The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 22/01/21

gan A L McCooey, BA (Hons) MSc MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 15th February 2021

Appeal Decision

Site visit made on 22/01/21

by A L McCooey, BA (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 15th February 2021

Appeal Ref: APP/H6955/A/19/3238474

Site address: Land North of Gatewen Road, New Broughton, Wrexham

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Glyndwr University against the decision of Wrexham County Borough Council.
- The application Ref: P/2018/0674 dated 12 June 2018, was refused by notice dated 1 July 2019.
- The development proposed is a residential development, of up to 112 Dwellings together with vehicular / pedestrian access from Gatewen Road, open space, landscaping, sustainable drainage and other related infrastructure.

Decision

1. The appeal is allowed and planning permission is granted for residential development, up to 112 dwellings together with vehicular / pedestrian access from Gatewen Road, open space, landscaping, sustainable drainage and other related infrastructure at Land North of Gatewen Road, New Broughton, Wrexham in accordance with the terms of the application, Ref: P/2018/0674 dated 12 June 2018, subject to the conditions set out in the attached Annex.

Application for costs

2. An application for costs was made by Glyndwr University against Wrexham County Borough Council. This application is the subject of a separate Decision.

Background and Procedural Matters

3. The validity of the application was challenged by interested parties on the basis that the land ownership certificate submitted with the application was incorrect. The Council has confirmed that this error was rectified, and corrected ownership certificates were submitted prior to the application being determined. The accuracy of this information has been verified by the Inspectorate and the appeal has been accepted as valid. I therefore proceed on the basis that there is a valid appeal.

4. The appellant has set out the background to the proposal and the information provided is summarised in this paragraph. The application is part of a package of developments aimed at providing sufficient income for investment in improvements for the university. The cash reserves have become depleted in recent years and additional income is urgently required. The university has considered its existing estate and identified surplus land that could yield capital receipts to fund improvements. This would secure the university's future which would provide major economic benefits to the region and Wrexham itself. The income will enable the re-modelling of the main campus and the provision of additional student accommodation. The release of surplus land for housing will assist in meeting the urgent housing need in Wrexham.

5. The application was reported to the Planning Committee with a recommendation from officers that planning permission should be granted. Upon a vote members resolved to refuse planning permission for two reasons. These reasons are comprised in the main issues below.

Main Issues

6. The main issues are:

   - Whether the development complies with relevant planning policy, especially in relation to its effect upon the purposes and openness of a Green Barrier and whether any resultant conflict would be clearly outweighed by very exceptional circumstances; and

   - The effect of the proposal on traffic flow on the highway network and on highway safety.

Reasons

The Site

7. The application site extends to 4.743 hectares (11.7 acres) and is situated to the north of Gatewen Road. The site is roughly triangular. The site was used for grazing by horses but was unused at the time of my visit. It does not form part of a wider agricultural holding and exists as a pocket of grazing land, which is located on the edge of a settlement. To the north and east is a large residential development (Gatewen Village) which has recently been completed. To the west is an existing area of public open space and beyond this, the urban edge of New Broughton. To the south is Gatewen Road and beyond this, an established residential area. Topographically, the site is undulating, with various high and low points across the site. There are no formal public rights of way which cross the site. Adjoining the eastern site boundary there is a disused railway line, which provides a good quality walking and cycling route that continues past Wrexham Maelor Hospital to the town centre.

8. The surrounding area is primarily residential or public open space. Moss Valley Country Park is beyond the newly constructed residential development site to the north and east. The main access route to the site is from junction 5 of the A483 via Berse Road and Gatewen Road. There are several roundabouts on Berse Road.

Planning Policy and Guidance

9. The site is outside the development limit in the extant Wrexham Unitary Development Plan 1996-2011 (UDP), which despite being 10 years beyond its end date remains the adopted plan. A replacement Local Development Plan (LDP) has been the subject of an examination that is nearing completion.

