

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	AH2 DEVELOPMENTS LTD	Code Number	WRR P/2021/0644
Agent	MR PAUL HUGHES PAUL HUGHES ARCHITECTS 10 MERSEY ROAD SALE M33 6HN	Date Received	30/06/2021
		Decision Date	23/08/2021

Town and Country Planning Act, 1990

Location of application

2, REGENT STREET, WREXHAM, LL11 1SA

Description of application

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CHANGE OF USE OF 2ND AND 3RD FLOOR OF BUILDING TO 6
APARTMENTS

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

EC4	Hedgerows, Trees and Woodland
EC7	Conservation Areas
GDP1	Development objectives
H2	Residential development within settlements
T8	Parking

Revision	Date	Description of Decision
0	23/08/2021	PLANNING PERMISSION ISSUED
1	24/11/2021	P/2021/1069 - DISCHARGE OF CONDITION 4 (NOISE) OF PLANNING PERMISSION P/2021/0644

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 A031_RSW_002, A031_RSW_006, A031_RSW_011, A031_RSW_021, and as contained within the application documentation.

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 commence until a scheme of noise insulation and attenuation measures between the floors (in compliance with Building regulations guidance: part E - resistance to the passage of sound) has been submitted to and approved in writing by the Local Planning Authority. The measures as are approved shall be fully implemented in strict accordance with the scheme prior to first occupation / use of the development and shall thereafter be retained as such.

Approved on: 24/11/2021 **Reference Number:** P/2021/1069

By: Wrexham County Borough Council

Approved Report Ref: '2 REGENT STREET, WREXHAM, ACOUSTIC DESIGN REPORT', Dated 21 October 2021 - P4479/R01a/PJK by Acoustic & Engineering Consultants Limited

5. No development shall take place within 3 metres either side of the public sewer which crosses the site.

6. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.

7. Prior to first use of the development the site shall be laid out in strict accordance with the approved layout plan ref: A031_RSW_002.

8. Prior to their installation on the building, drawings to scale 1:5 and 1:20 fully detailing all new or replacement windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The details shall fully describe the proposed materials, decorative/protective finishes, method of opening and glazing type and include cross sections for glazing bars, sills and heads etc. The works shall only be carried out in strict accordance with such details as are approved.

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9. Prior to any such works to the building, a written repair schedule for the external works to the building shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall be accompanied by fully annotated drawings which shall include the extent of the window repair / replacement and of any areas of re-pointing works, together with samples. The works shall thereafter be carried out in strict accordance with the repair schedule, drawings and samples as may be approved.

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.
5. To protect the integrity of the public sewer and avoid damage thereto in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
7. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. To ensure the works reflect the character and appearance of the building in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. To ensure the works reflect the character and appearance of the building in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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Note(s) to applicant

The development site is in close proximity to an area that has frequent nightlife use as well as the approved Chapter House mixed Development. The developer is therefore required to carry out a noise survey in connection with condition no. 4 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 designed to safeguard the amenity of the future occupants of the proposed accommodation hereby approved.

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.

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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: heathandhouisng@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

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.

The Applicant is advised that under the Environmental Protection Act 1990, 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 Planning & Regulatory Department on 01978 292040 for further advice and information.



Officer Appointed for this purpose
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

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