

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 B K STOKES	Code Number	MAE P/2020/0705
Agent	MR B K STOKES DESIGN AND BUILD WATERSIDE THE MOORINGS BETTISFIELD SY13 2LJ	Date Received	28/10/2020
		Decision Date	11/02/2021

Town and Country Planning Act, 1990

Location of application

BETTISFIELD BOATYARD, THE MOORINGS, BETTISFIELD, WREXHAM, , SY13 2LJ

Description of application

CREU UN ANGORFA BRESYL AC UN GOSODIAD GWYLIAU / CREATION OF ONE RESIDENTIAL MOORING AND ONE HOLIDAY LET UNIT

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

CLF7	Informal recreation - countryside and water resources
EC6	Biodiversity Conservation
GDP1	Development objectives
H2	Residential development within settlements
PS1	Settlement limits
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	11/02/2021	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:
MS-100-003A Proposed Holiday let

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MA-100-002 Existing building

MS-100-001A Location Plan existing and proposed site plans and as contained within the application documentation.

3. Prior to their use on the development samples of all external facing 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. The vehicular parking area as shown on approved drawing numbers MS-100-001A shall be fully laid out, surfaced and drained prior to first use of the development. This parking area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.
5. The unit shall only be used for holiday accommodation and at no time shall be used as a permanent dwelling.
6. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.
7. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 6 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.
8. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating how foul water, surface water and land drainage will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in accordance with a timescale to be agreed as part of the submitted details and maintained thereafter.
9. No part of the development shall commence until a scheme for the accommodation and enhancement of roosting and nesting opportunities for

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bats and/or birds has been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the scheme as is approved.

10. Any works to the roof of the building to which this permission relates shall only be carried out in a precautionary manner to include the following:
- Any weather boarding, hanging tiles, soffits, fascia and barge boarding shall be removed by hand, and
 - Should any bats be discovered all works on the building shall cease and Natural Resources Wales contacted for further advice.

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 provide for the parking of vehicles clear of the highway in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
5. To safeguard the amenities of the adjoining properties in view of the restricted site curtilage
6. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
9. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
10. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

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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.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 should adhere to the times given above wherever possible. 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.

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Further advice on compliance with condition no. 6 may be obtained by contacting the Council's Environmental Protection Team on 01978 298989 or contaminatedland@wrexham.gov.uk

Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Housing and Public Protection Department prior to commencement of works on site.

Canal And Rivers Trust Advice

Canal Protection

Given the proximity of the works to the canal and likely excavation to create the new turning area suitable measures would need to be put in place to prevent any dust, debris, runoff etc during the construction of the development entering the canal. It would therefore be important that the works are carried out in accordance with the & River Trust. We would ask that the informative at the end of this letter is appended to the decision notice.

Boating Business License

The proposed diversification of the business would require an appropriate boating business licence which will require approval through the separate Trusts Boating Business Operating Proposal process. The applicant should be advised to contact the Trusts Boating Business team at business.boating@canalrivertrust.org.uk in terms of the required licence that may be required. This letter should not be construed as giving any such consent or agreement. We would ask that the following informative is also appended to the decision notice.

- 1) The applicant is advised to contact the Canal & River Trust s Boating Business team at business.boating@canalrivertrust.org.uk in order to ensure that any necessary licenses are obtained.
- 2) The applicant/developer is advised to contact the Infrastructure Services Team on 01782 779909 or email Enquiries.TPWNorth@canalrivertrust.org.uk in order to ensure that any necessary consents are obtained

The development is adjacent to a public right of way and the applicant should ensure that the footway is not interfered with. Further guidance can be obtained by contacting the Council's Rights of Way Officer on 01978 792761.

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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