10. UDP Policy PS1 states that new development for housing will be directed to within defined settlement limits. Policy H5 states that new dwellings will only be permitted outside settlement limits in certain circumstances. The proposal does not meet any of those circumstances. The appeal site is within a green barrier in the UDP. It is agreed that a Green Barrier equates to a green wedge as referred to in Planning Policy Wales. Policy EC1 states that within Green Barriers, development will only be granted planning permission if it is for agriculture, forestry, essential facilities for outdoor sport and recreation, cemeteries and other uses of land which maintain the openness of the Green Barrier and do not conflict with the purpose of including land within it. The purposes of a Green Barrier are set out as: i) to prevent the coalescence of urban areas and villages with other settlements; ii) to assist in safeguarding the countryside from encroachment; iii) to protect the setting of urban areas and villages; and iv) to assist in urban regeneration by encouraging the recycling of derelict and other urban land. These purposes align with the purposes of Green Wedges as set out in Planning Policy Wales[1]. The proposal would be inappropriate development as defined in Planning Policy Wales and envisaged in Policy EC1. National policy states that inappropriate development should only be granted planning permission in very exceptional circumstances where other considerations clearly outweigh the harm caused to a green wedge.

11. Planning Policy Wales 10 sets out relevant national policy on housing delivery[2], consistent with its primary objective, which is to ensure that the planning system contributes towards the delivery of sustainable development. Paragraph 4.2.1 sets out the basis for evidence-based housing policies in LDPs and informed development management decisions that focus on the creation and enhancement of sustainable places. Paragraph 4.2.2 states that the planning system must identify a supply of land to support the delivery of the housing requirement and focus on the delivery of the identified housing requirement. Paragraph 4.2.5 states that Local Planning Authorities must clearly set out the housing requirement in their development plan. The supply of land must be deliverable and the ability to deliver must be demonstrated through a housing trajectory.

Compliance with Policy, Character and Appearance and the Green Barrier

12. As the proposal would be contrary to Policies PS1, H5 and EC1, the very exceptional circumstances that have been advanced must be considered. The evidence from the Council shows that there has been a consistent under-delivery of housing since the UDP end date. The Council proposes to address this considerable shortfall by means of housing allocations in the LDP. The weight to be attributed to an emerging LDP will depend on the stage it has reached, recognising however that it does not simply increase as the plan progresses. Specifically, in considering what weight to give to its policies, it is necessary to examine the underlying evidence and background to the policies, which can be material. Preparatory studies have determined the housing requirement in the light of the evidence of need and past under-delivery. The LDP has identified sufficient land to meet that housing requirement. In so doing the Council recognised that land that is currently outside settlement limits must be identified for development and that the majority of that land is within green barriers. I note that the LDP process included the preparation of a Green Barrier review, resulting in the selection of suitable sites to meet the identified housing need within the Green Barrier. The Council's evidence for this appeal does not resile from that position. The Council merely states that the LDP Inspectors have not issued their binding report and the

[1] The relevant paragraphs are 3.60 to 3.74
[2] Which has been revised following the revocation of Technical Advice Note 1 in March 2020

proposed changes to the Green Barrier should therefore be afforded limited weight in the determination of this appeal.

13. The appeal site is a housing allocation in the LDP. The site is currently open land with public open space to the west (which would remain). Since the completion of the Gatewen village development to the north and east, the site and adjoining open space are almost completely surrounded by the built-up area. The development of the site would not therefore result in any coalescence of New Broughton with other settlements. The site is well-contained by the existing built form and constitutes a logical extension to the settlement, which is why it is a housing allocation in the LDP.

14. The site is in a sustainable location close to local services including shops and a school. There is a frequent bus service with bus stops nearby. There is also a good network of public footpaths in the area. There is a cycleway/footpath on a disused railway line that runs from the site into the centre of Wrexham via the hospital. Planning Policy Wales encourages the use of walking, cycling and public transport as an alternative to the car and the Welsh Government is committed to supporting a modal shift to active travel and public transport. This prioritisation of walking/cycling and public transport is set out in the sustainable transport hierarchy, which must be a key principle in the preparation of development plans. This is also relevant to the traffic issue that is considered below.

15. The proposed development would provide up to 112 dwellings; of which 25% would be affordable in line with the Council's policy and guidance. There is no evidence of any impediment to the deliverability of the development. The proposal would make a significant contribution to meeting the Council's housing requirement and addressing the shortfall in supply that has persisted for some years. This factor should be given substantial weight. The site is allocated for housing in the emerging LDP, after a series of studies considering the options to accommodate the identified housing requirement. It is well-contained by the existing built form and as such would not erode the Green Barrier. I consider that the substantial benefits of the proposal in terms of its contribution to housing supply and affordable housing; its sustainable location with good walking/cycling links and public transport provision; and the fact that it is allocated in the LDP weigh heavily in favour of the proposal. All these factors combined constitute the very exceptional circumstances required to clearly outweigh the harm to the Green Barrier and the conflict with Policies EC1, PS1 and H5.

