

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	JBP GROUP LTD	Code No	MIN P/2022/0229
Agent	MRS HAYLEY KNIGHT SATPLAN LTD THE BRIDGEWATER COMPLEX 36 CANAL STREET LIVERPOOL L20 8AH	Date Received	04/03/2022
		Decision Date	08/12/2023

Town and Country Planning Act, 1990
Section 73

Location of application

FIVE CROSSES INN, RUTHIN ROAD, MINERA, WREXHAM, LL11 3UT

Description of application

AMRYWIO AMOD 1 CANIATAD CYNLLUNIO P/2016/0540 I TERFYN AMSER AR GYFER CYCHWYN DATBLYGIAD / VARIATION OF CONDITION 1 OF PLANNING PERMISSION P/2016/0540 TO EXTEND TIME LIMIT FOR COMMENCEMENT OF DEVELOPMENT

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
GDP1	Development objectives
S6	Local need shopping
T8	Parking

Revision	Date	Description of Decision
0	08/12/2023	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 following drawings:
 - i. T29-0312 Revision A: Proposed Site Plan
 - ii. T29-0313: Proposed GA Floor Plan
 - iii. T29-0315: Proposed Elevations - Retail Store
 - iv. T29-0317: Existing & Proposed Section Through the Site

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3. No part of the development shall commence until a scheme indicating the detailed layout, design, drainage and construction of the following has been submitted to and approved in writing with the Local Planning Authority:
 - a) Widening/improvements to the existing footways on the corner of B5426 Minera Hall Road including extension to footway along western side of Ruthin Road to proposed splitter island (proposed and existing footways to be 2m wide).
 - b) Provision of 1.4m wide splitter island across A525 Ruthin Road in approximate position of the existing public house car park entrance, providing 2.9m minimum width running lanes.
 - c) Provision of 1.4m wide splitter island across Minera Hall Road junction with Ruthin Road including associated dropped kerbs/tactiles.
 - d) Improvements to kerb radius/footway on south east corner of B5430 Gwernygaseg Road junction.
 - e) Construction of footway alongside public house along Gwernygaseg Road.
 - f) Construction of new car park access and reinstatement of existing access to full height footway construction.
 - g) Re-location of existing light column on corner of proposed car park access.

The details as approved shall be fully implemented prior to first use of the retail store.
4. 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.
5. No development shall take place until a Service and Delivery Management Plan (SDMP) for both the existing public house and the proposed retail store, to include (but not be limited to) the details of the timing and frequency of deliveries, the type of delivery vehicles to be used, delivery vehicle movements (incorporating staggered deliveries), management of car parking to facilitate the manoeuvring of delivery vehicles and details to control and/or prevent access during non-operational times has been submitted to and approved in writing by the Local Planning Authority. The SDMP as agreed shall be implemented in accordance with the approved details.

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6. No part of the development shall commence until a plan to provide net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped has been submitted to, and approved in writing by, the Local Planning Authority. The measures shall be implemented in full, prior to first occupation / use of the development, and thereafter maintained for the lifetime of the development.
7. No part of the development shall commence until a Construction Environment Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter only be implemented in strict accordance with the Construction Environment Management Plan as approved.
8. No development shall take place until samples of the materials to be used in the construction of the external facing and roofing of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
9. 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.
10. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 09 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.

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11. No development shall take place until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of a Travel Plan co-ordinator, staff travel survey, measures to encourage the use of sustainable transport, walking and cycling initiatives, publicity and marketing, setting of targets and monitoring and review of the Travel Plan together with a timetable for the implementation of each of the elements. The Travel Plan shall be implemented in accordance with the approved details and remain operational for the life of the development.
12. No development shall take place until a hard and soft landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall, in respect of hard landscaping, be implemented prior to the first use of the development and, in respect of soft landscaping, within the first planting season (November to March) or seeding season (April to September) following the first use of the development.
13. The landscaping scheme as carried out in connection with condition no. 12 shall be retained for a minimum of five years. Within this timescale, any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs of the same species in the next available planting or seeding season.
14. The retail use of the building shall not be used until a 1.2m high fence has been fully erected along the boundary adjacent to Nos 14 - 17 Aldergrove Place, and the fence shall thereafter be permanently retained.
15. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level 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 Methods for Rating and Assessing Industrial and Commercial Sound.
16. No part of the development shall be brought into use until details of all external lighting for the site (including lighting for the shared parking area) has been submitted to and approved in writing by the Local Planning Authority. No part of the site shall thereafter be provided with external lighting other than in accordance with the approved scheme.

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17. The retail use hereby approved shall not be used until the new vehicular access provides visibility splays of 2.4m x 43m in both directions as measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1m in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
18. The on-site parking spaces (20 no.) and turning facilities as shown on the approved plan T29-0312 Revision A: Proposed Site Plan shall be fully laid out, surfaced and drained prior to first use of the retail store. The spaces shall thereafter be permanently retained as a shared parking facility in connection with both the retail store and the public house. No segregation of spaces between the uses shall be made, and the spaces and turning facilities shall be maintained in a useable condition for those designated purposes.
19. The cycle parking facilities as shown on the approved plan shall be provided before the retail store is brought into use, and thereafter these facilities shall be maintained for use by customers.
20. The retail unit hereby permitted shall not be open to customers outside the following times: 07.00 hours to 23.00 hours on any day.
21. No deliveries of goods to or collection of refuse from the retail unit hereby approved shall take place outside the hours of 07.30 and 22.00 on Mondays to Saturdays, nor outside of the hours of 10.00 and 18.00 on Sundays, with the exception of delivery of newspapers.

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. In the interests of highway and pedestrian safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. 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.

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5. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 11.
7. To protect the amenities of the occupiers of nearby properties and highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. 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.
9. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. To reduce dependency on the motor vehicle in accordance with Policies GDP1 and PS4 of the Wrexham Unitary Development Plan.
12. 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.
13. 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.
14. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
15. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
16. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
17. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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18. 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 in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
19. To reduce dependency on the motor vehicle in accordance with Policies GDP1 and PS4 of the Wrexham Unitary Development Plan.
20. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
21. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.



David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio
Chief Officer Economy 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.