

Report of the Chief Officer Economy and Planning

Application Reference

P/2023/0384

Applicant

McDonalds Restaurants Ltd.

Agent

PLANWARE LTD MR MATTHEW CARPENTER

Site Address

LAND AT ARGOS CAR PARK PLAS COCH RETAIL PARK PLAS COCH ROAD
WREXHAM LL11 2BW

Description of Development

ERECTION OF A FREESTANDING RESTAURANT WITH DRIVE THRU FACILITY, CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS

Ward

Grosvenor

Community

Rhosddu

Recommendation

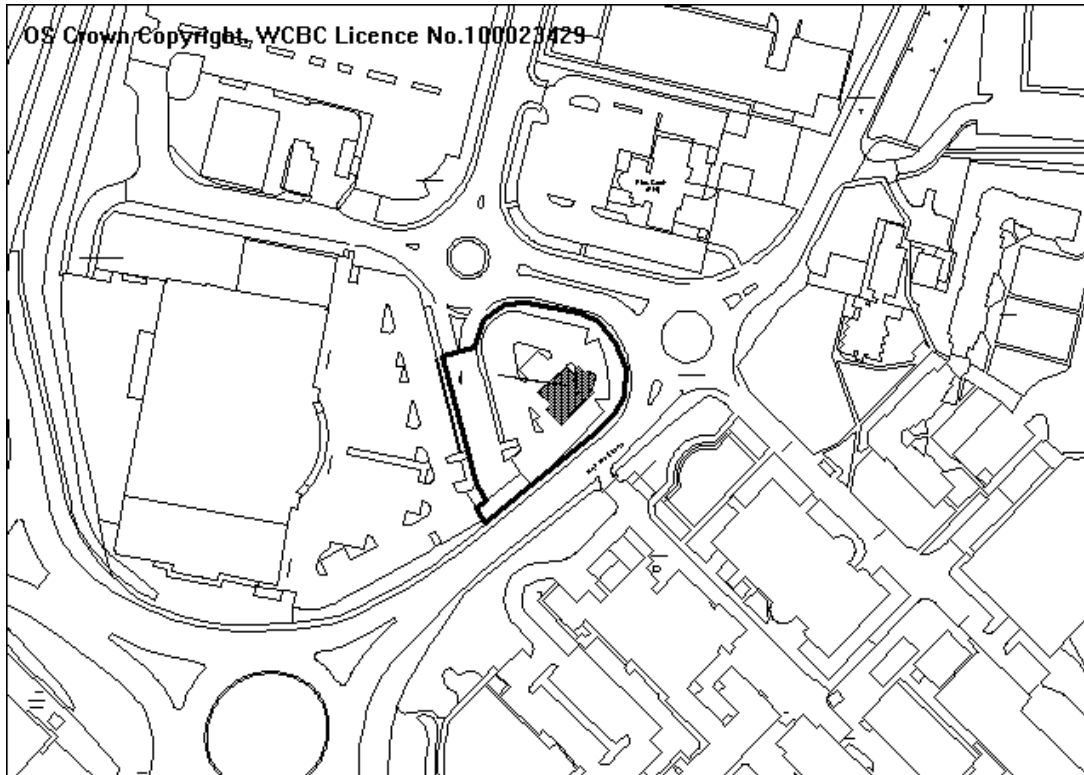
Grant

Officer Report

Site Description

Car park area at the Plas Coch Retail Park. The car park serves the whole of the retail area, but is most closely associated with The Range, Farmfoods and Iceland.

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Proposal

This application seeks full planning permission for the erection of a freestanding restaurant with drive thru facility within park of the existing Plas Coch Retail Park car park.