Effect on Traffic Flow

16. Planning permission was refused due to alleged conflict with criterion (d) of UDP Policy GDP1 which requires safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality. I have had regard to the comments of the Highway Authority, which were provided. The application was accompanied by a transport assessment, which was reviewed by the Highway Authority. The queries arising were answered in a Highways Addendum document. I note that the appellant has also provided further comment on the reasons for refusal; an independent audit of the appellant's transport evidence to the LDP and an independent report on road safety at the proposed access. The Council has not raised any concern with the modelling used as the basis of these reports. I note the objectors' concerns in this regard but I am satisfied that the assessments and surveys were carried out using recognised and accepted methodology and provide sufficient information to understand the potential highway impacts of the proposed development. The evidence also shows that the other proposed developments (including the appellant's other developments) have been included in the assessments.

17. The Council's concerns related to queuing issues during the morning and evening peak hour at the junction of Gatewen Road with Berse Road and the roundabout to the east where Berse Road meets Rhyd Broughton Lane. A short distance to the north from there is another roundabout where Berse Road meets Mold Road, which is one of the main approaches to Wrexham town centre from the adjoining junction 5 of the A483. The appellant's worst-case scenario (without mitigation[3]) indicates that background traffic growth plus the development would increase queuing times at the relevant junctions to between 1 and 4 minutes at peak times from now to 2035. The appellant disputes the use of 2035 as a future year because it post-dates the plan period and forecast accuracy decreases over such a long period. However, it is accepted that additional congestion will potentially occur.

18. The congestion and junctions referred to are within Wrexham town, a location favoured for growth in both the UDP and LDP[4]. The Council and objectors refer to significant queuing occurring at these junctions at the moment. It is important to note that the congestion is an existing issue and is restricted to relatively short periods of the day. There is an issue with congestion on the wider network especially the A483junctions. The peak time queuing on the network leading to the appeal site appears to relate to congestion on the approach to the A483 and A541 Mold Road. Welsh Government has consulted on proposed improvements to the A483 junctions that would address the existing problems[5]. The traffic arising from the development would represent around 3-4% of all traffic. This traffic would have a relatively minor impact on the operation of the relevant junctions compared to the forecast overall growth.

19. I refer to the national policy on restricting car use above. The Highway Authority has not considered any alternative modes of transport. It is not the function of the planning system to ensure that the convenience of the private car user is safeguarded from congestion, especially existing congestion. There is no evidence of any impact on highway safety caused by queuing. My site visit coincided with the morning peak and I noted little congestion at the specified junctions. Taking all these matters into account, I conclude that the issue of congestion and queuing is an existing problem that would not be significantly affected by the proposal and it would not justify the refusal of planning permission in this case.

Highway Safety

20. Gatewen Road is subject to a 30mph limit and is heavily traffic-calmed. Car parking outside the terrace dwellings opposite the appeal site restricts the carriageway width and forces traffic to have to occasionally wait for a clear path. The accident statistics reveal no significant highway safety issues on this part of the road. I observed that traffic flows were relatively light. The traffic calming measures provide safe crossing opportunities for pedestrians. The proposed access can be provided with the required visibility splays within the existing highway verge. The trees to the east are subject to a Tree Preservation Order (TPO). From my observations, it appears that the provision of the splays would not affect the continued viability of the trees.

21. The proposed access would be opposite an existing junction with New Road. New Road is lightly trafficked because it is in a poor state of repair and is not therefore an attractive route for through traffic. Other routes are available. I consider that any

[3] Mitigation such as increased active travel and public transport use
[4] And in the emerging Future Wales
[5] Including active travel improvements

vehicular conflict between traffic from the appeal site and that using New Road would be very low. Despite the highway officers querying these issues, the Council has carefully assessed the access and has not included them in the reasons for refusal. The Council's evidence confirms that these reasons reflect the decision of the Committee Members. I also conclude that the proposed access would be acceptable in terms of highway safety.

Other Material Considerations

22. The site is not currently in agricultural use. It contains Best and Most Versatile (BMV) agricultural land. UDP Policy EC2 safeguards BMV land from irreversible development resulting in the loss of that land. The proposal would therefore conflict with Policy EC2. In contrast Planning Policy Wales states that such land should be conserved as a finite resource for the future and should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable. As noted above, the emerging LDP provides for the release of greenfield sites to meet the identified housing requirement. The land around the urban fringes of Wrexham is largely BMV land. All of the LDP housing allocations located outside of the UDP settlement limits contain some BMV agricultural land. Therefore, the allocation of the site has been undertaken within the context of a substantial evidence base that indicates that the housing requirement cannot be met without the loss of some BMV land. The benefits of the development as set out earlier and the sequential approach set out in Planning Policy Wales, means that the loss of BMV land contrary to Policy EC2 is justified in the particular circumstances of this case.

