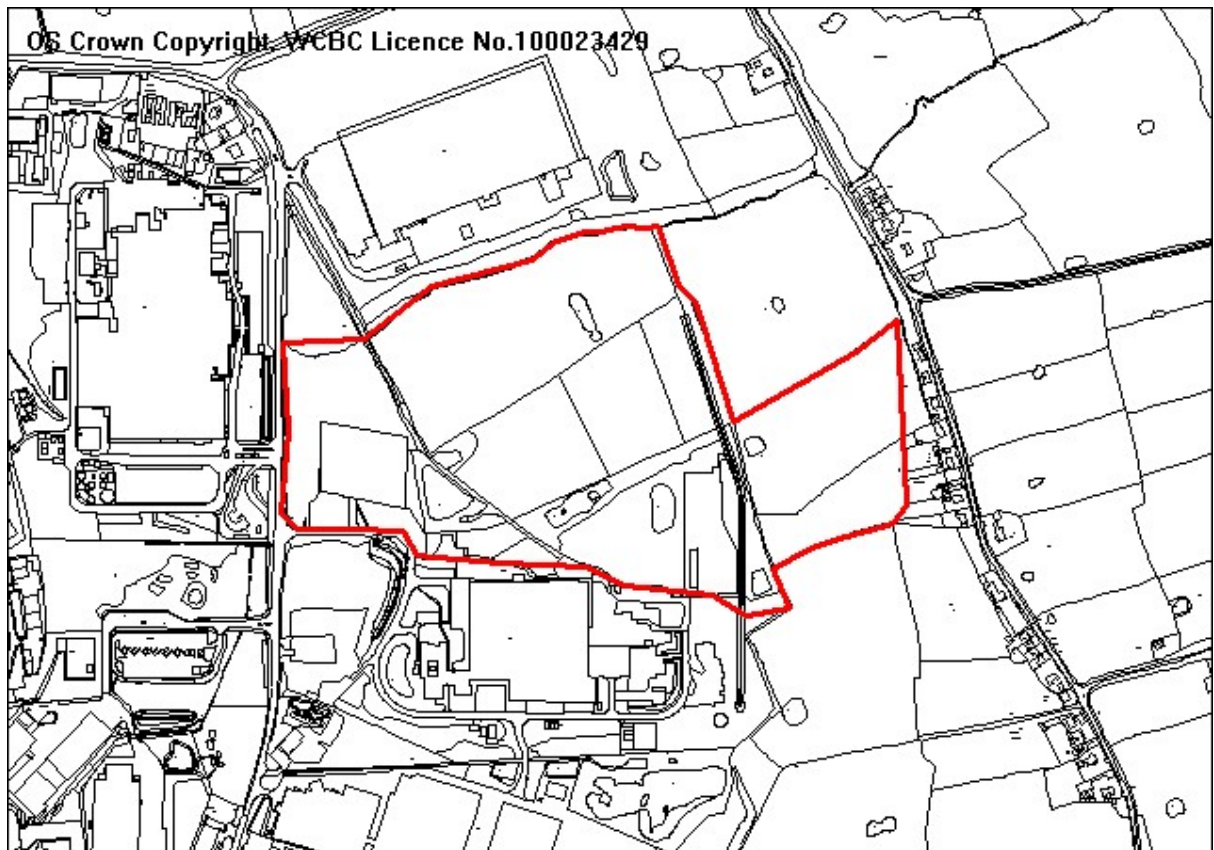


REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 7 May 2024

APPLICATION NO: P/2023 /0280	LOCATION: LAND OFF BRYN LANE WREXHAM INDUSTRIAL ESTATE WREXHAM LL13 9UT	DATE RECEIVED: 12/04/2023
COMMUNITY: Isycoed	DESCRIPTION: CANIATAD CYNLLUNIO HYBRID (A) CANIATAD AMLINELLLOL (HOLL FATERION WEDI EU CADW'N OL AC EITHRIO MYNEDIAD) AR GYFER CODI HYD AT 3 WARWS AC UNED DOSBARTHU (DEFNYDDIO DOSBARTH B8) A (B) CANIATAD CYNLLUNIO LLAWN AR GYFER DYMCHWEL, MYNEDIAD, GWAITH CLODDI, DRAENIO, TIRLUNIO, PARTH ECOLEG A MESURAU LLINIARU ECOLEGOL CYSYLLTIEDIG, A GWAITH ATEGOL HYBRID PLANNING PERMISSION (A) OUTLINE PERMISSION (ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS) FOR ERECTION OF UP TO 3 WAREHOUSE AND DISTRIBUTION UNITS (USE CLASS B8) AND (B) FULL PLANNING PERMISSION FOR DEMOLITION, MEANS OF ACCESS, EARTHWORKS, DRAINAGE, LANDSCAPING, ECOLOGY ZONE AND RELATIVE ECOLOGICAL MITIGATION MEASURES, AND ANCILLARY WORKS	CASE OFFICER: GH1
WARD: Holt		AGENT NAME: PLAN RED LTD MR RICHARD PURSER
	APPLICANT(S) NAME: MRS EMILY ARMSTRONG FI REAL ESTATE MANAGMENT LTD	

THE SITE

The application site extends to approximately 25 hectares of land to the east of Bryn Lane; comprising approximately 3 hectares of previously developed land relating to the former Owens Corning site, and the remainder being greenfield land. The existing Net World Sports site lies to the north of the application site, whilst the Very site lies to the south.



PROPOSAL

The application seeks outline planning permission, with all matters reserved except for means of access, for the erection of up to three warehouse and distribution units (B8 use class), together with ancillary office accommodation, totalling up to 93,019 sq. metres net floor space, service yards, car parking, HGV parking, internal circulation, landscaping and ancillary works.

In addition to the above, full planning permission is sought for the demolition of existing structures on the site, means of access, earthworks, drainage, landscaping and the creation of an 'ecology zone' within the easternmost areas of the site, to include ecological mitigation measures and ancillary works.

REASON FOR COMMITTEE DETERMINATION

The application proposes a form of Major Development.

HISTORY

P/2005/0334: Outline application for industrial/employment development;
Decision: Withdrawn; Date: 25/10/2005.

P/2010/0072: Outline application for B2/B8 development and associated ecological mitigation area including means of access and layout;
Decision: Withdrawn; Date: 17/05/2010.

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P/2012/0837: Outline application for B2/B8 development and associated ecological mitigation area, including means of access and siting; Decision: Refused; Date: 06/07/2009.

Appeal allowed in-part on 06/05/2010.

P/2023/0640: Change of use from Agriculture to Ecological Area and creation of ponds and ditches; Decision: Granted; Date: 27/02/2024.

The site was also subject of a Development Consent Order for a Gas Fired Power Station in 2017. This permission expired in 2022.

DEVELOPMENT PLAN

Future Wales: The National Plan 2040

Within Wrexham & Deeside National Growth Area.