Site History

P/2018/0671 Construction of 410 x 1 and 2 bed apartments, Plas Coch Road, Wrexham - Granted on 7 May 2020

P/2018/0672 Erection of 197 Student Apartments, Crispin Lane, Wrexham - Granted on 1 July 2019

P/2018/0357 Extension to Plas Coch Public House (24 Bed Lodge), Plas Coch Retail Park, Wrexham - Granted on 3 September 2018

P/2018/0384 Drive Thru Coffee Shop, Plas Coch Retail Park, Plas Coch, Wrexham - Granted on 01 October 2018

P/2019/0923 Proposed 450 new dwellings on Land off Mold Road (The Circus Field) Stansty, Wrexham – Granted on 08/01/2024

P/2021/0094 Application for Approval of Reserved Matters Pursuant to Outline Planning Permission P/2018/0671 – Granted on 30 April 2021

P/2019/0916 Argos Car Park - 1 No. Free Standing Totem Sign - Refused on 07/06/2021 Appeal Dismissed on 16/01/2022

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P/2019/0917 Argos Car Park - 9 No. Internally Illuminated Signs - Refused on 07/06/2021

P/2019/0918 Argos Car Park - 4 No. Freestanding Signs, 1 Digital Booth Screen, 1 No. Banner Sign and 16 No. Dot Signs - Refused on 07/06/2021

P/2019/0919 Argos Car Park - Erection of Free Standing Restaurant With Drive Thru Facility, Car Parking, Landscaping And Associated Works Including Customer Order Displays - Refused on 07/06/2021. Appeal (Ref: CAS-01515-G4Y1D3) Dismissed on 16/01/2022

P/2022/0251 Unit H Plas Coch Retail Park - Removal of Conditions 4 And 5 (Use Restriction) of Planning Permission P/2006/1144 – Granted 29/06/2022

P/2022/1009 Unit H Plas Coch Retail Park - Installation of New Shopfront, New Cladding to All Elevations, Erection of Rear Loading Bay, External Plant And Trolley Bays (M&S) – Granted 20/01/2023

P/2023/0381 Argos Car Park - Advertisement Consent For Illuminated 5 No Fascia Signs And 1 No Digital Booth Screen. Decision Pending

P/2023/0382 Argos Car Park - Advertisement Consent For Illuminated 5 No Fascia Signs And 1 No Digital Booth Screen. Decision Pending

P/2023/0383 Argos Car Park - Advertisement Consent For Various Site Signage (Illuminated And Non-Illuminated) Including 4 No. Freestanding Signs, 1 No. Banner Unit And 16 No. Dot Signs Comprising 2 No. Accessible Bays, 3no. Parked Order Bays, 1 No. No Entry, 4 No. Pedestrian Crossing, 2 No. Give Way, 4 No. Look Both Ways. Decision Pending

P/2023/0867 Unit H Plas Coch Retail Park - Variation Of Condition 3 (Food Retail Floor space) of Planning Permission P/2022/0251 – Granted 28/02/2024

P/2023/0868 Units B, D And H Plas Coch Retail Park - Variation Of Condition 12 (Food Retail Floorspace) of Planning Permission P/2022/0252 – Granted 28/02/2024

Development Plan

Within defined settlement limit. A number of trees within and close to the site are protected by Tree Preservation Order (TPOs WCBC nos. 69 and 264). Policies SP2, SP7, SP12, SP14, SP15, DM1, NE1, NE3, NE6 and T1 of the Wrexham LDP apply. Local Planning Guidance Note (LPGN) Nos. 9 'Hot Food Take-Aways', 16 'Parking Standards' and 17 'Trees and Development' are also relevant.

Consultation Responses

Community Council

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Object on the following grounds:

- Loss of parking. The former Argos store could be occupied by a food store which would require greater parking levels than Argos did;
- M&S have taken over the former Everlast Gym at the retail park and there has been an increase in traffic. The original parking surveys won't have accounted for this;
- Previous traffic surveys were taken during Covid restrictions. More up to date surveys should be taken between 8 am and 10 and 2pm and 6pm on school days;
- 90 homes are being built off the Plas Coch Road which weren't there when the previous application was submitted. These were not included in the traffic surveys; and
- The site is shown as a 'Habitat Network' on the Natural Resource Wales Data set.

Adj. Community Council

Consulted on 28/09/2023. No response received.

Local Member

Notified on 28/09/2023. No response received.

Adj. Local Member

Notified on 28/09/2023. No response received.

WG Trunk Road

No directions issued.

