

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 MICHAEL FORGRAVE	Code Number	CEF P/2021/0793
Agent	MRS KATHRYN GRATTON EDGE ARCHITECTS NW LTD STUDIO 55 : 20 NORTH WALES BUSINESS PARK CAE EITHIN ABERGELE LL22 8LJ	Date Received	27/07/2021
		Decision Date	13/12/2023

Town and Country Planning Act, 1990

Location of application

FORMER AIR PRODUCTS SITE, LLANGOLLEN ROAD, ACREFAIR, WREXHAM, LL14 3HW

Description of application

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In reaching this decision the Council has had regard to the relevant policies in the Wrexham Unitary Development Plan which are as follows:-

CLF5	Open space requirements from new residential developments
EC11	Archaeology
EC14	Protection of controlled waters
EC15	Small scale neglected sites
EC6	Biodiversity Conservation
GDP1	Development Objectives
H2	Residential development within settlements
PS1	Settlement limits
PS11	Biodiversity
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	13/12/2023	Planning permission issued
1	17/05/2024	P/2024/0132 – Approval of conditions 3,5,6,7,8 and 9 – approved 17/05/24

Particulars of decision that permission be GRANTED
Subject to the following:-

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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 approved drawing(s) numbered 21-DES-001-02C, 21-DES-001-S3, 21-DES-001, 21-DES-0003, 21-DES-0004, 21-DES-0005, 21-DES-0006, 21-DES-0007, 21-DES-0008, 7652-12-1, 7652-12-2, 7652-07, 7652-08-1, 7652-09, 7652-14, 7652-16, 7652-17 and as contained within the application documentation.
3. 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.
Approved on: 17/05/2024 **Reference Number:** P/2023/0132
By: Wrexham County Borough Council
Approved Drawing Refs: Phase 1 Geo-environmental Desk Study. Phase II Geo-environmental Investigation and appendices.
4. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 3 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.

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5. Development shall not commence until a Biosecurity Risk Assessment has been submitted to an approved in writing by the Local Planning Authority. Development shall thereafter be carried out in strict accordance with the approved Biosecurity Risk Assessment.
Approved on: 17/05/2024 **Reference Number:** P/2023/0132
By: Wrexham County Borough Council
Approved Drawing Refs: Biosecurity Risk Assessment (16th November 2023) and subsequent addendum
6. Development shall not commence until an Ecological Method Statement and Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Ecological Method Statement and Management Plan shall include details of the following:
 - i. A timetable for the implementation of the ecological mitigation and enhancement measures detailed in the Land at Llangollen Road, Acrefair, Further Protected Species Surveys, Updated July 2023, Kingdom Ecology Ltd;
 - ii. A long term management and maintenance plan for the ecological mitigation and enhancement measures.
 The ecological mitigation and enhancement measures shall thereafter be implemented, managed and maintain in accordance with the approved details.
Approved on: 17/05/2024 **Reference Number:** P/2023/0132
By: Wrexham County Borough Council
Approved Drawing Refs: Ecological Method Statement and Management Plan, Gower Homes, dated 7/2/24
7. No part of the development shall commence, to include ground works or vegetation clearance until a Walk Over Survey for badger has been carried out by a suitably qualified Ecologist and the findings submitted to and approved in writing by the Local Planning Authority and any necessary mitigation is implemented in accordance with its recommendations.
Approved on: 17/05/2024 **Reference Number:** P/2023/0132
By: Wrexham County Borough Council
Approved Drawing Refs: Badger Walkover Survey, Kingdom Ecology dated 16/11/23.
8. Prior to the occupation of each dwelling a scheme of boundary treatment shall be implemented in accordance with details that shall first have been submitted to and approved in writing by the Local

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Planning Authority.

Approved on: 17/05/2024 **Reference Number:** P/2023/0132

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Approved Drawing Refs: 103.03.REVA

9. Prior to their use on the development samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

Approved on: 17/05/2024 **Reference Number:** P/2023/0132

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Approved Drawing Refs: Email from agent dated 19/04/24 and schedule of materials. Facing Bricks - Grainger Antique Red and Tay Buff. Roof tiles – Marley Modern smooth grey

10. There shall be no clearance of vegetation on site between the months of March to August inclusively in any calendar year unless otherwise agreed in writing by the Local Planning Authority.
11. Plots 1-6 and plots 15-21 shall not be occupied until a scheme of noise mitigation for each plot has been implemented in full in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.
12. A scheme of tree planting shall be carried out in the first planting season (November to March) or following the occupation of the first dwelling in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter any tree that becomes severely damaged or seriously diseased, is in poor physiological condition or is removed shall be replaced within the next available planting season by trees of the same species to those originally planted.
13. Notwithstanding the details shown on the drawing number 21-DES-001-02C, the estate roads, excluding the private drives, shall be a minimum of 4.8 metres wide.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.

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3. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To control non-native invasive species in accordance with Policy EC6 of the Unitary Development Plan.
6. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan and to ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 11
7. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect the amenity of the occupiers of the dwellings hereby permitted in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
10. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
11. To protect the amenities of the occupiers of the dwellings hereby permitted in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
13. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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Note(s) to applicant

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

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If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority



David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio
Chief Officer Economy and Planning

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm