	Code	WRC P/2021/1191
Agent	MR MARK WOOD MWA 12 THE GLENMORE CENTRE JESSOP COURT WATERWELLS BUSINESS PARK GLOUCESTER GL2 2AP	No Date Received	14/12/2021
		Decision Date	17/05/2022

Town and Country Planning Act, 1990
Section 73

Location of application

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

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:-

GDP1	Development objectives
PS1	Settlement limits
PS2	Development and the environment
PS7	Shopping priority areas
S4	Large-scale retail development
T8	Parking

Revision	Date	Description of Decision
0	17/05/2022	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.

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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:

Location Plan

BM-745-0-001-PL E proposed store layout

and as contained within the application documentation.

3. The car parking, vehicle unloading and turning space as approved under planning permission P/2000/0118 shall be retained solely for that purpose.

4. All delivery of goods or materials shall be undertaken only between the hours of 7.00 and 22:00 Monday to Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.

5. There shall be no external loudspeaker system for the transmission of announcements or music on any part of the site.

6. Noise levels arising from the development, excluding deliveries, shall not exceed 45dB expressed as a 15 minute LAeq, as measured between the hours of 17:30 and 07:30 inclusive at the eastern boundary of the site.

7. No storage shall take place in the open on any part of the site except in the building(s) or in the areas indicated for those purposes on the approved plan under planning permission P/2000/0118.

8. Details of any additional 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.

9. The details of ventilation, drainage, cycle parking and disabled access approved as part of planning permission P/2000/0118 conditions 11-14 shall be retained as part of the development.

10. Notwithstanding, the provisions of the Town and Country Planning (Use Classes) Order, 1987 none of the units hereby approved shall be used for food retailing.

Notwithstanding the limitation above, within the unit identified on the site location plan, a maximum of up to 350 sq.m. of space is permitted to be used for the sale of food and drink goods for consumption off the premises.

11. The existing trees including those planted in accordance with planning permission P/2000/0118 shall not be cut down, grubbed out, lopped or uprooted. Any trees, shrubs or hedges removed or being severely damaged

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or becoming diseased shall be replaced with trees, shrubs or hedging plants of the equivalent size and species.

12. Noise levels arising from the site, including deliveries, shall not exceed 50dB expressed as a 15 minute LAeq, as measured between the hours of 19:30 and 22:00 hours and 07:00 to 07:30 hours inclusive at the boundary of the site.

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 an adequate service and parking area is retained within the site in the interests of highway safety in accordance with Policies GDP1 and T8 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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7. 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.
8. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. To protect the visual amenities of the locality and to maintain adequate manoeuvring and parking facilities for vehicles within the site area in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan.
10. To ensure that units 1,2,3 and 4 are restricted to a limited retail use in accordance with the submitted application plans and documents.
11. To ensure the amenity afforded by the trees is continued into the future in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

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12. 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:-

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

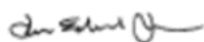
All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site 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 or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

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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:-

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