Highway Officer

Raises no objection subject to conditions being imposed to secure the following:

- controlled crossing;
- a safety barrier at the ramped access between the public highway and restaurant;
- an updated Construction Traffic Management Plan;
- a road Safety Audit, and
- a staff Travel Plan.

No further comments to make after reviewing the additional supporting information submitted by the applicants following deferral of the application.

Contaminated Land Officer

Phase 1 Desk Study & Phase 2 Geo-environmental Site Investigation has been reviewed and no concerns raised.

Public Protection Officer

Raises no objection. Recommend conditions to limit noise generation from air handling plant and to secure details of the means for extraction and dispersal of

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cooking odour and the installation of a grease trap. Advisory notes limiting construction activities and dust management are also required.

Welsh Water

Raised no objection. Welsh Water has confirmed that Five Fords Waste Water Treatment Works has:

- Capacity to treat additional wastewater from the proposed development within revised environmental permit limits; and
- That the sewer network and WwTW has the hydraulic capacity to accommodate additional wastewater without contributing to an increase in frequency or duration of storm overflows.

NRW

Notes that the application is within the catchment of the River Dee and Bala Lake SAC and therefore advises that consideration be given to whether the proposals, as submitted, would increase the volume of foul discharge from the site in planning terms.

Notes the submission of the Phase I Desk Study and Phase II Geo-Environmental Investigation by Pam Brown Associates and advises that the controlled waters at this site are not of the highest environmental sensitivity.

Ecology Officer

Raises no objection. Notes that the proposed development would result the removal of a significant Sycamore tree and advises that a minimum of 3 replacement trees are required. Advises that the submitted plans proposed a single small ornamental tree which has less value for nature conservation.

Advises that the proposed landscaping scheme is limited and offers little net biodiversity gain (NBB). Welsh Government Planning Policy Wales and subsequent letter to LPAs requires development to provide a net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped.

Tree Officer

Raises no objection. Advises that to mitigate the loss of the sycamore tree and to achieve the net benefit in biodiversity, an improved and more sustainable landscape scheme is required. Advises that a larger species of tree to replace the sycamore, and improved specification for the load-bearing planting pit should be secured by planning condition.

Neighbours

2 representations received and reported in Committee Report of 4 May 2024 expressing the following concerns:

- Fast Food access 342 metres away from a School;
- There is already a McDonalds restaurant 0.7 miles away and another drive thru 7.31 mile away, which has easy access in comparison;
- Traffic flow is well over acceptable levels of which residents can tolerate;

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- More pollution caused by the extra traffic on an overloaded road in a residential area;
- A vehicle would need to navigate around 4 roundabouts to access the drive-through from the bypass and 4 returning;
- Extra Noise pollution over 24 hour opening in a residential area;
- Extra litter from vehicles caused by such establishments;
- Rat population has increased dramatically after nearby housing development which will increase more so from this particular establishment;
- Over development of this area affects wildlife as well as people and utilities; and
- No real valid positives from this proposal other than minimal employment.

4 additional representations reported in Addendum Report of 4 May 2024 objecting to the application and raising the following concerns:

- Anti-social behaviour
- Litter
- Proximity to a primary school;
- Traffic congestion;
- Impact on local businesses;
- Air quality;
- Light and noise pollution;
- Vermin;
- McDonalds has a high turnover of poorly treated staff;
- This fast food chain causes obesity;
- Not good for the planet; and
- Do not need the development.

88 representations received expressing the following support:

- Makes efficient use of a redundant space;
- Job creation;
- Secures investment; and
- Ease the traffic in the centre of Town.

Background

This application was first reported Planning Committee on 7 May 2024. Members deferred the application, considering further information was required in respect of the Transport Assessment.

Applicant's Submission

The applicant has declined to carry out further Transport Assessments. They consider the assessments already undertaken to be robust. They also point out that that the Transport Assessments have been reviewed by the Council's Highway Officers, the Welsh Government and PEDW.

