

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 LAURENCE HERRING THE ROYAL BRITISH LEGION	Code No	LLA P/2018/0933
Agent	EDGEPLAN LTD STEVE EDGELLER BARNETT HOUSE 53 FOUNTAIN STREET MANCHESTER M2 2AN	Date Received	05/11/2018
		Decision Date	15/10/2019

Town and Country Planning Act, 1990

Location of application

BRITISH LEGION SOCIAL CLUB, WATTS DYKE, LLAY, WREXHAM,
LL12 0RL

Description of application

MIXED USE HYBRID DEVELOPMENT COMPRISING RESIDENTIAL DEVELOPMENT (OUTLINE), A 4,000 SQ FT RETAIL UNIT (OUTLINE), A BOXING CLUB (OUTLINE), A CAR PARK (FULL), DETAILS OF ACCESS (ALL OTHER MATTERS RESERVED) AND ASSOCIATED WORKS

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

CLF1	Existing Facilities
CLF5	Open space requirements from new residential developments
EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
GDP1	Development objectives
GDP2	Capacity of infrastructure and community facilities
H2	Residential development within settlements
H7	Affordable housing within new developments
PS1	Settlement limits
PS2	Development and the environment
PS3	Brownfield Land
PS4	Settlement Pattern
S6	Local need shopping
T8	Parking

Revision	Date	Description of Decision
0	15/10/2019	Planning permission issued
1	26/07/2021	Approval of details submitted in respect of conditions 10 and 14

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2	06/03/2024	Approval of details submitted in respect of conditions 6, 9 and 13.
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**Particulars of decision that Outline Planning Permission be GRANTED
Subject to the following:-**

Condition(s)

1. Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced on the land described as 'Residential Zone (Outline) and Retail Zone (Outline) and the area labelled Boxing Club' on drawing no AL-00-002:
 - a. the layout of the building(s)
 - b. the scale of the building(s)
 - c. the appearance of the building(s)
 - d. the landscaping of the site
2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before the expiry of three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
3. The development hereby permitted shall be commenced:
 - a. in respect of that part of the site described as 'Royal British Legion Club Zone (Full) excluding area labelled Boxing Club building' on drawing no. AL-00-002, before the expiry of five years from the date of this permission;
 - b. in respect of that part of the site described as 'Residential Zone (Outline) and Retail Zone (Outline) and area labelled Boxing Club Building' on drawing no. AL-00-002, before the expiry of five years from the date of this permission or before the expiry of two years from the date of approval of the last of the reserved matters required to be approved, whichever is the later.
4. In respect of that part of the site described as 'Royal British Legion Club Zone (Full) excluding area labelled as Boxing Club Building' on drawing no. AL-00-002, development shall be carried out in strict accordance with the detail contained on that same plan.
5. No part of the development shall be occupied until an at-grade pedestrian crossing at point south of the existing junction of Watts Dyke and Llay New Road in accordance with the detail contained in the approved

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document titled Llay Royal British Legion, Residential and Retail Development: Pedestrian and Vehicular Accessibility Notes has been implemented.

6. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and demonstrating compliance with the Welsh Ministers Statutory SuDS Standards for Wales. The results of the assessment shall be submitted in writing to the Local Planning Authority. The submitted details shall:

- i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
- ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
- iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Date Approved: 06/03/2024 **Reference Number:** P/2021/0697

By: Wrexham County Borough Council

Approved Details: Plans and documents referred to on decision notice for P/2021/0697

7. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.

8. The rating level of any noise generated by air handling plant associated with the development on any part of the site described as

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'Residential Zone (Outline) and Retail Zone (Outline)' on drawing no. AL-00-002 shall not exceed the pre-existing background level by more than 5dB(A) 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 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

9. No development shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the detail as may be approved.

Date Approved: 06/03/2024 **Reference Number:** P/2021/0697

By: Wrexham County Borough Council

Approved Details: Construction and Environmental Management Plan dated July 2021

10. Development shall not 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 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;
- 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.

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Date Approved: 26/07/2021 **Reference Number:** P/2021/0384

By: Wrexham County Borough Council

Approved Details: Drawing no. 101 Revision A

11. All trees and hedges identified for retention on approved plan no. TPP.12620.01 shall not be cut down, grubbed out or otherwise removed or topped or lopped without the prior written approval of the local planning authority.
12. This permission provides for a retail unit of up to a maximum of 372 square meters to be erected on the land described as 'Residential Zone (Outline) and Retail Zone (Outline)' on drawing no. AL-00-002 Rev P1.
13. Prior to commencement of any residential development a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:
 - i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25% of housing units/bed spaces;
 - ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
 - iii) the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing (if no RSL involved);
 - iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Date Approved: 06/03/2024 **Reference Number:** P/2021/0697

By: Wrexham County Borough Council

Approved Details: Affordable Housing Scheme Revision A dated July 2021, as supplemented by the Addendum Document submitted with covering letter from SG Estates dated 6 March 2024

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14. No part of the development shall commence until further details of the proposed vehicular parking and turning facilities in respect of that part of the site described as 'Royal British Legion Club Zone (Full) excluding the area labelled Boxing Club Building' on drawing no. AL-00-002 have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained prior to first use of the development, and shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.

Date Approved: 26/07/2021 **Reference Number:** P/2021/0384

By: Wrexham County Borough Council

Approved Details: Drawing no. 20072/10/1 Revision F

15. No use of any retail (A1) unit hereby approved shall be made outside the hours of 0600 and 2300 on any day.

Reason(s)

1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
2. To comply with Section 92 of the Town and Country Planning Act, 1990.
3. To comply with Sections 91(3) and 92 of the Town and Country Planning Act, 1990.
4. To define the scope of the planning permission.
5. In the interests of pedestrian safety.
6. To ensure satisfactory drainage of the site and to avoid flooding.
7. To protect the amenities of the occupiers of nearby properties.
8. To protect the amenities of the occupiers of nearby properties.
9. To ensure the integrity of the natural environment, more specifically the value of the nearby Llay Bog Site of Special Scientific Interest.
10. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
11. To protect trees which are of significant amenity value to the area.
12. To define the terms of the planning permission.

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13. In order to ensure that that the development provides for a suitable housing mix in the interests of the wider community.
14. In the interests of highway safety and to define the terms of the planning permission.
15. To ensure that the retail element of the development is not used at a time which would be likely to cause nuisance or disturbance to nearby residents.



**Officer Appointed for this purpose
Chief Officer Planning & Regulatory**

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