Adopted Wrexham Local Development Plan (2013-2028):

Partially within Wrexham Industrial Estate Employment Area and Strategic Ecological Network, and partially within the open countryside. Policies SP2, SP5, SP8, SP9, SP11, SP12, SP13, SP14, SP15, SP17, SP18, SP19, EM1, NE1, NE3, NE6, DM1, T1, T2, T3, MW5 and RE1 are of relevance.

Wrexham Local Planning Guidance Notes:

The following are of relevance:

- 07 – Landscape & Development
- 15 – Cycling
- 16 – Parking Standards
- 17 – Trees & Development
- 23 – Development of Sites with Land Contamination
- 26 – Landscape & Industrial Development
- 29 – Wrexham Industrial Estate
- 30 – Design
- 32 – Biodiversity & Development

RELEVANT NATIONAL PLANNING POLICY

Planning Policy Wales (Edition 12)
Technical Advice Note 5: Nature Conservation & Planning
Technical Advice Note 11: Noise
Technical Advice Note 12: Design
Technical Advice Note 15: Development & Flood Risk
Technical Advice Note 18: Transport
Technical Advice Note 23: Economic Development
Technical Advice Note 24: The Historic Environment

CONSULTATIONS

Isycoed Community Council:

Objects on the following grounds:

- Visual impact concerns associated with proposed height of buildings.
- Impact upon neighbours in terms of noise, pollution, light and operational activities.
- The ecological mitigation area is off-site and is on prime agricultural land. Brownfield land should be considered before greenfield land is developed.
- The ecological mitigation measures do not go far enough.
- Concerns regarding proposed demolition works and the potential for contamination.
- Concerns in relation to the impact of the development upon the local highway network and an existing lack of lorry park and driver facilities within the area.
- Lack of a lorry park within the proposals.
- The plans set out buildings and development as having 20 loading bays. This is hypothetical, without there being clients in place for what is proposed. Those clients could need more or less of what is being proposed, and that will have a detrimental impact.
- The Community Council wish to note their lack of confidence in what has been proposed as mitigation for the development, given that the applicant has not completed mitigation associated with previously approved developments, which have led to problems such as flooding, light pollution and loss of habitat.

Farndon Parish Council:

Consideration should be given to the wider visual impact of the proposals. Any permission granted should require the use of dark green materials.

Local Member:

Notified 24/05/2023. No response received.

Sarah Atherton MP:

Residents have expressed concerns with the height and colour of the proposed buildings, and have requested that bunding is utilised to reduce the visual impact. Other concerns also relate to the possibility of the development exacerbating existing flooding issues within the vicinity, the impacts upon ecology and an increase in HGV traffic. Light and noise pollution issues have also been expressed by local residents. Whilst supportive of Wrexham expanding, the MP considers that sufficient supporting infrastructure needs to be developed as part of any expansion. The MP is pleased with the Applicant's commitment to working with local residents on the issues raised, and appreciates that it is impossible for all to be happy with any decision made.

Natural Resources Wales:

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Further information is required in relation to proposed foul drainage arrangements and potential impacts upon the River Dee and Bala Lake SAC. Whilst impacts upon Great Crested Newt are identified, NRW advise that subject to the imposition of a condition to secure the submission of a Conservation Plan, and a Planning Obligation to secure the ecological surveillance, management and wardening of the site, concerns raised would be satisfactorily addressed.

Dwr Cymru Welsh Water:

It is likely that insufficient capacity exists within the public sewerage network to accommodate foul flows from the development without causing detriment to existing services and the environment. It is recommended that the Applicant undertakes a Hydraulic Modelling Assessment.

North Wales Fire & Rescue Service:

No objections raised as the Fire Authority will have opportunity to comment during the Building Regulations Consultation process.

Highway Officer:

No objections raised subject to proposed off-site highways improvements being secured through conditions and Highways Agreements. Subject to the proposed off-site measures being implemented prior to the first use of the development, the proposals are not expected to have any major impact upon the safety of the surrounding highway network.

It is identified that active travel improvements are required along Bryn Lane along with a pedestrian and cycle crossing. These can be secured by a Planning Obligation and conditions.

On-site parking and cycling arrangements would be subject to review as part of future reserved matters application(s).

Contaminated Land Officer:

Raises no objections subject to a number of appropriately worded conditions in relation to a phased site investigation, the production of a verification report and an informative note in relation to contamination issues.

Public Protection Officer:

No objections raised subject to a number of conditions and informative notes in relation to noise, the burning of waste, a Vibration Management Scheme and a Dust Management Scheme. The Officer confirms the findings of the submitted Noise Assessment Report and Air Quality Assessment are accepted.

Public Rights of Way Officer:

No comments to make.

Arboricultural Officer:

The Arboricultural Officer raises objections to the development based upon the proposed losses and harm to the existing tree stock and hedgerows and

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the significant impact such damage would have on biodiversity, habitat and tree canopy cover on a local scale. Serious concerns are expressed in terms of the loss of both individual trees and collective groupings of tree and the overall impact of such losses on both biodiversity and overall tree canopy cover. Objections are also raised in terms of the proposed loss of approximately 640 metres of existing hedgerow. The officer confirms that the development is currently contrary to the requirements of Planning Policy Wales (Edition 12) and the Wrexham County Borough Council Tree and Woodland Strategy (2016-2026).

Ecology & Biodiversity Officer:

The Officer raises no objections to the proposed development and the provisions of the proposed ecological mitigation/compensation areas. It is noted a Conservation Plan would need to be secured and implemented in the long-term via a Planning Obligation, and several areas are identified to be controlled by condition.

Conservation Officer:

The Officer notes that four Grade II listed buildings lie to the south west of the site, at Isycoed, and whilst the proposed development site is not part of the listed buildings' immediate setting, the site does contribute to their wider appreciation and understanding within the landscape. The Officer advises that some inter-visibility between the listed buildings and the proposed development is anticipated, particularly due to the height of the building breaking above the treeline. However, the Officer considers this to have a minor impact on the buildings' significance as the development will be seen in context with the extant industrial estate to the west, north and south. The Officer concludes that the development is likely to cause a low level of harm to the identified listed buildings through the loss of and redevelopment of existing fields which contribute to the contribution setting makes towards significance.

Flood & Water Management Team:

Consulted 24/05/2023. No response received.

Press Notice:

Expired 05/07/2023.

Site Notice:

Expired 02/08/2023.

Neighbours:

The owners/occupiers of 15 nearby properties/businesses were notified on 16/06/2023.

