

REPORT OF THE CHIEF OFFICER ECONOMY AND PLANNING – 8 April 2024

APPLICATION NO:
P/2022/0878

LOCATION:
TREVOR BASIN NEW ROAD
TREVOR LLANGOLLEN WREXHAM
LL20 7TP

DATE RECEIVED:
03/10/2022

COMMUNITY:
Llangollen Rural

DESCRIPTION:
AMRYWIO AMOD RHIF 36 O
P/2021/0560 I GYNYDDU'R NIFER O
CYCHOD / VARIATION OF
CONDITION NO. 36 OF P/2021/0560
TO INCREASE NUMBER OF BOATS

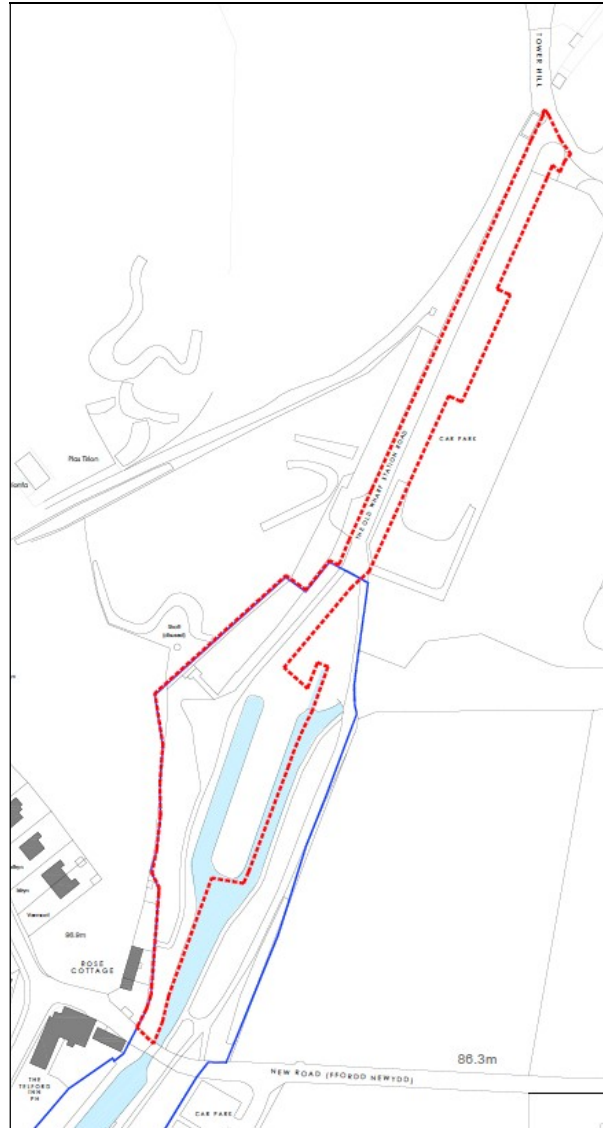
CASE OFFICER:
SEH

WARD:
Llangollen Rural

APPLICANT(S) NAME:
NICK WILD
CANAL AND RIVER TRUST

AGENT NAME:
CANAL AND RIVER
TRUST
NICK WILD

THE SITE



PROPOSAL

Removal of condition no. 26 of planning permission P/2021/0560.

Condition 26 states:

There shall be no more than a maximum of 17 no. boats operating from the boat hire business.

The reason for the condition was:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

HISTORY

P/2021/0560 Redevelopment of canal basin for use as boat hire business including erection of 2 buildings and storage enclosure - Granted 06.07.2022

DEVELOPMENT PLAN

The Trevor Basin site is within the Pontcysyllte Aqueduct and Canal World Heritage Site, and a designated Conservation Area. The canal is also a Scheduled Monument. Policies DM1, BE2, NE1, NE2, NE3, T1, SP14, and SP15 are relevant.