A summary of the applicant's response is included below:

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Planning Submissions

The following reports have already been submitted to the Council:

- *Transport Assessment (December 2019)*
- *Transport Assessment (Volume 2) (December 2020)*
- *Delivery Management Plan (December 2020)*
- *Stage 1 Road Safety Audit (October 2020)*
- *Designers Response to Stage 1 Road Safety Audit (December 2020)*
- *Proof of Evidence (November 2021)*
- *Addendum Transport Statement (September 2023)*
- *Response to Highway Comments (October 2023)*
- *Response to Highway Comments (November 2023)*

Committed Development

The Proof of Evidence 2021 included an assessment of Committed Development which was agreed with Wrexham Highway Authority. This included application P/2018/0671 and P2018/0672 for 410 dwellings and 197 student flats on the University site. Although application P/2019/0923 for 455 dwellings at Stansty was not at this time committed development, it is included within the submitted traffic assessment.

Baseline Traffic Levels

The Committee Report for the Stansty Development concludes: "The 2023 surveys identify some modest changes overall in peak time traffic demand compared to 2019, notably the AM peak extending over a longer period. Traffic flows at the circulatory roundabout of Junction 5 of the A483 and the Plas Coch Road/Mold Road/Berse Road roundabout were 8.6% and 8.5% lower respectively than in 2019. Overall, the 2023 surveys demonstrate that the findings of the 2019 TA remain robust."

The Highway Authority and Council Members have therefore already agreed that the current baseline traffic flows are likely lower than those considered by the Inspectorate by the region of 8%.

Modelling Assessments

The permitted highway works as part of the 455 dwelling Stansty development have been included in the modelling. The proposed pedestrian crossing on Plas Coch Road has been included in the modelling for the 'with McDonald's' scenarios. Mott MacDonald have forensically interrogated the models independently on behalf of the Highway Authority and are satisfied that they are correct. The Highway Authority comments of 7th December 2023 states that:

"We note that WCBC specialist consultants have, acting on the Highway Authority behalf, accepted the accident analysis commentary, and LINSIG modelling."

Highway Safety

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As part of the previous Appeal and planning application there was an independent Road Safety Audit was undertaken by TMS. All matters raised have been addressed.

A detailed assessment has been provided of the pedestrian activity in the vicinity of the site as part of the Proof. The proposed pedestrian crossing would be highly beneficial in terms of improving highway safety not just for customers to the restaurant but also existing visitors to the Retail Park and residents of the new 90 dwellings at the University.

The Inspector very clearly concluded (para 24 of Appeal decision) that the proposal would not harm highway safety.

Parking

There have been three independent surveys undertaken of the Retail Park car park in 2019 and 2021. During the busiest period the car park was recorded as still having 42% available parking and 97 available spaces.

Wrexham Council Highway Authority visited the Retail Park on a Saturday in October 2023 and agree that there is adequate existing parking provision and that there is unlikely to be any large impact by the net reduction in parking spaces (Highways comments 6th November 2023)

Conclusion

The volume of transport work which has been submitted is substantial and has been reviewed by the Highway Authority and its consultants Mott MacDonald, the Welsh Government and the Planning Inspectorate. All professional transportation/planning organisation have unanimously concluded that there is no reason why the development should not be permitted.

Previous Appeal Decision

Planning permission was previously sought for the proposed development in 2019 (P/2019/0919). The application was presented to the Planning Committee in June 2021 with a recommendation that permission be granted. However, Members refused planning permission for the following reasons:

- *The existing highway network leading to and serving the Plas Coch Retail Park suffers from capacity issues during the weekday peak times and at the weekend when significant queuing/delays are experienced. The proposed development would exacerbate the existing problems and result in further traffic congestion to the detriment of the free flow of traffic on the highway. To allow the development would be contrary to Policy GDP1 (d) of the adopted Wrexham unitary Development plan.*
- *The proposed development would result in the loss of 70 spaces, which serve the existing retail uses. This reduction in parking would result in a significant shortfall of spaces available and would fail to provide sufficient off-street parking to meet the existing retail demand, contrary to Policy T8 of the adopted Wrexham Unitary Development Plan and Local Planning Guidance note 16 Parking Standards.*

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- *The proposed development lies within 400m of the boundary of Plas Coch Primary School. To allow the development would be contrary to adopted Local Planning Guidance note 9 Hot Food Takeaways.*

The subsequent planning appeal was dismissed, however this was because of the potential impact on the River Dee and Bala Lake SAC. The appeal decision was made before the Five Fords Wastewater Treatment Works benefitted from an up to date Environmental Permit. The Inspector had carried out a HRA which concluded that it had not been shown that the proposal would achieve nutrient neutrality. The proposed development was therefore considered likely to have an adverse effect on the SAC, thus conflicting with PPW and the relevant policies of the UDP, the adopted development plan at the time of the appeal decision.

