

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	MCDONALDS RESTAURANT LIMITED	Code Number	CHI P/2020/0142
Agent	PLANWARE LIMITED MRS SARAH CARPENTER THE GRANARY 37 WALNUT TREE LANE SUDBURY CO10 1BD	Date Received	03/03/2020
		Decision Date	21/04/2020

Town and Country Planning Act, 1990

Location of application

MCDONALDS RESTAURANT, CHIRK PARK, HALTON, CHIRK, WREXHAM, LL14 5AZ

Description of application

REFURBISHMENT OF RESTAURANT WITH ALTERATIONS TO ELEVATIONS TO INCLUDE DEMOLITION OF BACKHOUSE AREAS AND EXTENSIONS TO FORM REPLACEMENT FREEZER / CHILLER AND STORE ROOMS, REPLACEMENT OF DRIVE THRU BOOTHS AND NEW GREY CLADDING AND SECTION OF NEW SHOP FRONT FINISHED IN BRICK TO MATCH EXISTING TOGETHER WITH ASSOCIATED WORKS

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

Revision	Date	Description of Decision
0	21/04/2020	PLANNING PERMISSION ISSUED
1	30/07/2020	P/2020/0322 NON-MATERIAL AMENDMENTS TO PLANNING PERMISSION P/2020/0142 - RECONFIGURE DRIVE THRU EXIT, EXTERNAL SEATING AND PEDESTRIAN CROSSING

Particulars of decision that permission be GRANTED

Subject to the following:-

Conditions

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

11757_AEW_1023_0004 Rev A, 11757_AEW_1023_0005 Rev A, 11757_AEW_1023_0050, 11358_AEW_XXXX_Sk01 Rev A, COD DT CANOPY, MCD/81741/2018 Rev 1, Sign 1-FG-MCD-525 and Sign 2-FG-MCD-525, and as contained within the application documentation.

S96 Non-material amendment Approved on: 30.07.2020

Reference Number: P/2020/0322

By: Wrexham County Borough Council

Deleted Drawing Ref: 11757_AEW_1023_0004 Rev A

Approved Amended Drawing Ref: 11757_AEW_1023_0004 Rev B

3. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.

4. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

Reasons

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.

Notes to applicant

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.

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.

A handwritten signature in black ink, appearing to read 'L. M. 16'.

**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