27 public representations have been received at the time of writing this report, with 26 in objection to the proposals and one being neutral. The comments received are summarised as follows:

Objection:

- Concerns regarding phosphate and pollution;

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- Issues relating to the ecological impact;
- Desire to see bunding proposed;
- Concerns relating to the design and external appearance of the proposed buildings;
- Concerns relating to the height of the proposed buildings;
- The development would have an adverse landscape visual impact;
- Flooding concerns;
- Development would have a negative impact upon neighbouring residents;
- Light pollution concerns;
- Issues relating to noise pollution;
- Traffic concerns;
- Proposals represent an over-development of the site;
- Concerns relating to surface water drainage;
- Issues relating to siting;
- Only part of the site is located within the UDP settlement boundary, and the ecological mitigation area would be within the open countryside;
- Questions regarding the accuracy of supporting documents;
- Agricultural land should be protected;
- Proposed ground level changes would increase height of the buildings;
- Additional landscaping should be required;
- Development would have an adverse cumulative visual impact when considered alongside the rest of the industrial estate;
- Development would impact upon views and property prices;
- Development would have an impact upon the Clwydian Range and Dee Valley AONB;
- Questions regarding consultation process; and
- No demand for additional warehouse units.

Neutral:

- Development should include renewable energy infrastructure

SPECIAL CONSIDERATIONS

Principle of Development: *Future Wales: The National Plan 2040* is the National Development Plan for Wales, and at Policy 20, identifies Wrexham and Deeside as a National Growth Area which will be the main focus for employment, growth and investment within the North Wales region over the plan period.

With regards the adopted Wrexham Local Development Plan, the area of the proposed warehouse development itself would lie wholly within the identified Wrexham Industrial Estate Employment Area, where LDP Policy SP9 supports new B1, B2 and B8 employment development. The development is therefore acceptable in principle.

In terms of the proposed ecological mitigation areas, which lie outside of the defined settlement limit as per LDP; planning permission has already been granted for this development under application P/2023/0640. It is considered

that the use of this land as an ecology zone would not be incompatible in principle with the open countryside location. Whilst there are no policies directly applicable within the LDP, given the land would remain 'open' and would not be subject to any built development, it is considered the impact upon the character of the countryside would be acceptable in accordance with LDP Policy DM1. Furthermore, the land is graded as 3b as per the Welsh Government Agricultural Land Classification Predictive Map, which is not the best and most versatile land to be preserved for future agricultural use.

In light of the above, the development is acceptable in-principle in accordance with Policies SP2, SP9 and DM1 of the Wrexham LDP and Policy 20 of Future Wales.

Design, Visual & Landscape Impact: The application proposes the erection of up to three warehouse (B8) buildings (with ancillary office accommodation) together with associated service yards, car parking, HGV parking, internal circulation, landscaping and ancillary works. The application is submitted in a hybrid format; with certain elements being sought in outline and other parts being sought in full.

Whilst matters in relation to appearance, landscaping, layout and scale for the proposed employment development itself are reserved for future consideration, there are no objections to the submitted indicative site layout plan and an acceptable layout could be devised so as not to cause any adverse visual impact upon the application site, its vicinity, and the wider landscape.

In terms of scale, the application has been amended during its course to ensure the proposed buildings would have a maximum height to the ridgeline of 25 metres above adjacent ground levels (reduced from 30 metres as originally proposed). Whilst this would be taller than the adjacent Net World Sports building to the north of the application site, it is comparable to the tallest structures at the adjacent Kelloggs site, to the west. Indeed, from the east, the proposed buildings would be viewed against the backdrop of the wider industrial estate, where existing structures of comparable scale and height already exist. As a result, the proposals would not cause any unacceptable or intrusive visual or landscape impact; particularly noting this part of the application site lies wholly within the Wrexham Industrial Estate Employment Area, where such B8 buildings are acceptable in principle. Further, whilst indicative landscaping proposals have been advanced for the area of the development itself, it is considered an acceptable scheme of landscaping could be developed to assimilate the development successfully into the landscape setting. Full landscaping features for this part of the application would be subject to a future reserved matters application.

It is noted that concerns relating to the proposed colour and external appearance of the buildings have been raised within the public representations. However, the final design and appearance of the buildings would be subject to a future reserved matters application. Notwithstanding this, the use of dark green external cladding has been shown indicatively on

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the amended elevation drawings submitted during the course of the application; which given its shade, is considered to be acceptable and would help to reduce the overall prominence of the buildings when viewed within the wider landscape. This finish could be secured by a suitably worded planning condition.

Concerns have also been raised within the public representations regarding a lack of any bunds being proposed to the east of the proposed buildings. Whilst the Net World Sports building to the north of the site does include a relatively small scale bund to its east, on this occasion it is not considered that a bund would be necessary to make the development acceptable in visual terms. The site is located wholly within the Wrexham Industrial Estate Employment Area as per the LDP, where such B8 units are deemed acceptable in principle. It is also noted that bunds are not a natural or indeed common feature of the Wrexham Industrial Estate and the wider host landscape. On this basis, an absence of bunds would not be a sustainable reason to refuse the application.

In terms of the part of the application which seeks full planning permission, it is noted this relates to a range of earthworks, demolition, landscaping, ecological mitigation measures and the provision of utilities (including SuDS features). Whilst this part of the application site is located outside of the settlement boundary, as noted above, it is considered the proposed works would be acceptable in this location and would not detract from the character of the countryside.

In light of the above considerations, whilst a development of the scale proposed would clearly cause some visual impact upon the area surrounding the site and the wider landscape, the impact of this could be controlled so as to fall within acceptable parameters. On this basis, the proposal is considered to be compliant with the requirements of LDP Policies SP12 and DM1. As noted, full details regarding the appearance, landscaping, layout and scale of the development would be subject to a future reserved matters application.

Impact upon Neighbouring Residential Amenity: The indicative plan shows a distance of approximately 290 metres between the eastern elevation of the proposed buildings and the nearest residential properties to the east of the site. Whilst the final siting, design and scale of the proposed development is not known at this time, it is considered that given this separation distance, the proposed built development could be designed so as not to have any adverse overbearing, overshadowing or overlooking effects to arise upon these neighbouring residents.

Furthermore, as aforementioned, the Council's Public Protection Officer has raised no objections in terms of noise pollution subject to a number of appropriately worded conditions and informative notes in relation to dust management, noise, a vibration management scheme and the burning of waste.

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In light of the above, subject to the recommended conditions, the proposals are deemed to be acceptable in this regard and compliant with LDP Policy DM1.

Highway Safety:

Access & Traffic Generation

The development would be served by an existing access of Bryn Lane which already serves the Very warehouse site. The Highway Officer has raised no objections in relation to the proposed vehicular access arrangements and access visibility, and it is therefore considered these would be acceptable in planning terms.

Similarly, the Highway Officer has not raised any concerns in relation to a conflict between traffic visiting or leaving the application site and that visiting or leaving the Very site.

