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

wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

Applicant	MR D GRATTON	**Code Number**	RUA P/2022/0306
Agent	MR SEAN CADDICK SEAN CADDICK ARCHITECTURAL 13 BELVIDERE WALK SHREWSBURY SY2 5LT	**Date Received** **Decision Date**	25/03/2022 10/04/2024

Town and Country Planning Act, 1990

Location of application

SITE OF WYNNSTAY TECHNOLOGY PARK, LLANGOLLEN ROAD, RUABON, WREXHAM, LL14 6EN

Description of application

CODI 6 UNED DDIWYDIANNOL (DOSBARTH B1) / ERECTION OF 6 NO. INDUSTRIAL UNITS (CLASS B1)

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

DM1	Development Management Considerations
EM1	Protection of Existing Employment Land
NE2	Local Designations for Nature Conservation and Geological Importance
NE3	Trees, Woodlands and Hedgerows
NE6	Waste Water Treatment and River Water Quality
SP11	Transport and Accessibility
SP14	Natural Environment
SP2	Location of Development
SP8	Economic Growth, Employment and Enterprise
T1	Managing Transport Impacts

Revision	Date	Description of Decision
0	10/04/2024	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 drawings and documents:

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21/2210/03 Rev D,
21/2210/04 Rev A,
21/2210/05 Rev A,
21/2210/06 Rev A,
Ecological Appraisal by Chloe Sheil Mzool of Greenspace Environmental Ltd, October 2019 (2298 1910R),
Ecological Appraisal by Chloe Sheil Mzool of Greenspace Environmental Ltd, October 2019 (2298 1911R),
Addendum to above dated 5th March 2020 (2298 2003L),
Phase 2 Survey Results by Ben Jones of Greenspace Environmental Ltd, 3rd July 2020,
Tree Condition Report, Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan by Terry Merchant, 11th November 2019,
Design and Access Statement by Sean Caddick Architectural, January 2023,
Coal Mining Report CON29M 30th November 2018,
Tree Location and Protection Plan 9th December 2019,
Geo-Environmental Report - Gratton Oaks Ltd - received from Agent on 18th October 2023

and as contained within the application documentation.

3. No part of the development shall commence until samples of all external facing and roofing materials have been 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. No surface water from any increase in the roof area of the buildings /or impermeable surfaces within their curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
5. Nothwithstanding the details contained within the approved application documents, no part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:
a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas,

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Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
f) Method for protecting retained trees during demolition works;
g) Details of all proposed tree works, including felling and pruning.

6. No part of the development shall commence until full details of both hard and soft landscape works, to include some native planting has been submitted to and approved in writing by the Local Planning Authority. The plan shall include a timescale for the implementation of works, and shall provide for ecological improvement / habitat creation and enhancement in the soft landscape areas for the benefit of biodiversity conservation specifically tailored to the landscape features.
7. The landscaping scheme submitted and approved in connection with condition no. 6 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
8. The landscaping scheme as carried out in connection with condition no. 7 shall be retained for a minimum of 5 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 similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.
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

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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.
11. The rating level of any noise generated by reason of this 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.
12. The fence shown to be erected in plan 21/2210/03 Rev D, shall be provided before the first use of the buildings hereby approved and shall thereafter be permanently retained unless otherwise agreed in writing by the Local Planning Authority.
13. The vehicular parking area as shown on approved drawing numbers(s) 21/2210/03 Rev D 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.
14. Provision shall be made for at least 3 parking spaces to have electric vehicle charging facilities in accordance with details to be submitted to and approved by the Local Planning Authority. The details as approved shall be installed prior to the first use of the development and thereafter permanently retained in a working condition unless otherwise agreed by the Local Planning Authority.
15. Nothwithstanding the details contained within the approved plans, before development commences, a revised Service Delivery Management Plan (SDMP) which includes stipulations about the maximum size / length of vehicles visiting the site shall be submitted for approval by the Local Planning Authority. Once approved, the servicing of the developed site shall only be carried out in accordance with the approved details unless otherwise agreed by the Local Planning Authority.
16. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the plan as is approved has been fully implemented.

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17. No development shall commence until a detailed plan to provide net benefit for biodiversity (NBB) has been submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented as approved prior to the first beneficial use of the development and shall be retained thereafter for the lifetime of the development.
18. No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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 Policy DM1 of the Wrexham Local Development Plan.
4. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
5. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies DM1, NE3 of the Wrexham Local Development Plan.
6. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and NE2 of the Wrexham Local Development Plan.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local 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 Policy DM1 of the Wrexham Local Development Plan.
9. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.

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10. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.
11. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
12. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect the amenities of the occupiers of nearby properties.
13. To provide for the parking of vehicles clear of the highway in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan
14. In accordance with Policy 12 of Future Wales - The National Plan 2040
15. In the interests of highway safety.
16. In the interests of Highway Safety
17. To ensure the development delivers net benefit to biodiversity in accordance with Policy 9 of Future Wales and Paragraph 6.4.5 of Planning Policy Wales (Edition 12).
18. To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

Note(s) to applicant

The applicant is advised that some public sewers and lateral drains may not be recorded on our maps; some sewers were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The applicant may also need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption" 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

In relation to condition 05, the method statement should provide protective

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measures for retained 'A' and 'B' trees as well as land allocated for landscaping/planting. Tree planting should provide mitigation for any tree losses and provide additional enhancement planting to increase canopy cover on site by approximately 20% in accordance with the objectives of WCBC Tree & Woodland Strategy.

Further advice on compliance with condition no. 07 may be obtained by contacting the Council's Contaminated Land Officer on 01978 298771 or 298333, 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 Council's Contaminated Land Officer prior to commencement of works on site.

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 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 is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If, however, there are urgent or unavoidable circumstances requiring work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & Housing Standards at healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

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The Applicant is advised that under the 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 Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

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 Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

The proposed footway / accesses should be constructed to a standard suitable for adoption by the Council for future maintenance at the public expense and the developer will need to enter into an agreement with the Council under s.278 of the Highways Act 1980. You are advised that the Highway Authority will require such works to be completed to their satisfaction before they will formally adopt the relevant Highway works for public use and to be maintained at public expense. This will include the provision of a bond to cover the estimated value of such works.The appropriate fees will become due to the Council when the Highways Authority approve the proposed works to be carried out.

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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