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/2024/0206

Agent MR JAMES BARKER
TACP ARCHITECTS LTD
Pembroke House
Ellice Way
Wrexham Technology Park
Wrexham
LL13 7YT

Date Received 18/01/2024

Decision Date 28/06/2024

Town and Country Planning Act, 1990

Location of Application

FORMER BRYMBO STEEL WORKS, NEW HIGH STREET, BRYMBO, WREXHAM, LL11 5AX

Description of Application

NEWID DEFNYDD TIR I FAES PARCIO / CHANGE OF USE OF LAND TO CAR PARK

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

National Policies and Technical Advice Notes (TAN):
Planning Policy Wales Ed 12
Future Wales Plan 20-40
TAN 5 – Nature Conservation and Planning
TAN 18 - Transport
TAN 24 – The Historic Environment

Wrexham Local Development 2013 – 2028:

DM1- Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE3 -Trees, Woodlands and Hedgerows
NE6 - Waste Water Treatment and River Water Quality
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP15 - Historic and Cultural Environment
SP2 - Location of Development

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T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	28/06/2024	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.

2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
BMST- ACP-PS-XX-DR -A- 006 P2 (amended)
BMS-TACP-S- XX-DR-A - 707 P2 (amended)
BMS- TACP- S- XX- DR- A- 710 P8 (amended)

3. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.

4. No development shall commence, including any works of demolition, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period.

5. Within three months of commencement of the development hereby permitted, a scheme of landscaping shall be submitted for the written approval of the Local Planning Authority.

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6. Landscaping shall be undertaking in accordance with the scheme submitted and approved in connection with condition 5 . All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting (November to March) and seeding seasons following the first use of the development (April to September). Any trees, hedgerows or plants which, within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

7. Prior to the first use of the car park hereby approved an updated Events Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The EMP shall include:
    1. Commitment to liaise with the highway authority prior to any events to agree appropriate traffic management is in place to ensure that the highways are kept freeflowing.
    2. Emergency Procedures should be included within the Events Management Plan
    3. Role of and training of Marshalls/Wardens directing traffic to ensure traffic doesn't build up on the road.
    4. Demonstration on anticipated footfall, and resultant traffic, including management of the same.
    5. Temporary arrangement and bollards will be arranged with Highways

    The Events Management Plan shall be implemented as approved

8. The development shall be carried out in strict accordance with the findings and recommendations contained within Ecological Assessment, Brymbo Heritage Area, Proposed Car Park, Version 1, dated 15/03/2024 by Enfys Ecology. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

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9. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development and thereafter permanently retained.

10. 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.

11. If, during development, and made ground or contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved. The development shall not be brought into use until a Validation Report has been completed and submitted to and approved in writing by the Local Planning Authority.

12. Within 3 months of commencement of development a further detailed scheme of net biodiversity benefit. shall be submitted to and approved by the Local Planning Authority. The NBB scheme should include full details of the area (s) to be enhanced including species and current management. The scheme should also include objectives for the site, methods for achieving the objective and details of the long-term management regime. Such details as may be approved shall be fully implemented and retained.

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13. Prior to first use of the development hereby permitted, a car parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The car park shall thereafter be used in strict accordance with the approved details.

14. No external illumination within the site shall take place before a lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall be installed and operated in accordance with the approved details. No other lighting shall be used on any external part of the development.

Reason(s)

1 To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2 To comply with Section 91(3) of the Town and Country Planning Act, 1990.

3 To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

4 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

5 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.

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6 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.

7 In the interest of maintaining highway safety in accordance with Policy T1 of the Local Development PLan.

8 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.

9 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

10 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 Policy DM1 of the Wrexham Local Development Plan.

11 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

12 To ensure that the development provides adequate nett biodiversity benefit in accordance with PPW Ed 12 and Policy SP14 of the Local Development Plan.

13 In the interest of Highway safety in accordance with Policy DM1 of the Local Development Plan.

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14 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.

Note(s) to applicant

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.

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.

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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.

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

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To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang+en



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

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