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 NICK AYMES

Reference P/2023/0674

Agent T A C P
MR JAMES BARKER
Pembroke House
Ellice Way
Wrexham Technology
Park
Wrexham
LL13 7YT

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Decision Date 06/06/2024

Town and Country Planning Act, 1990

Location of Application

BRYMBO IRON AND STEELWORKS HERITAGE CENTRE NEW HIGH STREET BRYMBO WREXHAM LL11 5AX

Description of Application

AILWAMPIO A NEWID DEFNYDD O D? ASIANT A SIOP PATRYMAU I DDARPARU CYFLEUSTERAU I YMWELWYR, GAN OSOD 3 CYNHWYSYDD A CHANOPI I FFURFIO LLWYFAN, DEFNYDDIO STORFA AR GYFER CYFLEUSTERAU GWNEUD SEIDR AR RADDFA FECHAN, GWAITH ATGYWEIRIO ALLANOL I WAL GWEFRU, FFOWNDRI, FFWRNAIS 1 A CHROMENDO A THIRLUNIO CYSYLLTIEDIG / REFURBISHMENT AND CHANGE OF USE OF AGENT'S HOUSE AND PATTERN SHOP TO PROVIDE VISITOR FACILITIES, SITING OF 3 NO CONTAINERS AND CANOPY TO FORM STAGE, USE OF STORE FOR SMALL SCALE CIDER MAKING FACILITIES, EXTERNAL REPAIR OF CHARGING WALL, FOUNDRY, FURNACE 1 AND CUPOLAS AND ASSOCIATED LANDSCAPING

In reaching this decision the Council has had regard to the following relevant policies: -

Wrexham Local Development 2013 – 2028:

DM1- Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE2 - Local Designations for Nature Conservation and Geological Importance
NE3 -Trees, Woodlands and Hedgerows
NE6 - Waste Water Treatment and River Water Quality
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment

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SP15 - Historic and Cultural Environment
SP2 - Location of Development
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	06/06/2024	Planning permission issued

Particulars of decision: 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.

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2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered BMS-TACP-PS-XX-DR-A-004- P2, BMS-TACP-EB-ZZ--DR-A-008-P1, BMS-TACP-EB-ZZ-DR-A-300-P2, BMS-TACP-P-ZZ-DR-A-014- P1, BMS-TACP-P-ZZ-DR-A-101-P1, BMS-TACP-P-ZZ-DR-A-102-P1, BMS-TACP-P-ZZ-DR-A-201-P1, BMS-TACP-SS-ZZ-DR-A-108-P1, BMS-TACP-SS-ZZ-DR-A-207-P1, BMS-TACP-WC-00-DR-A-109-P1, BMS-TACP-WC-00-DR-A-208-P1, BMS-TACP-PS-XX-DR-A-702-P2, BMS-TACP-CP-00-DR-A-110-P1, BMS-TACP-CP-XX-DR-A-209-P1, BMS-TACP-AH-ZZ-DR-A-007-P1, BMS-TACP-AH-ZZ-DR-A-013-P1, BMS-TACP-AH-ZZ-DR-A-100-P1, BMS-TACP-AH-ZZ-DR-A-200-P1, BMS-TACP-AH-ZZ-DR-A-500-P1, BMS-TACP-AH-ZZ-DR-A-007-P1, BMS-TACP-AH-XX-DR-A-501-P1, 2249-MP-landscape-001, 2249-CP-landscape-002, 2249-CP-landscape-003, 11-XX-XX-MZ-C-004, BMS-TACP-MS-01-DR-A-100-P2, BMS-TAP-MS-ZZ-DR-A-200-P3, BMS-TACP-PS-XX-DR-A700-P3,BMS-TACP-PS-XX-DR-A-702-P3, BMS-TACP-P-ZZ-DR-A-102-P1, BMS-TACP-SS-00-DR-A-108-P2, BMS-TAC-SS-ZZ-DR-A-207-P2, 2249-DWG-001-P6-S4, 2249-DWG-003-P6-S4, 2249- DWG-002-P6-S4, and as contained within the application documentation.

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

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3. No development shall take place until the following programmes of building recording and analysis, have been secured and implemented, in accordance with a brief issued by the local planning authority and a written scheme of investigation which has been submitted and approved in writing by the local planning authority.
   1. Charging Wall Level 3 Historic Buildings Record
   2. Agents House Level 2 Historic Buildings Record
   3. Lamp Room and Winch House Level 2 Historic Buildings Record
   4. Scheduled Area Level 4 Historic Buildings Record

   The surveys will be completed by a professional archaeological contractor.
   The programme of building analysis and recording must meet the standards laid down by the Chartered Institute for Archaeologists in their Standard and Guidance for the archaeological investigation and recording of standing buildings or structures.
   A copy of the resulting reports should be submitted to the Local Planning Authority and the Development Control Archaeologist, Heneb: Clwyd-Powys via neil.bayliss@cpat.org.uk (07496 984 393).

   On approval by the Local Planning Authority, project data must be submitted and approved for inclusion in the Heneb: Clwyd-Powys Historic Environment Record [CPA HER]. For any questions regarding this submission process, please contact the HER Team at her@cpat.org.uk. The full digital archive must also be submitted and approved for inclusion within the National Monuments Record, RCAHMW or the Archaeology Data Service, ADS.

