

02 April 2024

Sent via email.

Dear Planning,

Discharge of Conditions Application to discharge conditions 7, 9, 10, 11 and 14 of planning application P/2019/08035.

This planning application is for the discharge of Conditions 7, 9, 10, 11 and 14 that are attached to the Appeal Approval, referenced APP/H6955/A/20/3258703.

Introduction

Planning application P/2019/0835 was submitted to Wrexham Council in November 2019, which was an outline planning application for 9 dwellings on land at Tupa, part of former Polish hospital/WWII hospital site. The planning application was refused by the Council in February 2020, however, was won at appeal in February 2021.

The Reserved Matters Application, dealing with conditions set out in the appeal in regards to landscaping and materials was submitted to Wrexham Council in January 2022 and approved by the Council in June 2022.

Commencement works need to begin on site no later than the 27th of June in order to keep the planning application extant.

Conditions

The conditions that this planning application is seeking to discharge are as follows:

7. 'No part of the development shall commence until details of the proposed Reasonable Avoidance Measures (RAMs) have been submitted to and approved in writing by the Local Planning Authority. These details shall include the following:

- a) Details of a tool box talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project;
- b) Details of an artificial amphibian hibernacula to be constructed adjacent to the site (details of the design can be found in great crested newt mitigation guidelines – August 2001);
- c) Details of a walk over survey of the site prior to the commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are

- on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;
- d) Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery;
 - e) Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked every morning for amphibians. Any amphibians located are to be moved to the artificial hibernacula.

As part of this planning application Richard Roe CENV MCIEEM MSc BSc from Kingdom Ecology has written up the Reasonable Avoidance Measures report to support this condition. This report has adhered to all of the requirements set out in condition 7, and therefore the condition should be discharged.

9. 'No development shall commence until a site species/habitat conservation plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should include:

- a) Implementation of the proposed mitigation and compensation measures as set out in the Addendum Report – Extended Phase One Survey and Ecological Impact Assessment Land South of Tupa, Penley, Wrexham;
- b) Submission and implementation of a long term post construction surveillance and monitoring scheme. Monitoring methodology and reporting shall accord with the online Wales GCN Monitoring Scheme and shall include monitoring of the bat roost;
- c) The submission and implementation of long term, proposals concerning the tenure, funding arrangements, management and wardening of the compensation area and bat roost;
- d) Details relating to the submission of a compliance audit, carried out by a qualified ecologist, independently of the appointed principal ecologist.

The Conservation Plan shall be carried out in accordance with the approved details.

Richard Roe CENV MCIEEM from Kingdom Ecology has also written up the Conservation Plan to support this planning application. All of the above requirements have been included within the plan, and therefore this condition should be discharged.

10. 'No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- a) The parking of vehicles of site operatives and visitors;
- b) Loading and unloading of plant and materials;
- c) Storage of plant and materials used in constructing the development;
- d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) Wheel washing facilities;
- f) Measures to control the emission of dust and dirt during demolition and construction; and

- g) A scheme for recycling/disposing of waste resulting from demolition and construction works.

Siobahn Wilcox BARCH, MARCH, ARB from NWD Architects has written up the Construction Method Plan. The information provided on the submitted plan and report includes all of the requested information from above, and therefore the condition should be discharged.

11. 'No development shall take place until a 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.

The contamination reports have been written up by Matthew Jackson from E3P Environmental Consultancy. The reports demonstrate that there has been no contamination found on site and therefore the condition should be discharged.

14. '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/shrub/hedges protection plan showing the location of the trees/shrubs/hedges 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) Method for protecting retained trees during demolition works;
- g) Details of all proposed tree works, including felling and pruning.

Alistair Henderson M. Abor, E.ENV from Tree Solutions has completed the tree survey and subsequent Arboricultural Report to support this discharge of conditions application. The report has included all of the requested information and therefore, this condition should be discharged.

Conclusion

In conclusion, all of the required information has been presented for this discharge of conditions application.

None of the consultants have had any issues arise when investigating the site further, or producing the plans and reports. Therefore, it is felt that as the Council are being presented with all of the required information at this stage, each condition outlined in the application should be discharged at the earliest possible time.

Many thanks,
Sophie Cragg MSc (Hons) BA (Hons)
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