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 Glandŵr Cymru

Reference P/2024/1180

Agent Mr James Dunn
National Waterways Museum, South Pier Road, Ellesmere Port, Cheshire, CH65 4FW

Date Received 01/07/2024

Decision Date 13/03/2025

Town and Country Planning Act, 1990

Location of Application

LAND BELOW PONTCYSYLLTE AQUEDUCT, PONTCYSYLLTE, LLANGOLLEN, WREXHAM, LL20 7TY

Description of Application

GWELLIANNAU I LWYBR TROED CYHOEDDUS O DAN DDYFRBONT PONTCYSYLLTE, YN CYNNWYS AIL-ALINIO LLWYBR TROED, GRISIAU A LANDIN NEWYDD, RHEILIAU A CHANLLAWIAU NEWYDD A THIRLUNIO

IMPROVEMENTS TO PUBLIC FOOTPATH BELOW PONTCYSYLLTE AQUEDUCT INCLUDING REALIGNED FOOTPATH, NEW STEPS AND LANDINGS, NEW RAILINGS AND HANDRAILS AND LANDSCAPING

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

National Policies and Technical Advice Notes (TAN):

TAN 12 : Design
TAN 23 : Economic Development
TAN 24 : The Historic Environment
TAN 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

BE1 - Pontcysyllte Aqueduct and Canal World Heritage Site
BE2 - Trevor Basin Masterplan Area
DM1 - Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE3 - Trees, Woodlands and Hedgerows
NE4 - Area of Outstanding Natural Beauty
NE6 - Waste Water Treatment and River Water Quality
SP12 - Design Principles & Masterplanning Framework

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SP13 - Health and Wellbeing
SP14 - Natural Environment
SP15 - Historic and Cultural Environment
SP19 - Green Infrastructure
SP2 - Location of Development
SP6 - Green Wedge
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	13/03/2025	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):
   - Site Plan – Drawing no: 10058635-AUK-XX-XX-DR-LA-0036-P1 dated June 2024;
   - Site Plan Rendered – Drawing no: 10058635-AUK-XX-XX-DR-LA-0035-P2 dated June 2024;
   - Location Plan – Drawing 10058635-AUK-XX-XX-DR-LA-0028-P2 dated June 2024;
   - Aerial Location Plan – Drawing no: 10058635-AUK-XX-XX-DR-LA-0029-P2 dated June 2024;
   - Section Elevations – Drawing 10058635-AUK-XX-XX-DR-LA-0018-P4 Sheets 1 to 3 dated June 2024;
   - Visualisation – Drawing no: 10058635-AUK-XX-XX-DR-LA-0016-P3 dated June 2024;
   - Long Section Elevation (Indicative) – Drawing no: 10058635-AUK-XX-XX-DR-LA-0017-P4 dated June 2024;
   - Surface Materials Colour Palette – Drawing no: 10058635-AUK-XX-XX-DR-LA-0026-P3 dated June 2024;
   - Drawing 10058635-AUK-XX-XX-DR-LA-0025-P2 dated April 2024;
   - Planning Statement by Arcadis dated May 2024;
   - Design and Access Statement by Arcadis dated June 2024;
   - Arboricultural Impact Assessment by Arcadis dated June 24;
   - Heritage Impact Statement;
   - Desk Based Assessment by Heneb project ref: PD24-069;
   - Landscape Statement by Arcadis dated May 2024;
   - Landscape Statement – Viewpoints 1-6;
   - Landscape Statement – Viewpoints 7-9;
   - Figure 1.5 – Site Visual Context and Viewpoint Locations – Drawing no: 10058635-AUK-XX-XX-DR-LA-0023-P1 Rev P01;
   - Phase 1 Habitat Map of the Trevor Basin Public Realm, Step Access and River Walk Site – Drawing no: 10058635-AUK-XX-XX-DR-ZZ-0049-P1 Rev P01;
   - Project Habitats Regulations Assessment version 1.0 dated 01/11/2024;

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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- Preliminary Ecological Appraisal ref: 10058635-AUK-XX-XX-RP-ZZ-0050-01 Revision V1 dated March 2024;
- Ecological Impact Assessment ref: 10018635-AUK-XX-XX-RP-ZZ-0002-P1 Revision V1, dated November 2024.

3. Notwithstanding the submitted information, a schedule of the proposed materials and corresponding samples shall be submitted to the Local Planning Authority for approval prior to their first use/installation on site. The samples shall be made available on site to be viewed by the Council's Conservation Officer.

   The works shall thereafter only be carried out in strict accordance with such details as are approved.

4. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecological Impact Assessment by Arcadis ref: 10018635-AUK-XX-XX-RP-ZZ-0002-P1 Rev V1 dated November 2024. The mitigation and enhancement measures hereby approved and contained within section 4 of the report shall be fully implemented prior to first use of the development.

5. Should any permanent lighting be proposed, or if it is expected that night time working will be required, a lighting plan shall be submitted to and approved by the Local Planning Authority prior to its installation. The Lighting Plan should include:
   • Details of the siting and type of external lighting to be used;
   • Drawings setting out light spillage in key sensitive areas (with no lighting near potential bat roosts);
   • Details of lighting to be used both during construction and/or operation.

   The development shall thereafter be carried out in accordance with the approved scheme.

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6. Notwithstanding the submitted information, no development shall take place until an 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 Method Statement as is approved. The Method Statement shall include the following:

(1) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
(2) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground
protection measures accurately plotted;
(3) 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;
(4) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
(5) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
(6) Method for protecting retained trees during demolition works;
(7) Details of all proposed tree works, including felling and pruning.

7. The development hereby permitted shall not be first used until the measures to deliver net benefit for biodiversity (NBB) as outlined in Section 4.7 of the Ecological Impact Assessment ref: 10018635-AUK-XX-XX-RP-ZZ-0002-P1 Revision V1, dated November 2024 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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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8. The development hereby permitted shall be carried out in accordance with the details within the Project Habitats Regulations Assessment version 1.0 dated 01/11/2024.

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 the works reflect the character and appearance of the World Heritage Site in accordance with Policies DM1 and SP15 of the Wrexham Local Development Plan.

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

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

6. To preserve the health, safety and amenity value of the tree(s) in accordance with Policies DM1, SP12, SP14 and NE3 of the Wrexham Local Development Plan.

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

8. In order to ensure the protection of species and habitats within the site and within close proximity of the site, having regard to Policy SP14 of the Wrexham Local Development Plan.

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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Note(s) to applicant

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.

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.

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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 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.

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