

Applicant MR PHIL WALSH

Reference P/2023/0387

Agent PLAN RED LTD MR
RICHARD PURSER
PLAN RED LTD
FLOOR 11 3
PICCADILLY PLACE
MANCHESTER M1
3BN

Date Received 23/05/2023

Decision Date 03/02/2025

Town and Country Planning Act, 1990

Location of Application

F LLOYD PENLEY LTD BRIDGE ROAD SOUTH WREXHAM INDUSTRIAL ESTATE
WREXHAM LL13 9SQ

Description of Application

CODI ESTYNIAD AR WARWS A CHANOPI BAE LLWYTHO

ERECTION OF WAREHOUSE EXTENSION AND LOADING BAY CANOPY

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

National Policies and Technical Advice Notes (TAN):

Wrexham Local Development 2013 – 2028:

EM1 - Protection of Existing Employment Land
NE1 - International and National Nature Conservation Designations
NE6 - Waste Water Treatment and River Water Quality
SP12 - Design Principles & Masterplanning Framework
SP14 - Natural Environment
SP18 - Climate Change
SP19 - Green Infrastructure
SP2 - Location of Development
T1 - Managing Transport Impacts
T2 - Active Travel
DM1 - Development Management Considerations
EM1 - Protection of Existing Employment Land
NE1 - International and National Nature Conservation Designations
NE6 - Waste Water Treatment and River Water Quality

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



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SP14 - Natural Environment
SP18 - Climate Change
SP19 - Green Infrastructure
SP2 - Location of Development
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	03/02/2025	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 following plan(s) and document(s):
3850-DMWR-A-DR-0300
3850-DMWR-A-DR-02002-A
3850-DMWR-A-DR-0101-B
3850-DMWR-A-DR-100-A
3850-DMWR-A-DR-0030
3850-DMWR-A-DR-0010-A
3850-DMWR-A-DR-0006-A
3850-DMWR-A-DR-0005-A
3850-DMWR-A-DR-0004-A
3850-DMWR-A-DR-0002-A
3850-DMWR-A-DR-0001
2514-C-0001.1-P02
Design and Access Statement
Planning Statement
Transport Assessment project no. P22009 and dated February 2023
Flood Consequences Assessment
Biosecurity Risk Assessment- F Lloyd (Penley) Ltd. Wrexham Industrial Estate. Report No UES03411/08, United Environmental Services Ltd.
Ecological Compliance Audit - F Lloyd (Penley) Ltd. Wrexham Industrial Estate, Report No UES03411/08 United Environmental Services Ltd.
Drainage Report

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3. No development shall take place until a GCN 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:
- a) Implementation of appropriate GCN reasonable avoidance measures. We advise that further details and associated plans concerning GCN avoidance and mitigation measures are provided including, but not limited to: fence design, specifications and locations; considerations of access issues (including PROW if applicable); monitoring and maintenance requirements; and supervised removal. Submission to include proposed timescales and reporting requirements;
 - b) Submission of measures designed to prevent the accidental capture/killing of GCN during operational (and decommissioning) phases of the scheme (i.e., post-construction). This is essentially the installation and maintenance of an amphibian friendly surface water management system that does not include gully pots (or other similar features)
 - c) Details of timing, phasing and duration of construction activities and conservation measures
 - d) Timetable for implementation demonstrating that works are aligned with the proposed development
 - e) Persons responsible for implementing the works
 - f) Post-construction monitoring (if subsequently applicable)
- The measures above shall be carried out in accordance with the approved details.

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4. Prior to commencement of development, a lighting scheme be submitted to and approved in writing by the Local Planning Authority. This scheme shall consider existing and proposed lighting together with any spillage originating from internal locations. Details shall include:
- An assessment of lighting in respect of wildlife interests of the site, notably otters and water vole.
 - Details of the siting and type of any external lighting and internal light spillage during and post development. This shall include plans illustrating the location and type of lighting together with isolux drawings.
 - Details to demonstrate that light spillage will not affect wildlife sensitive areas.
 - Measures to monitor light spillage once development is operational (post-construction light monitoring)
- Lighting shall thereafter only be installed in accordance with the approved scheme.

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5. No development or phase of development, in a specific parcel of land known to be / suspected of contamination, shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority:
 1. A preliminary risk assessment which has identified (this is understood to already have been completed):
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

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6. Prior to the occupation or operation of the development or phase of development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long- term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.
7. If, during development, 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.
8. 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.

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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 91(3) of the Town and Country Planning Act, 1990.
3. To ensure adequate protection is afforded to those species affected by the development in accordance with Policies SP14 and NE1 of the Wrexham Local Development Plan.
4. To protect the wildlife and ecological interests of the site including protected species in accordance with Policies SP14 and NE1 of the Wrexham Local Development Plan.
5. To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development and to prevent unacceptable risks from contamination in accordance with Policy DM1 of the Wrexham Local Development Plan
6. To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation in accordance with Policy DM1 of the Wrexham Local Development Plan.
7. 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 Wrexham Local Development Plan.

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8. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.

Note(s) to applicant

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage:

https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties in that section include the following:

*** Notice of initiation of development**

Before beginning any development to which this planning permission relates, notice must be given to the Local Planning Authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The forms set out the details that must be given to the Local Planning Authority to comply with this duty.

*** Display of notice**

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details that the person carrying out development must display to comply with this duty.

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The person carrying out development must ensure that the notice is:

- a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- b) Legible and easily visible to the public without having to enter the site; and
- c) Printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

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.

Flood Risk Activity Permit

Please note that the Environmental Permitting Regulations (2016) would require the Applicant/Developer to obtain a bespoke Flood Risk Activity Permit for any works or structures located in, under, over or within 8 metres of the bank top of the Afon Clywedog, a designated "main river". Further advice and guidance is available on our website at:
<http://www.naturalresources.wales/permits-and-permissions/flood-risk-activities/flood-risk-activity-permits-information/?lang=en>

Due to the potential for contamination issues as a result of historical use (manufacture of explosives) of the land covering the majority of the Wrexham Industrial Estate, should any made ground be identified during the works it would be prudent to investigate the potential for such contamination and inform the Council's Contaminated Land Officer immediately. The applicant is advised to contact the Council's Contaminated Land Officer on 01978 298771 or 298333 for further guidance.

David Fitzsimon

***Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wreccsam
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](#)