23. The application was submitted in outline with all matters reserved except for access to the site. The submitted scale parameters indicate that single and two storey housing is proposed. An indicative layout plan has been submitted, which is not binding. From my inspection of the site, I consider that the site can be developed without detriment to the living conditions of the occupiers of nearby dwellings. These issues can be considered in the reserved matters applications where details of the design and layout of the proposal must be submitted for approval prior to any development taking place. Any disturbance caused as a result of the construction of the dwellings would be temporary and could be controlled by planning conditions.

24. Whilst there may be constraints in providing a footway along Gatewen Road to the east of the access, there are ample opportunities for pedestrian links to the existing footpath along the eastern boundary and to the adjoining recreation ground.

25. Objectors refer to problems with the drainage facilities in the area. Dŵr Cymru has confirmed that no problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from the site. There is insufficient capacity in the local foul sewer at the nearest sewer connection point. A connection to the mains sewer would be permitted at another appropriate position (the location of this is stipulated). Alternatively, a hydraulic modelling assessment may demonstrate that another location would be suitable. This is a matter for the developer that can be required by a suitable condition.

26. Dŵr Cymru also states that no surface water shall be permitted to enter the public sewer system. This matter can be addressed by conditions on any consent. The submitted flood consequences assessment indicates that the risk of flooding is low (site lies entirely within zone A), and the site is not in a floodplain or known area of flooding. A surface water drainage strategy is provided indicating the various measures that can be used to provide a Sustainable Drainage System (SuDS). I note

that the development will require separate SuDS approval from the SuDS Approving Body (SAB). The consultation replies from the SAB has not indicated any insurmountable issues and as the design and layout of the Scheme has not been finalised then the SuDS requirements can be incorporated into the final design. Planning conditions requiring the approval of surface water drainage arrangements would not therefore be necessary.

27. The submitted heritage impact statement indicates that there would be no significant impact on the setting of the nearby Gatewen Hall (a listed building) or on archaeological remains. The Clwyd-Powys Archaeological Trust agrees with this assessment. I conclude that the proposed development would have no significant impact on heritage assets. The Council's evidence indicates that the impact on ecology would be acceptable. Natural Resources Wales had no objection to the proposal and indicated that the updated Ecological appraisal and Protected Species Report satisfactorily addresses outstanding issues in respect of bats. As noted above, trees within and adjacent to the site are the subject of a TPO. I note the submitted arboricultural assessment and method statement and consider that the retention and protection of trees as part of the Scheme can be required by conditions and have seen no convincing evidence to the contrary.

28. Objectors refer to issues with capacity at local schools and potential problems with further expansion of those schools. The Council has indicated that further spaces at local primary schools would be required as a result of the additional dwellings. The Council considers that a suitable contribution to provide further spaces can be secured by a Unilateral Undertaking, which I discuss further below. There is no indication from the relevant authorities that expansion of local schools would be impractical. Objectors also refer to issues with capacity at local medical facilities. No evidence to substantiate those concerns has been provided and this is not a reason for refusal of planning permission. The loss of views and any effect on property values would not justify the refusal of planning permission. The site is in private ownership and there is no loss of public open space. I note that the Local Planning Authority require open space and landscaped areas to be provided as part of the conditions on any planning permission. The management of communal areas, etc. would be addressed by a planning obligation.

Conditions and Unilateral Undertaking

29. The appellant has submitted a Unilateral Undertaking, under Section 106 of the Town and Country Planning Act 1990, for financial contributions towards spaces at local primary schools, mechanisms to ensure the management of communal areas and on-site public open space and to deliver affordable housing as required. The Council has confirmed the submitted undertaking meets the necessary statutory and policy requirements and that it should, therefore, be attributed due weight in the determination of the appeal. I consider that the submitted obligations are necessary, are related to the proposed development in scale and kind. The undertaking therefore meets the appropriate legal tests set out in Section 122(2) of the Community Infrastructure Levy Regulations 2010 and the policy tests in Circular 13/97. Accordingly, the Section 106 obligations should be afforded considerable weight in the determination of the appeal.

