

In pursuance of its powers under the Acts an 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> | MR D LITTLE T J MORRIS LIMITED                                                    | <b>Code Number</b>   | WRC P/2018/0968 |
| <b>Agent</b>     | QUOD<br>ADRIAN FOX<br>INGENI BUILDING<br>17 BROADWICK STREET<br>LONDON<br>W1F 0AX | <b>Date Received</b> | 14/11/2018      |
|                  |                                                                                   | <b>Decision Date</b> | 19/12/2018      |

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

#### **Location of application**

UNIT 1 AND UNIT 2, HOLT STREET, WREXHAM, LL13 8DH

#### **Description of application**

REFURBISHMENT OF EXISTING CLASS A1 RETAIL UNIT INCLUDING NEW SHOP FRONT AND CUSTOMER LOBBY, PLANT ENCLOSURE, TROLLEY BAY AND ASSOCIATED WORKS AND PART CHANGE OF USE FROM CLASS D2 TO CLASS A1

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          |
| PS2  | Development and the environment |
| S6   | Local need shopping             |
| T8   | Parking                         |

| Revision | Date       | Description of Decision    |
|----------|------------|----------------------------|
| 0        | 19/12/2018 | 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 104 Rev B, 105 Rev C, 106, 107, 110 and as contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.

|                  |                                                                                   |                          |                 |
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4. Prior to first use of the development the site shall be laid out in strict accordance with layout plan No. 110.

5. 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.

#### **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. In the interests of highway safety.
5. To protect the amenities of the occupiers of nearby properties.

#### **Note(s) 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.

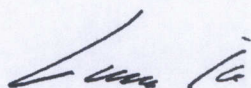
Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

|                  |                                                                                   |                          |                 |
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- 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.



**Officer Appointed for this purpose  
Head of Environment and Planning**

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)