The application has been accompanied by detailed Transport Assessments, which have taken into account the likely cumulative impacts caused by the proposed development, together with existing developments on the Industrial Estate and allocated housing and employment developments at KSS2 and KSS3 respectively. Taking into account the potential cumulative impacts caused by the proposed development upon the local highway network within the submitted Transport Assessment, the Applicant is proposing improvements to several roundabouts forming the strategic road network between the application site and the A483. The Council's Highway Officer, having reviewed the proposed improvement measures, has confirmed they would successfully mitigate the increase in traffic flow arising from the proposed development. A suitably worded condition is recommended to secure the implementation of the improvement works prior to the first use of the development.

Subject to conditions to secure the highways improvements, and noting the Highway Officer has raised no objections, it is considered the development is acceptable with regards its impacts upon the local highway network.

Footway Provision & Active Travel

An existing active travel route exists along the opposite side of Bryn Lane from the application site. A pedestrian and cycle crossing is proposed to link the application site to this. Having reviewed details of the proposed crossing, the Council's Highway Officer has highlighted several minor tweaks which would need to be made to the crossing, its location and its wider design to make it acceptable in highway and pedestrian safety terms. A condition is therefore recommended to secure further details with regards the proposed crossing prior to the commencement of development.

The Council's Highway Officer has also recommended that a financial contribution towards active travel improvements along Bryn Lane should be

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provided by the Applicant in accordance with LDP Policies SP5, T2 and T3 due to the overall scale of the proposed development and a lack of adequate provision at present. The Applicant has confirmed their agreement in principle to providing a financial contribution towards improving active travel arrangements, including new bus stops, within the application site's environs, and this could be secured by a Planning Obligation.

Subject to further details concerning the Bryn Lane crossing being secured by condition and a Planning Obligation to secure a financial contribution towards active travel improvements within the site's vicinity, the Council's Highway Officer has raised no objections and the development is therefore acceptable in this regard.

Parking

The proposed B8 units and their curtilages are subject to the Outline part of the application, with all matters reserved for future consideration save for access. Therefore, given that layout and scale are reserved matters, full consideration towards parking arrangements on the site would be given at reserved matters stage and are not, therefore, to be considered as part of the current application. Notwithstanding this, there is no reason to suggest that adequate levels of on-site car parking is not achievable.

Having regard to the above matters, the development would not give rise to highway safety concerns. In such terms it accords with the requirements of LDP Policies DM1, T1, T2 and T3, as well as TAN 18.

Ecology: The proposed development would encroach into the Wrexham Industrial Estate Strategic Ecology Network. However, as explained, the principle of development in this area is considered to be acceptable, and the Ecology Officer has not raised any concerns in relation to this.

Wrexham Industrial Estate is of national importance for a variety of flora and fauna, in particular Great Crested Newts. The application has been accompanied by substantial supporting ecological information in the form of a Preliminary Ecological Appraisal, an Ecological Impact Assessment, and several Ecology Reports specifically relating to different protected species.

The submitted information identifies that Great Crested Newt are present on the application site, and therefore the development has the potential to impact upon them. Notwithstanding this, upon consultation, neither the Council's Ecology Officer nor Natural Resources Wales have raised any objections subject to the attachment of several appropriately worded conditions, including the requirement for the submission of an Amphibian Conservation Plan. The Council's Ecology Officer has also recommended several other conditions in relation to an Ecological Clerk of Works, details of external lighting and an Invertebrate Monitoring and Habitat Enhancement Plan.

The application also proposes new habitat creation on land contiguous to the east of the proposed development that is also owned by the applicants,

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including habitat suitable for Great Crested Newts. Other habitat creation works would include planting of new hedgerow and trees, the creation of wetland areas and management of unimproved grassland.

The proposed habitat creation measures would ensure the enhancement and long term management of land that would make an important contribution to the Wrexham Industrial Estate Strategic Ecology Network. The measures would also ensure the development does not threaten the Favourable Conservation Status of populations of GCN in the wider Wrexham Industrial Estate and deliver a net benefit to biodiversity.

The long term management of the off-site habitat areas can be secured by a Planning Obligation.

Chapter 6 of Planning Policy Wales (Edition 12) sets out a requirement for the development to provide a net benefit for biodiversity and for it to be demonstrated through the submission of a Green Infrastructure Statement (GIS) how the 'step-wise approach' has been followed in the preparation of the application. The application has been accompanied by a GIS which sets out that due consideration has been given to the preservation of habitat and ecology features on the site wherever possible in accordance with the step-wise approach. It is further noted that although the proposed 'ecology zone' to the east of the development would primarily provide ecology mitigation, it would also include features, such as new tree and hedgerow planting, which would provide a net benefit for biodiversity.

Subject to the attachment of the conditions recommended by NRW and the Council's Ecology Officer, and the long term management and maintenance of the habit areas being secured by Planning Obligation, the development accords with the requirements of LDP Policies SP14, NE1 and NE3, together with Technical Advice Note 5 and Chapter 6 of Planning Policy Wales (Edition 12).

Trees: The submitted Arboricultural Impact Assessment, confirms the proposals would lead to a loss of 36 individual trees, 26 groups of trees partially or fully removed and 5 hedgerows (644m length). This is in context of 95 individual trees, one woodland compartment, 33 groups of trees and scrub, and 11 hedgerows surveyed. Several trees of value have been identified for retention. It is noted that none of the trees within the site are subject to a Tree Preservation Order, although the site's northern boundary is comprised of a group TPO.

The Authority's Arboricultural Officer has raised objections to the development; noting the proposed loss of category 'A' and 'B' trees and the cumulative loss of those trees identified as category 'C'. The Officer acknowledges the development's long-term benefits as set-out within the submitted GIS, however feels that the required immediate benefits would be lost through proposed tree and hedgerow loss.

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Whilst the concerns of the Arboricultural Officer are acknowledged, members should note that the submitted layout is purely indicative at this stage; with the final and detailed site layout being subject to future consideration as part of a reserved matters application. Given that the final siting and layout of the development is not known at this stage, the full extent of tree and hedgerow loss is yet to be confirmed, and could be influenced by the final design of the site layout.

It is further noted that the principle of development within the Wrexham Industrial Estate Employment Area is acceptable in accordance with LDP Policy SP9, and to develop the site would inevitably lead to the loss of trees and hedgerows. Therefore it is accepted that to achieve the economic benefits of the scheme, elements of existing tree and hedgerow loss are unavoidable. Further, substantial replacement tree and hedgerow planting is proposed, and would be controlled by way of condition and a future reserved matters application.

Therefore, whilst the Arboricultural Officer's position is duly acknowledged, on this occasion noting the hybrid nature of the application and the fact the principle of development in this location is accepted, it is not considered the loss of existing trees and hedgerows on the site would be a sustainable reason to withhold planning permission. The proposals are therefore considered to be in compliance with the requirements of LDP Policies SP14 and NE3.

Foul Drainage / Phosphorous: In terms of foul drainage, the application proposes to connect to the public sewerage system within the site's vicinity.