CONSULTATIONS

Community Council

Objects on the following grounds:

- Concerned that an increase in the number of boats on site could increase the number of vehicles attending the site, the parking spaces required, and vehicles in the vicinity;
- Car parking facilities on site would be stretched under the original permission, and a variation would inevitably increase the demand for parking and overload car parking availability on site;
- The applicant argues that the number of customers on site at any one time would not increase, but traffic and the number of vehicles would likely increase with an increase in the number of boats on site. This has not been adequately assessed within the variation application;
- The applicant argues that the variation should be granted to align more with how the business is operated. They surely had knowledge of the business plan/model at the time of the original application, but chose to specify a maximum of 17 boats and permission was granted. They now wish to change a key parameter on which the original permission was assessed and granted without a full assessment of its effect; and
- It could be argued that the whole original application should be reassessed as the number of boats using the site fundamentally affects a number of issues on the site including parking, traffic generation and vehicular and pedestrian safety.

Local Member

No formal response received.

Highway Officer

Makes no comments or recommendations.

Public Protection Officer

Makes no comments.

Natural Resources Wales

Advises that the phosphorus impact of proposed development on water quality within SAC river catchments must be considered.

Considers that the removal of the condition to restrict boat numbers will not increase phosphorous level to an extent that would have a significant effect upon the River Dee and Bala Lake SAC.

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Welsh Water

Raises no objection. Welsh Water has confirmed that Cefn Mawr Waste Water Treatment Works has:

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

Site Notice

Expired on 07/12/2022

Neighbours

25 neighbours notified on 06/12/2022. 1 representation received expressing the following concerns:

- We experience problems with people parking on the highway by our house, rather than pay to use the car park. Other than this, we are up for the development.

SPECIAL CONSIDERATIONS

Background: The extant planning permission was granted in 2022 at a time when the Cefn Mawr Wastewater Treatment Works (WwTW) did not benefit from an up to date Environmental Permit. Any development that increased foul water discharges therefore had the potential to have a significant effect on the River Dee and Bala Lake SAC.

A boat operator and café had previously operated from the site. It was determined that at any one time the wharf could accommodate 17 of the largest boats that were likely to have previously have been moored there. This was considered to be the extent of the lawful use of the site. The condition was therefore imposed limiting the number of boats to 17 in order to ensure the foul water discharges from the site did not exceed previous levels. Subject to the condition, it was considered that proposed redevelopment was unlikely to increase the amount of phosphorous entering the SAC.

River Dee and Bala Lake SAC: The Cefn Mawr WwTW now benefits from an up to date Environmental Permit. Welsh Water has confirmed the WwTW has capacity to treat wastewater from the proposed development within the limits set by the Permit. The sewer network and WwTW also has the hydraulic capacity to accommodate wastewater from the development without contributing to an increase in frequency or duration of storm overflows.

Having regard to the above, the removal of the condition is unlikely to have a significant effect on the SAC and would therefore accord with policies SP14, NE1 and NE6.

Highway Safety: The extant planning permission provides for both onsite parking and parking in an adjacent car park, secured by condition and Planning Obligation. The Highway Officer did not previously recommend any

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limit be placed upon the number of boats that could operate from the site and raises no objections to the removal of the condition.

The Community Council has expressed concern that the removal of the condition could result in an increase in the number of vehicles attending the site. However, the size of the wharf imposes a physical limit on the number of boats that can be accommodated, and in turn the number of visitors arriving by car. The removal of the condition would not necessarily permit a significant increase in user / berth numbers. Rather, it would permit a variety of smaller boats to operate from the site, rather than 17 large boats.

Having regard to the above, the removal of the condition would not give rise to highway safety concerns and accords with policies DM1 and T1.

CONCLUSION

The removal of the condition is unlikely to give rise to a significant effect on the River Dee and Bala Lake SAC or highway safety concerns. It therefore accords with the relevant LDP policies.