In respect of all other matters, the Inspector concluded that the proposed development was in accordance the relevant planning policies. A summary of the Inspector's conclusions are included below:

Highway Safety

The Inspector noted that the appellant's Transport Assessment (TA) indicated that, having taking into account other committed developments and the proposed development, under the worse case scenario in 2036, there could be a queue of up to 14 vehicles along the link road between the Plas Coch roundabout and the Berse Road/B5101/Mold Road roundabout during the Saturday peak. The development would result in a small change in the level of queues and would have a minimal impact on the present highway network. The Inspector also concurred with the appellants that the proposed 455 dwelling Stansty development may not come forward and that a scheme of mitigation could be expected as part of that development. The modelling did not rely on the now cancelled Welsh Government improvements to junctions 3-6 of the A483. The Inspector was therefore satisfied that the development would not harm traffic flow.

Parking Provision

The Inspector noted the Council's objection about parking provision on the appeal site, but also noted that the Highway Authority had indicated that existing parking provision within the retail park is adequate. The retail park would have 165 spaces after the development. The development would also provide 29 spaces, the latter according with the LPGN16 maximum requirement. The appellant's parking surveys revealed a maximum demand for 138 spaces. The appellant's had undertaken 3 separate surveys and the Inspector concluded there was not compelling evidence to indicate that these were not representative of parking demand in the area.

The Inspector concluded there was no conflict with UDP policies GDP1 or T8.

Proximity to Primary School

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The Inspector concluded that the 400m distance referred to in LPGN9 should be taken from where children and parents would walk in relation to the entrance to Plas Coch Primary School rather than a linear measurement. The appellants had demonstrated that the walking distance exceeded 400m and therefore the Inspector concluded that there was no conflict with LPGN9

Principle of Development

Whilst the LDP has now replaced the UDP, the site is within a defined settlement limit and an established retail area. The requirements of the relevant LDP policies are also broadly similar to those of the UDP policies considered by the appeal Inspector. The principle of development therefore remains acceptable.

Design

The design of the building remains the same as previously proposed. It would be a contemporary style, two storey, flat roof building.

The building would be situated in a prominent position adjacent to the entrance to the Plas Coch Retail Park, however it would be of a relatively simple appearance and comparatively low level in its mass. As such the building would not appear overly dominant or incongruous in this location, being broadly in keeping with the retail/commercial character of the wider retail park.

The building would be visible from outside of the retail park, though this would be for only a limited distance. It would be viewed in the context of surrounding retail and commercial development and would make a positive contribution to the appearance of site and nearby locality.

A suitably worded condition could be imposed to secure an appropriate landscaping scheme that, along with the existing trees and vegetation to be retained, would soften the impact of and break up sightlines into the development.

Having regard to the above, the proposed development accords with policies DM1 and SP12.

Impact on Neighbouring Amenity

The Council's Public Protection Officer has not expressed any concern in relation to the siting of the development, the proposed lighting within this already lit area, or opening hours.

The closest residential dwellings are approximately 50 metres away from the site boundary. Given the separation distances and the intervening highway, the development would not adversely affect the living conditions of the occupiers of the dwellings by way of loss of light, privacy or visual over dominance.

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There is unlikely to be any significant impact on residential amenity by way of noise nuisance, light pollution or cooking odour due to the distance between the nearest residential properties and the proposed development.

Suitably worded conditions could be imposed to require the implementation of a measures for ventilation, extraction and control of cooking odour as well as external lighting.

Having regard to the above considerations, the proposed development would not harm the living conditions of nearby occupiers and is therefore in accordance with LDP Policy DM1.