Dwr Cymru Welsh Water have advised it is unlikely that sufficient capacity exists within the public sewerage network to accommodate the foul flows from the development, and that a Hydraulic Modelling Assessment (HMA) needs to be carried out. Whilst Dwr Cymru Welsh Water have advised this could be subject to an appropriately worded condition, in-line with NRW's Phosphates Guidance, this matter would need to be resolved, and the HMA completed satisfactorily, prior to any approval of the planning application.

The Applicant has confirmed they are currently liaising with Dwr Cymru Welsh Water regarding the HMA process, and the Local Planning Authority is awaiting the submission of the HMA results. This matter therefore currently remains unresolved; with the Council currently unable to undertake a Habitat Regulations Assessment and conclude that there would be no negative effect upon the integrity of the River Dee and Bala Lake SAC.

As this is a single technical matter which is awaiting a resolution, it is recommended that delegated authority be given to the Chief Officer Economy & Planning to approve the application subject to Dwr Cymru Welsh Water responding to either confirm there is hydraulic capacity within the public sewerage network serving the site, or that subject to planned upgrade works being completed, there would be hydraulic capacity within the public sewerage network to accommodate the development.

Contaminated Land: The application is accompanied by substantial information regarding land contamination, which has been reviewed by the Council's Contaminated Land Officer. The Contaminated Land Officer notes and accepts the information submitted thus far. However, two conditions in relation to a phased site investigation and the production of a Verification Report, have been recommended in the event that planning permission is granted. Subject to the recommended conditions being attached to any permission granted, it is deemed the proposals would be in compliance with LDP Policy SP14.

Historic Environment: Four Grade II listed buildings lie to the south-west of the site, at Isycoed. The Council's Conservation Officer considers that the impact of the proposed development upon the setting of the listed building would be low. In light of this, together with the fact the developable area of the site is located wholly within the Wrexham Industrial Estate Employment Area. Against this context, the development is considered to be acceptable in accordance with LDP Policy SP15 and TAN 24.

Renewable Energy: Policy RE1 of the LDP requires major developments to incorporate schemes to generate energy from renewable and low carbon technologies.

The submitted Planning Statement has been accompanied by an Energy Report which outlines measures that could contribute to reducing energy use and carbon emissions. These include:

- The use of embedded materials in the fabric of the buildings that minimise heat loss and reduce energy demand; and
- The use of air source heat pumps.

Subject to a suitability worded condition requiring the implementation of a low and zero carbon scheme, the development would comply with the requirements of LDP Policy RE1.

CONCLUSION

The proposals are acceptable in principle in accordance with Policy 20 of Future Wales and LDP Policy SP9. Noting the hybrid nature of the application, it is also considered that the development proposed could take place without causing unacceptable impacts in terms of visual and residential amenity, ecology, trees and hedgerows, and highway and pedestrian safety.

The proposed ecology mitigation area is acceptable in principle and already benefits from planning permission. The long-term management and maintenance of this area would be secured by a Planning Obligation, as would a financial contribution towards active travel improvements along Bryn Lane.

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Therefore, it is recommended that planning permission is granted, in line with the below.

RECOMMENDATION A

That the Chief Officer Economy & Planning be given delegated authority to **GRANT** outline and full planning permission in line with Recommendations B and C, subject to the following:

- The satisfactory resolution of the foul drainage/phosphorous issues as outlined in the report in consultation with Dwr Cymru Welsh Water and Natural Resources Wales; and
- Any additional or amended conditions in light of further responses received from Dwr Cymru Welsh Water and/or Natural Resources Wales.

RECOMMENDATION B

That the Council enters into a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure:

- The long term management and maintenance of the habitat mitigation measures specified in the proposed plans; and
- The payment of a commuted sum towards active travel improvements along Bryn Lane.

That the Chief Officer Economy & Planning be given delegated authority to approve the final form and content of the Planning Obligation.

RECOMMENDATION C

Upon completion of the Planning Obligation that outline and full planning permission be **GRANTED** subject to the following conditions:

CONDITIONS PURSUANT TO THE OUTLINE APPLICATION:

1. Details of the appearance, landscaping, layout and scale (hereinafter called the “reserved matters”) for the part of the development on the 13.9 ha area of land which will contain the B8 units, to include an internal estate road, car parking and service yards and ancillary uses / areas associated with each unit, shall be submitted to and approved in writing by the local planning authority before that part of the development begins, other than site preparation and works associated with great crested newt translocation, and the development shall be carried out as approved.
2. Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.
3. The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the

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date of approval of the last of the reserved matters to be approved, whichever is the later.

4. Any development within the 13.9 ha area of land identified on hereby approved drawing Proposed 3 Unit Site Plan, reference 1204-02-001-rev P4, shall be brought forward for reserved matters in accordance with the following parameters:

- a) The approved use shall be for warehouse and distribution in Use Class B8, including ancillary office use, support services and facilities;
- b) No more than three warehouse and distribution units to be provided;
- c) A maximum combined floorspace (GIA) of 93,019 sqm;
- d) A maximum height to ridgeline above adjacent ground level of 25 metres;
- e) A maximum height to haunch above adjacent ground level of 20 metres;
- f) A maximum car parking provision for 654 vehicles;
- g) A minimum provision of 10% of all car parking spaces to be provided with EV charging capabilities.

5. Any application for the approval of reserved matters shall be accompanied by the following information for approval in writing by the Local Planning Authority:

- i. Floorplans, roof plan, elevations and cross-sections in two planes for any building;
- ii. Details of external materials and finishes;
- iii. Details of any low or zero carbon technologies to be used in the construction and potential future operation of any building;
- iv. Details of finished floor levels;
- v. Details of total floorspace (GIA) for any building;
- vi. Details of parking and servicing arrangements for any building;
- vii. Access and movement strategy for ingress and egress of pedestrians and vehicles for any building and its demise;
- viii. Details of any on-site waste management relevant to any building or use therein, including waste recycling;
- ix. Details of any external lighting;
- x. Details and arrangement of any required external plant, extract ventilation and flues; and,
- xi. Landscaping plan for all areas within the demise of the building(s), including private and publicly accessible areas and access;

The development of any phase of plot shall be carried out in accordance with the approved details.

6. No development shall take place until details of the phasing of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the agreed phasing scheme.

7. Any application for the approval of reserved matters for any phase shall be accompanied by details of measures designed to prevent the accidental capture/killing of newts (amphibians) during operational phases of the scheme

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(i.e. post construction). This is essentially the installation and maintenance of an amphibian friendly surface water management system that does not include gully pots (or other similar features);

- i. Details of timing, phasing and duration of construction activities and conservation measures
- ii. Timetable for implementation demonstrating that works are aligned with the proposed development
- iii. Ecological Compliance Audit, including key performance indicators
- iv. Persons responsible for implementing the works
- v. Post construction monitoring and record dissemination for a period of not less than 25 years. All ponds to be added to the Wales Great Crested Newt Monitoring Scheme, (see Cofnod with individuals/bodies being identified as being responsible for monitoring and reporting works. Methodology shall include annual [or biennial] abundance counts and Habitat Suitability Index (HSI) assessments. Each water body shall be individually numbered on site. In respect of biennial surveillance, frequency of monitoring visits shall be increased in the event of fish and or aquatic invasive non-native species are detected;
- vi. Post construction monitoring plan. Monitoring plan to include submission of a biosecurity risk assessment

The development of each phase shall be carried out in accordance with the relevant approved details.