30. I have considered the suggested conditions and, having had regard to the advice in Welsh Government Circular 16/2014: *The Use of Planning Conditions for Development Management* (October 2014), have adjusted their wording in the interest of clarity and precision. Whilst not set out as a condition, the developer must comply with the duties outlined in section 71ZB of the Town and Country Planning Act 1990.

Overall Planning Balance and Conclusions

31. Based on the foregoing analysis, I have found that the development would run counter to adopted development plan policies designed to protect the countryside and would be contrary to Policy EC1 in relation to Green Barriers. However, the harm to the Green Barrier and the wider countryside and landscape setting would be clearly outweighed by the very exceptional circumstances described above. Furthermore, whilst the development would result in the loss of BMV agricultural land, such harm and associated policy conflict would be justified in light of the provisions of PPW and the particular circumstances of this case. The proposal would not be detrimental to highway or pedestrian safety. For the reasons given, I find that the issues of congestion and queuing raised in this case would not justify the refusal of planning permission. I have considered all the other matters raised and I judge that they would not when taken individually or together represent grounds to dismiss this appeal. I therefore conclude that the appeal should be allowed, subject to the conditions set out in the Annex below. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' revised well-being objectives to build healthier, more resilient communities and environments.

A L McCooey

Inspector

Annex to decision APP/H6955/A/19/3238474

Conditions

1) Details of the appearance, landscaping, layout and scale of the development (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before development is commenced and shall be carried out as approved.

   REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

2) Plans and particulars of the reserved matters referred to in Condition 1) above, relating to the appearance, landscaping, layout and scale of the development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

   REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3) Any application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission.

   REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4) The development hereby permitted shall begin either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

   REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

5) The development hereby approved shall be limited to a maximum of 112 dwellings.

   REASON: To define the terms of the planning permission and to ensure that the development has been assessed adequately in terms of the impact upon the local highway infrastructure. This will accord with the requirements of policies GDP1 and T8.

6) Before the commencement of the development the access shall be completed in accordance with the details shown in drawing no. DWG-2627-401 Rev C and retained for as long as the development remains in existence.

   REASON: To define the terms of the planning permission and in the interests of highway safety to ensure compliance with policy GDP1 of the Wrexham Unitary Development Plan

7) Prior to first use the vehicular access shall provide for visibility splays of 2.4 metres x 43 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

   REASON: In the interests of highway safety to ensure compliance with policy GDP1 of the Wrexham Unitary Development Plan

8) All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday.

REASON: To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

9) 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.

REASON: In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan

10) Prior to the first occupation of the development hereby approved, a footway shall be provided along the site frontage from a point west of the vehicular access in accordance with details which have been submitted to and approved in writing by the local planning authority.

REASON: In the interests of pedestrian safety to ensure compliance with policy GDP1 of the Wrexham Unitary Development Plan

11) 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, 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) Details of all proposed tree works, including felling and pruning.

REASON: To ensure the work is carried out in line with accepted arboricultural practices for the long-term wellbeing of the trees in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

12) No part of the development shall commence until full details for the arboricultural supervision of tree protection measures and any ground works within retained tree(s) Root Protection Areas, as specified by BS5837:2012 or as shown on a Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The supervisory works shall be carried out in strict accordance with the details as approved.

REASON: To ensure the work is carried out in line with accepted arboricultural practices for the long-term wellbeing of the trees in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

13) 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 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.

REASON: In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

14) Each part of the site subject to the remediation under the scheme(s) approved as part of condition 13 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.

REASON: In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

15) No part of the development shall commence until a sewerage scheme to satisfactorily accommodate the foul water discharges from the development has been submitted to and approved in writing by the local planning authority. The scheme shall include details of and be informed by a Hydraulic Assessment. No part of the development shall be occupied until the foul water system has been fully implemented and brought into use in accordance with the approved scheme.

REASON: To ensure that the development does not cause a detrimental overload to the public sewerage system in compliance with policy GDP1 of the Wrexham Unitary Development Plan.

16) The landscaping and layout reserved matters to be submitted for the approved development pursuant to the requirements of condition 1 above shall include a scheme for all areas of open space and green space to be provided within the development site, including public amenity space and equipped children's play areas. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the dwellings.

REASON: In the interests of providing for a high standard of development for the future amenity of the occupiers of the site in accordance with policies GDP1 and CLF4 of the Wrexham Unitary Development Plan.

Note:

Prior to development taking place and throughout the course of development 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.