Highway Considerations

The road network serving the retail park suffers from capacity issues during weekday peak times and at the weekend, when queuing / delays are experienced. The existing A483 / A541 junction, Plas Coch roundabout(s) and New Road / Stansty Road junction also suffer from capacity issues at peak times.

Transport Assessment (TA) - Committed Development / Traffic Analysis

A traffic assessment was carried out and the finding submitted in Technical Note in support application ref: P/2019/0923 (Land either side of Stansty Chain Road). This compared earlier 2019 traffic survey data with counts undertaken in 2023 for the A483 J5 Roundabout and the Plas Coch Roundabout. The assessment found that both AM and PM peak traffic levels had actually decreased.

This application is accompanied by a TA which has assessed committed and planned developments in the locality including the 90 homes on Plas Coch Road, the re-development of Glyndwr University and the 455 dwellings proposed by application P/2019/0923. The Highway Officer has also undertaken a trip generation assessment for the development and confirms in light of this, the trip generation assessment undertaken by the applicant is acceptable.

The TA has taken a reasonable approach to future traffic forecasts and accounts for committed development in the area. The traffic generation estimates for the restaurant itself have been based on analysis of other comparable restaurants and are considered acceptable.

The TA demonstrates that the proposed development would result in a small change in the level of queues and would have only a minimal impact on the highway network.

Transport Assessment - Pedestrian Crossing Facilities

The proposed development has the potential to attractive a significant number of pedestrian movements, particularly given the proximity of the Glyndwr

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University. The Highway Officer has recommend that a proposed controlled crossing point be implemented prior to first use of the development.

The appeal Inspector commented that the new pedestrian controlled light crossing would operate in conjunction with the traffic light controlled Berse Road roundabout operate in phases and the queues would not occur simultaneously.

The implementation of the proposed crossing could be secured by a suitably worded planning condition.

Parking Provision

There are no changes to the parking provision compared to the plans submitted with the previous application. The development would provide 29 car parking spaces. As noted above, the appeal Inspector concluded the proposed parking levels were considered acceptable.

No additional up-to-date parking surveys have been submitted. However the Council's Highway Officer has undertaken a numbers of site visit during weekdays and at the weekend. Based on these findings, the Highway Officer considers the proposed parking arrangements to be acceptable.

It is noted that a number of units at the retail park have changed occupancy since the appeal decision and some have also been vacated. However the overall retail floor space in the immediate vicinity in unchanged, and therefore potential demand for parking, remains unchanged

Having regard to the above, adequate parking would be provided to serve the development whilst adequate parking space also retained to serve the existing retail units.

Construction Traffic Management Plan (CTMP)

The submission of a CTMP could be secured by an appropriately worded planning condition.

Highway Conclusions

The Council's Highway Officer raises no objection to the development. The development would not have an unacceptable impact upon the capacity or safety of the local highway network or give rise to parking problems within the Plas Cock Retail Park. The Highway Officer has also confirmed they have no further comments to make in light of the applicant's submissions in response to the deferral of the application.

Having regard to all of the highway considerations discussed above, the the proposed development accords with LDP Policies DM1 and T1.

Natural Environment

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The Council's Tree and Ecology Officers raise no objection to the proposed development.

There are several trees within and close to the application site protected by Tree Preservation Order. One, a sycamore tree, would be removed. A significant factor in the decision by the Tree Officer not to object to the loss of the tree is its current physiological condition and its life expectancy within the existing hard surface area which results in a below-ground growing environment conducive to healthy root development.

The development would retain existing boundary vegetation. This would be supplemented by additional planting. However to accord with PPW12, a minimum of 3 replacement trees are required to compensate for the loss of the sycamore tree.

The submitted plans propose a single small tree of an ornamental variety which is considered to have less value for nature conservation. The landscaping proposals as submitted are unlikely to achieve a net benefit to biodiversity (NBB)

To adequately mitigate for the loss of the sycamore tree and to achieve NBB, an improved landscaping scheme is required, including the provision of a larger species of tree to compensate for the loss of the sycamore tree. Details would also need to include an improved specification for the load-bearing planting pit for such a tree. There is sufficient scope within the site layout for additional landscaping and measures that deliver NBB. These could be secured by appropriately worded conditions.