8. No development shall take place until full details of an Ecological Clerk of Works for the duration of the construction works of that phase have been submitted to and approved in writing by the Local Planning Authority. Development of the relevant phase shall thereafter be carried out in strict accordance with the approved details.

9. No development shall take place until an Ecological Compliance Plan (ECP) relevant to that phase has been submitted to and approved in writing by the Local Planning Authority. The ECP shall include details of key performance indicators, details of project auditing by an independent ecologist and on-going liaison meetings with external organisations. Development of the relevant phase shall thereafter be carried out in strict accordance with the approved details.

10. No development on any phase shall commence until a detailed Arboricultural Method Statement, for that phase, 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 Method Statement as is approved. The Method Statement shall include the following:

- A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
- 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;
- A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas

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- or Construction Exclusion Zone , including any related sections and method for avoiding damage to retained trees;
 - Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
 - Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
 - Method for protecting retained trees during demolition works; and
 - Details of all proposed tree works, including felling and pruning.
11. Prior to its installation, details of all external lighting on any phase shall be submitted to and agreed in writing by the Local Planning Authority in a Lighting Plan. The Lighting Plan shall include:
- Details of the siting and type of external lighting to be used;
 - Drawings setting out light spillage in key sensitive areas;
 - Light modelling images to present the night time effects of lighting on building elevations and ground surfaces from key viewpoints;
 - Measures to reduce light spillage onto foraging habitats for bats;
 - Details of lighting to be used both during construction and operation; and
 - Measures to monitor light spillage once development is operational.
- All external lighting on-site within the relevant phase shall be installed and operated in strict accordance with the approved Lighting Plan.
12. Any vegetation clearance must be undertaken outside the bird nesting season (March to August inclusive), unless a detailed bird nesting survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing with the Local Planning Authority.
13. 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.
14. No phase of development shall take place until an appropriate Vibration Management Scheme has been submitted to, and approved in writing by, the Local Planning Authority for that phase. Guide values for vibration levels shall not exceed those outlined in Table 1 of BS 7385-2:1993 (Evaluation and Measurement for Vibration in Buildings — Part 2: Guide to damage levels from ground-borne vibration). The vibration mitigation measures as are approved shall be fully implemented for the entire duration of the construction of the relevant phase and, the results from monitoring undertaken for the purpose of compliance with this condition shall be made available to the Local Planning Authority upon written request.
15. No phase of development shall take place until an appropriate Dust Management Scheme for that phase has been submitted to, and approved in writing by, the Local Planning Authority for that phase. The approved dust

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mitigation measures shall be fully implemented for the entire duration of the construction of the relevant phase.

16. No development on any phase shall take place until a Construction Environment Management Plan (CEMP) for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

- i) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- ii) details of site compound facilities and layout;
- iii) wheel washing facilities;
- iv) measures to control and mitigate the emission of smoke, other airborne pollutants and dirt during construction;
- v) a scheme for recycling/disposing of waste resulting from construction works;
- vi) hours of construction;
- vii) construction phase site lighting;
- viii) odour management and mitigation;
- ix) diesel and oil tank storage areas and bunds;
- x) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk) during the course of the construction of the development; and
- xi) a system for the management of complaints from local residents which will incorporate a reporting system.

The construction of the relevant phase of development shall be undertaken in accordance with the approved CEMP.

17. No B8 unit in any phase hereby permitted shall be occupied until a scheme of low and zero carbon technology for that building and/or phase of development has been implemented in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. Thereafter the measures installed in accordance with the scheme shall be retained for the lifetime of the development.

18. No development on any phase shall take place until full detailed technical drawings of the highway/junction improvement works at the following locations have been submitted to and approved in writing by the Local Planning Authority in consultation with the Welsh Government:

- A483/Gresford Interchange
- Sandy Lane/Gourten/Holt Rd Roundabout
- Abenbury Way/Bryn Lane/Ash Rd North Roundabout.

The submission shall also include a timetable for the full implementation of the works.

19. The details approved as part of Condition 18 shall be fully completed to adoptable standard, and to the satisfaction of the Local Planning Authority, in accordance with the approved timetable.

20. No development on any phase shall take place until full detailed technical drawings of a pedestrian and cycle crossing, linking the application

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site to the existing footway/active travel route on the opposite side of Bryn Lane, have been submitted to and approved in writing by the Local Planning Authority. The submission shall also include a Road Safety Audit to inform the location and design of the crossing and a timetable for the full implementation of the works.

21. The details approved as part of Condition 20 shall be fully completed to adoptable standard, and to the satisfaction of the Local Planning Authority, in accordance with the approved timetable.

22. The site vehicular and pedestrian access shall be fully laid out, surfaced and completed in accordance with drawing no: P21066-100E prior to the first occupation of any B8 unit hereby approved. The access shall be kept clear for the free flow of traffic and pedestrians at all times thereafter.

23. No development on any phase shall take place until a Construction Traffic Management Plan (CTMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include details of the following:

- Haulage routes for construction vehicles;
- Times of working/operation and restrictions on deliveries during peak hours;
- Timings of construction traffic and means of defining and controlling such traffic routes and timings;
- Parking of construction and contractor vehicles;
- Areas for loading and unloading of plant and materials on site;
- Measures to control mud and debris entering the highway;

The development of the relevant phase shall be carried out in accordance with the approved CTMP.

24. No B8 unit hereby permitted shall be occupied until 10% of the spaces within the car park associated with that unit have been fitted with EV charging points in accordance with details first submitted to and approved in writing by the Local Planning Authority. The EV charging points shall be retained in accordance with the approved details thereafter for the lifetime of the development.

25. No development on any phase shall take place until further details of both hard and soft landscape works relevant to that phase have been submitted to and approved in writing by the local planning authority. These details shall include:

- A statement setting out the design objectives and how these will be delivered; means of enclosure and retaining structures, including details of colours and materials of acoustic screens;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, etc.); and
- planting, seeding and management measures for the attenuation basins and any other water/wetland features.

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Soft landscape works shall include detailed planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, plant supply sizes and proposed numbers/densities and an implementation programme.

26. The on-site landscaping works for each phase of development shall be carried out in accordance with the details approved under Condition 25 for that phase in-line with the approved implementation programme. The completed scheme shall thereafter be managed and maintained in accordance with a detailed scheme of management and maintenance for that phase which has first been submitted to and approved in writing by the Local Planning Authority.

