

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



Applicant MR DEREK DAVIES

Reference P/2022/0411

Agent BLUEPRINT LTD
DAFYDD EDWARDS
Office 34K
Redwither Tower
Wrexham Industrial
Estate
Wrexham
LL13 9XT

Date Received 27/04/2022

Decision Date 07/02/2025

Town and Country Planning Act, 1990

Location of Application

LAND NEXT TO UNIT 33 ABENBURY WAY WREXHAM INDUSTRIAL ESTATE
WREXHAM LL13 9UZ

Description of Application

ADEILADU UNED DDIWYDIANNOL / ERECTION OF INDUSTRIAL UNIT

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

National Policies and Technical Advice Notes (TAN):

TAN 11 : Noise

TAN 12 : Design

TAN 18 : Transport

TAN 23 : Economic Development

TAN 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations

EM1 - Protection of Existing Employment Land

NE3 - Trees, Woodlands and Hedgerows

NE6 - Waste Water Treatment and River Water Quality

SP8 - Economic Growth, Employment and Enterprise

SP9 - Wrexham Industrial Estate

SP12 - Design Principles & Masterplanning Framework

SP19 - Green Infrastructure

SP2 - Location of Development

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T1 - Managing Transport Impacts

T2 - Active Travel

Revision	Date	Description of Decision
0	07/02/2025	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.
2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
D122/004 Rev C - Proposed floor plans and elevations
D122/005 Rev E - Proposed site and location plan
Received by the Local Planning Department on the 10.12.2024
3. The external surfaces of the building(s) shall be constructed of the materials specified on D122/004 Rev C - proposed floor plans and elevations.
4. 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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5. No development shall take place until a Great Crested Newt (GCN) Reasonable Avoidance Measures scheme has been submitted to and approved in writing by the Local Planning Authority. The Reasonable Avoidance Measures (RAMs) shall include, but not necessarily be limited to:
- further details and associated plans concerning GCN avoidance and mitigation measures including, but not limited to, one-way GCN fence design and locations (prior to and throughout the duration of any work).

The Reasonable Avoidance Measures scheme shall be carried out in accordance with the approved details.

6. No development or phase of development, with the potential to impact on invasive species, shall commence until a Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The Risk Assessment must include:
- i. appropriate measures to control any INNS on site;
 - ii. measures or actions that aim to prevent INNS from being introduced to the site for the duration of construction and operational phases of the scheme.

The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

7. The vehicular parking and turning areas as shown on the plans(s) numbered D122/005 Rev E shall be fully laid out, surfaced and drained prior to first use of the development. This area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of vehicles at all times.

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8. 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.
9. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 8 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.
10. Prior to first use of the development on-site bicycle parking facilities shall be provided in strict accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of bicycles.

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11. No surface water from any increase in the roof area of the building / or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.
12. 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 (or any Guidance revoking or re-enacting that Guidance with or without modification).

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 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.
4. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
5. To ensure that an approved GCN Reasonable Avoidance Measures scheme is implemented, which protects GCN affected by the development and to ensure the development accords with Policy NE1 of the Wrexham Local Development Plan.

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6. To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the site and to ensure the development accords with Policy NE1 of the Wrexham Local Development Plan.
7. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies DM1 and T1 of the Wrexham Local Development Plan
8. To ensure that the risks to the future occupants/users of the site and to the local environment associated with contamination at the site have been assessed and, where necessary, appropriately remediated, in accordance with Policy DM1 of the Wrexham Local Development Plan and paragraph 6.9.17 of PPW12.
9. To ensure that the risks to the future occupants/users of the site and to the local environment associated with contamination at the site have been assessed and, where necessary, appropriately remediated, in accordance with Policy DM1 of the Wrexham Local Development Plan and paragraph 6.9.17 of PPW12.
10. To assist occupiers/users of the development to make sustainable transport choices in accordance with Policy DM1 of the Wrexham Local Development Plan.
11. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
12. 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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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

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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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.

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.

The applicant is advised that some public sewers and lateral drains may not be recorded on our maps; some sewers were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

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The applicant may also need to apply to Dwr Cymru/Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is not a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Development Services pages of www.dwrcymru.com

Further advice on compliance with condition no. @@ may be obtained by contacting the Council's Contaminated Land Officer on 01978 298771 or 297773. Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Contaminated Land Officer prior to commencement of works on site.

David Fitzsimon

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