Subject to the measures referred to above, the proposed development would accord with policies SP14 and NE3 as well as Chapter 6 of Planning Policy Wales 12.

Drainage

Surface Water

The development would be required to obtain the separate approval from the SuDS Approving Body (SAB) prior to the commencement of those construction works for the proposed measures for surface water drainage.

Foul Water

Welsh Water has confirmed that Five Fords Waste Water Treatment Works has:

- Capacity to treat additional wastewater from the proposed development within revised environmental permit limits; and
- That the sewer network and WwTW has the hydraulic capacity to accommodate additional wastewater without contributing to an increase in frequency or duration of storm overflows.

Having regard to the above, the proposed development is unlikely to have a significant effect on the SAC and complies with LDP Policies DM1 and NE6.

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Other Considerations

Local Planning Guidance Note 9: Hot Food Takeaways

Consistent with the conclusions of the appeal Inspector, the proposed development would not be within 400 metres walking distance of Plas Coch Primary School. The proposed development therefore complies with LPGN9 in this regard.

No compelling evidence has been advanced to suggest the proposal would adversely impact upon the health and wellbeing of visitors to the retail park or the wider community. The proposed development therefore complies with LDP Policy DM1

Pollution

Concern has been raised in relation to the potential increase in the pollution of the environment from vehicle emissions. The proposed development is intended to serve the vehicles already in the area and is not expected to attract a large number of additional vehicles. Moreover, many modern vehicles have engines that cut out when vehicles are idling. Motorists also often switch off their engines whilst stationary. Increasing numbers of vehicles are also all electric or hybrid. Having regard to this, development is therefore unlikely to contribute to a significant increase in vehicle emissions. It is also of note that the Council's Public Protection Officer raises no concerns regarding this matter.

In light of the above, the proposed development accords with policy DM1.

Anti-social Behaviour, Litter and Vermin

Matters of anti-social behaviour, litter and vermin relate to behaviour of users of the development, how waste is managed and how staff are treated are matters for the operators of the development. These matters are outside of the scope of planning control. The other matters are addressed in the main report.

Conclusion

The proposed development is acceptable in terms of scale and design and would not give rise to highway safety or residential amenity concerns. Subject to suitably worded conditions, adequate landscaping and measures to deliver NBB can also be secured. The proposed development therefore accords with the relevant LDP policies as well as PPW12.

Conditions

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 approved drawings nos. 4190200-1100 Rev C2, 7391_AEW_8104_1004 Rev E, 7391_AEW_8104_1006, 7391_AEW_8104_1005, 7391_AEW_8104_1010, 7391_AEW_8104_1018, 'STANDARD PATIO AREA SUPPORTING SPECIFICATIONS' and 'Goal Post Height Restrictor and COD/Canopy Digital Drive Thru Lane', and as contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
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.
5. No part of the development shall commence until full details of a hard and soft landscaping scheme to include compensatory tree planting and details of tree planting pits, and proposed boundary treatments, together with a timescale for the implementation of works have been submitted to and approved in writing by the Local Planning Authority. The hard and soft landscaping shall thereafter be carried out in accordance with the approved scheme.
6. The landscaping and boundary treatment scheme as carried out in connection with condition no. 5 shall be permanently retained. Any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.
7. 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.

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The supervisory works shall be carried out in strict accordance with the details as approved.

8. 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).
9. Prior to first use of the development hereby permitted a suitable grease trap shall be provided in order to prevent entry into the public sewerage system of matter (cooking fats, oils and grease etc.) likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal of such contents. The grease trap shall thereafter be permanently retained in a working condition.
10. No part of the development shall commence until details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, its appearance and finish have been submitted to, and approved in writing by the Local Planning Authority. The system design shall have regard to the guidance set out in EMAQ Report - Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Update to the 2004 report prepared by NETCEN for DEFRA). The approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an operational condition.
11. Prior to the first use of the development, a pedestrian safety barrier parallel to the proposed ramp opening shall be installed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The barrier shall thereafter be retained.
12. 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. The approved plan should be implemented for the duration of the construction works.
- 13.