27. No building within any phase shall be first occupied until details of proposed cycle parking relevant to that building and/or phase have been submitted to and approved in writing by the local planning authority. The cycle parking shall be implemented in accordance with the approved details before first occupation and maintained thereafter.

28. No building within any phase shall be first occupied until a detailed Travel Plan (DTP) relevant to that building / phase has been submitted to and approved in writing by the Local Planning Authority. The DTP shall be submitted in accordance with the hereby approved Travel Plan prepared by Prime Transport (P21066/TP), Section 6 Transport Implementation Plan, and shall be implemented not later than 6 months following the first use of the said building / phase hereby approved and shall provide for / including the following:

- i. Relevant information about existing travel habits established 6 months' post first use of the building;
- ii. Details of the specific measures to be implemented to promote the use of sustainable modes of transport and details of ways in which these will be implemented;
- iii. Details of the means by which the DTP shall coordinate the requirements of the hereby approved Travel Plan; and
- iv. Details of the means by which the DTP shall be reviewed.

CONDITIONS PURSUANT TO THE FULL PLANNING PERMISSION:

29. The development shall begin no later than five years from the date of this decision.

30. The development shall be carried out in accordance with the following approved plans and documents:

- Application Form [Dated: 12/04/2023]
- Dwg No: 02-000 REV P1 – Site Location Plan
- Dwg No: P21066-100E – Potential Access Plan Priority Controlled Junction
- Dwg No: PP01.00 REV P5 – Planting Plan & Schedule
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 1
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 2

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- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 3
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 4
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 5
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 6
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 7
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 8
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 9
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 10
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 11
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 12
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 13
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 14
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 15
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 16
- Dwg No: WRE2205_PP01.01_P5_Planting Plan Sheet 17
- Dwg No: WRE2205_PP01.18_P6_Planting Plan Sheet 18
- Dwg No: WRE2205_PP01.19_P6_Planting Plan Sheet 19

31. No development shall take place until an Amphibian Conservation Plan to support the translocation of great crested newts has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan shall include, but not necessarily be limited to:

- a) Build upon the principles outlined in the ecological report (Smith, D. (2023). Great Crested Newt Method Statement: Plot 3A, Wrexham Industrial Estate, Bryn Lane, Wrexham, LL13 9UT, United Environmental Services Ltd. (Unpublished Report No UES03448/23));
- b) Submission of details and associated plans concerning GCN avoidance and mitigation measures including: fence design, specifications and proposed locations; fence monitoring and maintenance requirements; and supervised removal of barrier fences. Submission to include proposed timescales and reporting requirements;
- c) Submission of further details concerning on-site and/or off-site compensatory proposals including plans, extent, access, current and proposed management (management to accord with a body defined as responsible under Part 7 of the Environment Act 2021). Details shall identify areas of terrestrial and aquatic habitat to be retained, enhanced and created. Submission to include timescales and reporting requirements;
- d) Submission of a long term site Landscape and Ecology Management Plan (LEMP) (for a duration of not less than 25 years) that includes:-
 - i. defined aims and objectives (including targets that can be used as key performance indicators for monitoring purposes);
 - ii. habitat management prescriptions for aquatic and terrestrial habitats;
 - iii. appropriate amphibian reasonable avoidance measures;
 - iv. contingency prescriptions if fish and/or invasive non-native species (INNS) are detected;
 - v. site liaison, wardening, incident reporting and response arrangements;
 - vi. detail of the skills and competencies required by those undertaking the works or activities including whether they require European Protected Species licenses for the activities proposed;

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- vii. provision for periodic review mechanism for the Environment Management Plan; and
- viii. contingency measures that are capable of being implemented in the event of failure to undertake or appropriately implement / correct management or surveillance prescriptions including any required actions arising from unforeseen situations;
- ix. current and proposed changes to management of the ecology area (management of the ecology area to accord with a body defined as responsible under Part 7 of the Environment Act 2021) to ensure appropriate management over the land is established and the effective targeted delivery of long-term actions (not less than 25 years);
- xi. details of persons or bodies responsible for undertaking management and surveillance together with required skills and competencies; and
- x. reporting requirements associated with species surveillance and habitat management.

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

32. No development shall take place until full details of an Ecological Clerk of Works for the duration of the construction works have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in strict accordance with the approved details.

33. No development shall take place until an Ecological Compliance Plan (ECP) has been submitted to and approved in writing by the Local Planning Authority. The ECP shall include details of key performance indicators, details of project auditing by an independent ecologist and on-going liaison meetings with external organisations. Development shall thereafter be carried out in strict accordance with the approved details.

34. No development, other than works associated with the translocation of great crested newts, 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 Method Statement as is approved. The Method Statement shall include the following:

- A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
- 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;
- 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;
- Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
- Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;

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- Method for protecting retained trees during demolition works; and
- Details of all proposed tree works, including felling and pruning.

35. Any vegetation clearance must be undertaken outside the bird nesting season (March to August inclusive), unless a detailed bird nesting survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing with the Local Planning Authority.

36. No development shall take place until details of a full pre-site clearance Badger check, undertaken by a suitably qualified ecologist, have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a full mitigation plan if deemed necessary by the ecologist. The development shall be carried out in strict accordance with the approved details.

37. No development shall take place until an Invertebrate Monitoring and Habitat Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details.

38. 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 to which outline permission has hereby been granted shall commence on any phase until a scheme specifying the measures that will be taken to remediate the site within that phase 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.

39. Each part of the site subject to the remediation under the scheme(s) approved as part of Condition 38 shall not be brought into beneficial use 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.

40. No development, other than works associated with the translocation of great crested newts, shall take place until an implementation strategy for the hereby approved soft landscape details, as set out as part of Condition 30, has been submitted to and approved in writing by the Local Planning Authority. The implementation strategy shall be prepared in accordance with hereby approved Dwg No: PP01.00 REV P5 – Planting Plan & Schedule. All soft landscape works shall be carried out in accordance with the approved

details within the first planting and seeding season following commencement of development, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

41. No development shall take place until an appropriate Vibration Management Scheme has been submitted to, and approved in writing by, the Local Planning Authority. Guide values for vibration levels shall not exceed those outlined in Table 1 of BS 7385-2:1993 (Evaluation and Measurement for Vibration in Buildings — Part 2: Guide to damage levels from ground-borne vibration). The vibration mitigation measures as are approved shall be fully implemented for the entire duration of the construction phase and, the results from monitoring undertaken for the purpose of compliance with this condition shall be made available to the Local Planning Authority upon written request.

42. No development shall take place until an appropriate Dust Management Scheme has been submitted to, and approved in writing by, the Local Planning Authority. The approved dust mitigation measures shall be fully implemented for the entire duration of the construction phase.

