

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> | TAYLOR REED HOMES LTD                                                                                                               | <b>Code Number</b>   | WRR P/2018/0267 |
| <b>Agent</b>     | SIMMS DAVIES PARTNERSHIP<br>34 OLD REFRACTORY WORKS<br>THORNLEIGH ESTATE<br>BOWERS GREEN ROAD<br>DUDLEY<br>WEST MIDLANDS<br>DY2 8UB | <b>Date Received</b> | 03/04/2018      |
|                  |                                                                                                                                     | <b>Decision Date</b> | 26/02/2020      |

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

#### **Location of application**

16 TO 30, KING STREET, WREXHAM, LL11 1HH

#### **Description of application**

CHANGE OF USE OF FIRST AND SECOND FLOORS FROM COMMERCIAL A2 / A3 TO 52 NO. DWELLINGS (33 NO. 1 BED 2 PERSON AND 19 NO. 2 BED 3 PERSON) TOGETHER WITH STAIRS, EXTERNAL MODIFICATION, GLAZING, CLADDING ETC AND NEW PART ADDITIONAL ROOF TERRACE ACCOMMODATION

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

|      |                                                     |
|------|-----------------------------------------------------|
| EC6  | Biodiversity Conservation                           |
| EC7  | Conservation Areas                                  |
| GDP1 | Development objectives                              |
| GDP2 | Capacity of infrastructure and community facilities |
| H2   | Residential development within settlements          |
| PS1  | Settlement limits                                   |
| PS2  | Development and the environment                     |
| PS3  | Brownfield Land                                     |
| PS4  | Settlement Pattern                                  |
| T8   | Parking                                             |
| T9   | Walking, cycling and horse riding routes            |

| Revision | Date       | Description of Decision                                                                                  |
|----------|------------|----------------------------------------------------------------------------------------------------------|
| 0        | 26/02/2020 | PLANNING PERMISSION ISSUED                                                                               |
| 1        | 05/08/2020 | P/2020/0277 -NON MATERIAL AMENDMENT TO PLANNING PERMISSION P/2018/0267 - CLADDING, WINDOWS AND STAIRCASE |

|                  |                                                                                                                                     |                      |                 |
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|   |            |                                                                                                                               |
|---|------------|-------------------------------------------------------------------------------------------------------------------------------|
| 2 | 24/03/2021 | P/2020/0838 - NON MATERIAL AMENDMENT TO PLANNING PERMISSION P/2018/0267 – REPLACEMENT OF SHOPFRONT TO PROVIDE 2 NO. DOOR SETS |
|---|------------|-------------------------------------------------------------------------------------------------------------------------------|

**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 3952/21A, 3952/20, 3952/30, 3952/32, 3952/33 and as contained within the application documentation.

**S96 Non-material amendment Approved on:** 05.08.2020

**Reference Number:** P/2020/0277

**By:** Wrexham County Borough Council

**Deleted Drawing Refs:** 3952/33, 3952/21A

**Approved Drawing Refs:** 3952/20, 3952/30, 3952/32, 2440/D04 Rev A, 2440/D05 Rev A and 2440/D06

**S96 Non-material amendment Approved on:** 24.03.2021

**Reference Number:** P/2020/0838

**By:** Wrexham County Borough Council

**Deleted Drawing Ref:** 2440/D05 Rev A

**Approved Drawing Refs:** 3952/20, 3952/30, 3952/32, 2440/D04 Rev A, 2440/D05 Rev B, 2440/D06 and 2440/D15 Rev A

3. Prior to their use of the development samples of all roofing and external facing materials, including windows and doors etc., 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.

|                  |                                                                                                                                     |                      |                 |
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**S96 Non-material amendment Approved on:** 05.08.2020

**Reference Number:** P/2020/0277

**By:** Wrexham County Borough Council

**Amended Condition:**

No facing or roofing materials shall be used other than those detailed on approved plan ref: 2440/D05 Rev A.

**S96 Non-material amendment Approved on:** 24.03.2021

**Reference Number:** P/2020/0838

**By:** Wrexham County Borough Council

**Amended Condition:**

No facing or roofing materials shall be used other than those detailed on approved plan ref: 2440/D05 Rev B.

4. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a 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. Prior to first use of the development hereby approved, a scheme of bin and refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The scheme as is approved shall be fully implemented prior to first use of the development and bins / refuse shall not otherwise be stored on any external part of 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. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.

8. Prior to first use of the development, the vehicular parking and turning areas shall be fully laid out, surfaced and drained in strict accordance with Drawing No. 3952/30 hereby approved. These areas shall thereafter be permanently retained and kept free of any obstruction and made available solely for the parking and turning of vehicles in connection with the development only, at all times.

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**S96 Non-material amendment Approved on:** 05.08.2020

**Reference Number:** P/2020/0277

**By:** Wrexham County Borough Council

**Amended Condition:**

Prior to first use of the development, the vehicular parking and turning areas shall be fully laid out, surfaced and drained in strict accordance with Drawing No. 3952/30 and 2440/D04 Rev A hereby approved. These areas shall thereafter be permanently retained and kept free of any obstruction and made available solely for the parking and turning of vehicles in connection with the development only, at all times.

**Reason(s)**

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To define the scope of the planning permission
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. To protect the amenities of the occupiers of nearby properties.
5. To protect the amenities of the occupiers of nearby properties.
- To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
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.
7. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
8. 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.

**Note(s) to applicant**

The applicant is advised that compliance with condition no. 4 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise

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from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

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. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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 Environment and Planning Department on 01978 315300 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 Housing and Public Protection Department on 01978 315300 for further advice and information.

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