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The development shall not be occupied until a Service and Delivery Management Plan has been submitted to and approved in writing by the Local Planning Authority. Servicing and deliveries to the development shall take place in accordance with the approved Service and Delivery Management Plan.

14. A Final Travel Plan shall be submitted to and approved in writing by the Local Planning Authority following the first anniversary of first use of the development.
16. Prior to the first use of the development, refuse bins shall be provided on site in accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority. The bins shall thereafter be permanently retained
17. Prior to first use of the development hereby approved, an external lighting scheme shall be implemented on site in accordance with details that have first been submitted to and approved in writing by, the local planning authority. No other lighting shall otherwise be installed on any external part of the site.
18. The existing trees, shrubs and hedges shown on drawing nos. 17229-VL-McD_L01 Rev D to be permanently retained shall not be cut down, grubbed out, lopped or uprooted, unless otherwise agreed in writing. Any trees, shrubs or hedges removed or being severely damaged or becoming diseased shall be replaced with trees, shrubs or hedging plants of the equivalent size and species.
19. The development shall be carried out in strict accordance with the Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan prepared by Hayden's Arboricultural Consultants, Project No. 7215 Rev E, Dated 29/01/2021. No development or other operations shall take place except in strict accordance with the report as approved.
20. There shall be no below-ground service routes within a radial buffer-zone of 2.5 metres all round (5 metres in diameter) measured from the centre of any proposed tree planting.
21. Prior to first use of the development, the highway improvements, including the proposed pedestrian crossing, shown on plan refs: 7391_AEW_8104_1004 Rev E and 4171-08 Rev A and detailed within the Recommendations and Improvements section of the 'Designer's Response to Stage 1 Road Safety Audit, Plas Coch, Wrexham', dated

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18.12.2020, and referenced ADL/4171/18C shall be implemented in full.

22. The foul and surface water drainage scheme as shown on approved plan ref: 4190200-1200 shall be implemented in strict accordance with the approved details prior to first occupation of the development and no further foul or surface water shall be allowed to connect directly or indirectly to the public sewerage system, nor shall foul water be disposed of by any other means
23. The vehicular parking and turning areas as shown on approved drawing 7391_AEW_8104_1004 Rev E, shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.

Reasons

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 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.
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with

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Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.

7. 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.
8. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
9. To prevent pollution of the water environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
10. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
11. To ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.
12. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
13. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
14. To assist occupiers/users of the development to make sustainable transport choices in accordance with Policy DM1 of the Wrexham Local Development Plan.
16. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect amenities and deter pests/vermin in accordance with Policy DM1 of the Wrexham Local Development Plan.
17. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
- 18.

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To protect trees which are of significant amenity value to the area in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.

19. To protect trees which are of significant amenity value to the area in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.
20. To protect trees which are of significant amenity value to the area in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.
21. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
22. To prevent pollution of the water environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
23. 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.

Notes

The written consent of the Highway Authority (as required by section 278 of the Highways Act 1980) must be obtained before any work is carried out within the confines of the highway in connection with condition no(s). 11 and 20. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council.

The scheme of arboricultural supervision required in connection with condition no. 7 above shall make provision for a pre-commencement site meeting between the Local Planning Authority's Arboriculturist, the Developer/ Applicant/ Agent and their appointed Arboricultural Supervisor to agree matters of detail. It shall specify the frequency of arboricultural monitoring and reporting to the Local Planning Authority on the status of all tree protection measures throughout the course of the development and make provision for the submission and approval of a satisfactory arboricultural completion statement

The permission hereby granted does not authorise encroachment upon, or interference with, the adjoining property.

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The development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system. A Discharge Consent under Section 118 of the Water Industry Act 1991 is therefore required from Dwr Cymru / Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted.

The applicant may 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 now 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 Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they 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 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

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

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.

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

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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.

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.

You are advised that the premises should comply with the relevant Food Hygiene Legislation, and you are advised to contact Council's Food & Farming Team on foodandfarming@wrexham.gov.uk or 01978 298989 for further advice and information.

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