43. No development shall take place until a Construction Environment Management Plan (CEMP) to enable site set-up has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following details:

- i) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- ii) details of site compound facilities and layout;
- iii) wheel washing facilities;
- iv) measures to control and mitigate the emission of smoke, other airborne pollutants and dirt during construction;
- v) a scheme for recycling/disposing of waste resulting from construction works;
- vi) hours of construction;
- vii) construction phase site lighting;
- viii) odour management and mitigation;
- ix) diesel and oil tank storage areas and bunds;
- x) how the developer proposes to accord with the Considerate Constructors Scheme (www.considerateconstructorsscheme.org.uk) during the course of the construction of the development; and
- xi) a system for the management of complaints from local residents which will incorporate a reporting system.

The construction of the development shall be undertaken in accordance with the approved CEMP.

44. No development shall take place until a Construction Traffic Management Plan (CTMP) associated with site set-up has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include details of the following:

- Haulage routes for construction vehicles;

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- Times of working/operation and restrictions on deliveries during peak hours;
 - Timings of construction traffic and means of defining and controlling such traffic routes and timings;
 - Parking of construction and contractor vehicles;
 - Areas for loading and unloading of plant and materials on site;
 - Measures to control mud and debris entering the highway;
- The development shall be carried out in accordance with the approved CTMP.

45. No development shall take place until details of all earthworks, excavation, and land regrading and retaining structures have been submitted to and approved in writing by the Local Planning Authority. The details shall include the existing and proposed levels and contours, cut and fill line, existing vegetation and site features of the development. Details of soil stripping, storage and replacement shall be included where appropriate. The development shall be carried out in strict accordance with the details as approved.

REASON(S)

1. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
3. To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
4. To define the scale and scope of the outline planning permission.
5. To define the scale and scope of the outline planning permission.
6. To define the scale and scope of the development and to accord with LDP Policy DM1.
7. In the interests of ecology and to ensure no adverse impacts upon protected species in accordance with Policy SP14 of the Wrexham Local Development Plan.
8. In the interests of ecology and to ensure no adverse impacts upon protected species in accordance with Policy SP14 of the Wrexham Local Development Plan.
9. In the interests of ecology and to ensure no adverse impacts upon protected species in accordance with Policy SP14 of the Wrexham Local Development Plan.

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10. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.
11. In the interests of ecology and the wider landscape, in accordance with Policies SP14, SP15, DM1 and NE4 of the Local Development Plan.
12. In order to ensure that no protected species are adversely affected by the development and in the interests of ecology, in compliance with Policy SP14 of the Local Development Plan.
13. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
14. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
15. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
16. To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment in accordance with Policies SP14 and DM1 of the Local Development Plan.
17. To ensure the development minimises energy use and carbon emissions in accordance with Policy RE1 of the Wrexham Local Development Plan.
18. To mitigate for increased traffic generation associated with the development and in the interests of highway safety in accordance with Policies DM1 and T1 of the Local Development Plan.
19. To mitigate for increased traffic generation associated with the development and in the interests of highway safety in accordance with Policies DM1 and T1 of the Local Development Plan.
20. To ensure adequate active travel connectivity is made to the site in accordance with Policies DM1 and T2 of the Local Development Plan.
21. To ensure adequate active travel connectivity is made to the site in accordance with Policies DM1 and T2 of the Local Development Plan.
22. In the interests of highway safety in accordance with Policies DM1 and T1 of the Local Development Plan.
23. To ensure that the parking provision and highway safety in the area are not adversely affected by the construction of the development and to meet the requirements of Policies DM1 and T1 of the Wrexham Local Development Plan.

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24. To comply with the requirements of Policy 12 of Future Wales: The National Plan 2040.
25. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and wider landscape, in accordance with Policy DM1 of the Wrexham Local Development Plan.
26. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and wider landscape, in accordance with Policy DM1 of the Wrexham Local Development Plan.
27. To ensure adequate cycle parking facilities are provided as part of the development in accordance with Policy DM1 of the Wrexham Local Development Plan.
28. To ensure the development is accessed in a sustainable manner in the long-term in accordance with Policies DM1 and T2 of the Wrexham Local Development Plan.
29. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
30. To comply with section 71ZA(2) of the Town and Country Planning Act 1990.
31. In the interests of ecology and to ensure no adverse impacts upon protected species in accordance with Policy SP14 of the Wrexham Local Development Plan.
32. In the interests of ecology and to ensure no adverse impacts upon protected species in accordance with Policy SP14 of the Wrexham Local Development Plan.
33. In the interests of ecology and to ensure no adverse impacts upon protected species in accordance with Policy SP14 of the Wrexham Local Development Plan.
34. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.
35. In order to ensure that no protected species are adversely affected by the development and in the interests of ecology, in compliance with Policy SP14 of the Local Development Plan.
36. In the interests of ecology and to ensure no adverse impacts upon protected species in accordance with Policy SP14 of the Wrexham Local Development Plan.

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37. In the interests of ecology and to ensure no adverse impacts upon protected species in accordance with Policy SP14 of the Wrexham Local Development Plan.
38. In the interests of the amenities of the future users of the site in accordance with Policy DM1 of the Wrexham Local Development Plan.
39. In the interests of the amenities of the future users of the site in accordance with Policy DM1 of the Wrexham Local Development Plan.
40. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and wider landscape, in accordance with Policy DM1 of the Wrexham Local Development Plan.
41. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
42. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
43. To ensure that the construction of the development is undertaken in a neighbourly manner and in the interests of the protection of amenity and the environment in accordance with Policies SP14 and DM1 of the Local Development Plan.
44. To ensure that the parking provision and highway safety in the area are not adversely affected by the construction of the development and to meet the requirements of Policies DM1 and T1 of the Wrexham Local Development Plan.
45. 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.

RECOMMENDATION D

That if the Planning Obligation pursuant to Section 106 of the Town and Country Planning Act, 1990 is not completed within six months of the date of the Committee resolution, the Chief Officer Economy & Planning be given delegated authority to REFUSE the application on the following grounds:

1. The development makes inadequate provision for the long term management and maintenance of the proposed habitat mitigation measures and therefore conflicts with Policies SP14 and NE1 of the adopted Wrexham Local Development Plan.
2. The development makes inadequate provision for active travel and would therefore be an unsustainable form of development contrary to the requirements of Policies DM1, T2 and T3 of the adopted Wrexham Local Development Plan.

NOTE(S) TO APPLICANT

*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. The duties in that section include the following:

*** Notice of initiation of development**

Before beginning any development to which this planning permission relates, notice must be given to the Local Planning Authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The forms set out the details that must be given to the Local Planning Authority to comply with this duty.

*** Display of notice**

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details that the person carrying out development must display to comply with this duty.

The person carrying out development must ensure that the notice is:

- a) Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- b) Legible and easily visible to the public without having to enter the site; and
- c) Printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

*This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as ""conditions precedent"". You should be aware that it is important that you comply with any ""conditions precedent"". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

*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

*Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that

require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

*The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

*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.