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4. No part of the development shall commence until an updated Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan shall include, but not necessarily be limited to:

1. Full details of compensation measures;
2. Barn owl avoidance and mitigation measures;
3. Details of timing, phasing and duration of construction activities and conservation measures.
4. Timetable for implementation and demonstrating that works are aligned with the proposed phasing of the development;
5. Measures to prevent incidental capture or killing of bats post development;
6. Actions to be taken in event previously unidentified species of bat are found;
7. Ecological Compliance Audit, including key performance indicators;
8. Persons responsible for implementing the works;
9. Post construction monitoring and record dissemination for a period of not less than 2 years;
10. Further details of the outlined external lighting and internal light spillage scheme; together with plans illustrating projected bat emergence points and dispersal corridors between bat roost access points and features planned to be functionally used by bats for foraging/dispersal purposes.

The Conservation Plan shall be carried out in accordance with the details as are approved.

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5. No engineering operations shall take place until a Remediation Strategy 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 was not 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.

6. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 5 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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7. The development hereby permitted shall not be open to the public until a noise survey has been carried out, and a detailed report of the survey findings has been submitted to, and approved in writing by, the Local Planning Authority. The noise survey shall determine noise levels for both Day (07:00 - 23:00 hours) and Night (23:00 - 07:00 hours), having regard to Planning Policy Wales (PPW) Guidance, Technical Advice Note (TAN) 11 - Noise. The report of the noise survey findings shall include:
   1. Noise levels arising from day / night time activities in the vicinity of the proposed development site and the impact upon the existing or proposed accommodation, and
   2. A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the existing or occupants of the proposed accommodation hereby approved, to include a timetable for the implementation.

   The scheme of noise insulation/attenuation measures shall be implemented in full in accordance with the approved details and shall thereafter be retained.

8. Prior to their first use on the development, samples of all external facing materials shall be submitted for the written approval of the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved

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9. The developer shall ensure that a suitably qualified archaeological contractor is present during any groundworks within the site so that archaeological monitoring and recording can be conducted. The monitoring and recording must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for Archaeological Monitoring and Recordings.
A copy of the resulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, Heneb: Clwyd-Powys Archaeology (neil.bayliss@cpat.org.uk). On approval by the Local Planning Authority, project data must be submitted and approved for inclusion in the Heneb: Clwyd-Powys Archaeology Historic Environment Record. For any questions regarding this submission process, please contact the HER Team at her@cpat.org.uk. The full digital archive must also be submitted and approved for inclusion within the National Monuments Record, RCAHMW or the Archaeology Data Service, ADS.

10. 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.

11. Within three months of commencement of development a written scheme of historic environment mitigation, to include a timetable for implementation, shall be submitted for the written approval of the Local Planning Authority. Thereafter, the programme of work shall be carried out in accordance with the approved scheme.

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12. The development shall be carried out in strict accordance with the findings and recommendations contained within the following Ecology Assessments:
1. Enfys Ecology - Lighting Plan Review V1
2. Enfys Ecology Conservation Plan for Great Crested Newts.V1
3. Enfys Ecology Conservation Plan for Great Crested Newts. V1
approved as part of this application.
The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

13. The landscaping scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing nos. 2249-MP-Landscape 001, 2249-CP-Landscape-002 and 2249-CP-Landscape-003 within three months of the first use of the development with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use. The landscaping scheme shall be permanently retained. Any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed shall be replaced with trees or shrubs of similar size and species to those originally required to be planted within the first available planting or seeding season.

14. The development shall not be brought into use until scheme of measures to deliver a net benefit for biodiversity (NBB) has been implemented in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. The measures shall be retained for the lifetime of the development.

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15. The development hereby permitted shall not be open to the public until car parking is provided in the area hatched green on drawing no. BMST- ACP-PS-XX-DR-A-700 P2 in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. The approved car parking area(s) shall be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times.

16. Use of the stage area hereby approved shall not commence until a scheme of noise insulation and attenuation measures, prepared by a suitably qualified and competent acoustic consultant, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall have regard to the following:
    1. The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LAeq) emanating from the application site, as measured 1 metre from any façade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 3dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.
    2. The unweighted equivalent noise level (Leq) in the 63Hz Octave band, measured using the 'fast' time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any 5 minute period with entertainment taking place, shall show NO increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place.

    The measures as are approved shall be fully implemented in strict accordance with the scheme prior to first use of the development and shall thereafter be retained as such.

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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 allow an adequate analytical record of the structures before alteration and renovation, and to ensure that their origins, use, and development are understood and the main features, character and state of preservation are recorded in accordance with policy SP15 of the Wrexham Local Development Plan.

4 To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.

5 To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks in accordance with Policy DM1 of the Local Development Plan.

6 In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.

7 To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.

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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 To secure preservation by record of any archaeological remains which may be revealed during ground excavations for the development

10 To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.

11 To identify and record any features of archaeological interest discovered during works, in order to mitigate impact of the development on archaeological resource in accordance with Policy SP15 of the Local Development Plan

12 To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 of the Wrexham Local 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 Policy DM1 of the Wrexham Local Development Plan.

14 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).

15 In the interest of highway safety in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan.

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16 To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.

Note(s) to applicant

Lighting has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If lighting is found to be causing a nuisance than an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting.

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit. Environmental permits from NRW may be required (during construction and operation) and we recommend early consultation with the relevant NRW permitting teams to ensure all permits are in place prior to commencement of development .Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, NRW should be contacted for advice at an early stage

David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wrecsam
Chief Officer Economy and Planning, Wrexham County Borough Council

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Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
Planning and building control | Wrexham County Borough Council