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The development hereby permitted shall be commenced before 06/07/2027.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:
 - * Site Location Plan V16
 - * GA Proposed Site Plan V17
 - * GA Proposed Site Access Plan V19
 - * Tree Removal Plan V19
 - * GA Hire Boat Base Floor Plans and Elevations V16
 - * GA 1938 38 GA Storage Structures and Pump House V16,
 - * Tree Removal Plan Proposed Site Plan Overlay V5
 - * GA Proposed Tree Retention and Planting Plan V4
 - * GA Proposed Tree Retention Plan V3
 - * GA Drainage Plan V17
 - * GA Proposed Contextual Elevations V15
 - * Car Park for the Purposes of the s106 V1
 - * GA Landcape Plan V18,
 - * Proposed Foot & Carriageway Section Details V3, andas contained within the application documentation.
3. The development shall be carried out in strict accordance with the external facing, roofing and hardsurfacing materials approved in connections with permission ref: P/2021/0560 - Approved Materials Schedule: V2 Trevor Boat Base: Condition 3 Sample Board.
4. The landscaping works approved in connection with permission ref: P/2021/0560 shall be carried out prior to the occupation of any part of the development, with the exception of soft landscaping which shall be carried out

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in the first planting season (November to March) or seeding season (April to September) following the first use.

5. The planting scheme implemented in connection with condition no. 4 shall be permanently retained. Any planting which becomes severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced within the next available planting season by trees or shrubs of similar size and species to those originally required to be planted.

6. The works shall be carried out in strict accordance with the watching brief approved in connection with condition no.6 of permission ref: P/2021/0560 - CPAT WSI 2627. Archaeological Watching Brief, Written Scheme of Investigation - and a copy of this resulting report should be submitted to, and approved in writing by, the Local Planning Authority and the Development Control Archaeologist, Clwyd Powys Archaeological Trust (The Offices, Coed y Dinas, Welshpool, Powys, SY21 8RP Email: mark.walters@cpat.org.uk Tel: 01938 553670), within 2 months of completion of the fieldwork. On approval the digital archive shall be submitted to the Historic Environment Records Officer at Clwyd-Powys Archaeological Trust (gary.duckers@cpat.org.uk) and the National Monuments Record, RCAHMS (nmr.wales@rcahms.gov.uk).

7. Each part of the site subject to the remediation detailed within the Geo-Environmental Desk Study, Trevor Hire Boat Base, prepared by Arcadis, dated October 2021 shall not be occupied / 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. Any revisions to the remediation works, for instance where previously unforeseen contamination is identified, should be agreed in writing with the Local Planning Authority and subsequently included within the Validation Report.

8. The noise mitigation measures approved in connection with permission ref: P/2021/0560 - TREVOR BASIN, PLANT NOISE ASSESSMENT, Acoustics Report A1893 R01B, 7th July 2022' by Ion Acoustic - shall be fully implemented prior to the first occupation / use of the development.

9. 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 Method for rating and assessing industrial and commercial sound.

10. Prior to installation on the development, details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, its appearance and finish shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an effective condition.

11. Prior to first use of the development a suitable grease trap shall be provided in order to prevent entry into the public sewerage system of matter (cooking fats, oils and grease etc.) likely to interfere with the free flow of the sewer contents, or which would prejudicially affect the treatment and disposal

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of such contents. The grease trap shall thereafter be permanently retained in a working condition.

12. No development shall take place within 3 metres either side of the public sewer which crosses the site.

13. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.

14. The landscaping shall be managed and maintained in strict accordance with the Landscape Management Plan Ref: Landscape Management Plan Trevor Boat Base 21.02.2023, approved in connection with permission ref: P/2021/0560.

15. The existing trees, shrubs and hedges shown on drawing no. GA Proposed Tree Retention Plan V3 to be permanently retained shall not be cut down, grubbed out, lopped or uprooted. Any trees, shrubs or hedges removed or being severely damaged or becoming diseased shall be replaced with trees, shrubs or hedging plants of the equivalent size and species.

16. The development shall be carried out in strict accordance with the following plans and report(s) submitted and approved as part of this application:

1) Arboricultural Implication Assessment Ref no. Amenity Tree Care/AIA/Version 6

2) Tree Protection Plan Ref no. Amenity Tree Care / TPP/TR-01/V6

3) Arboricultural Method Statement Ref: Amenity Tree Care/AIA/Version 6
No development or other operations shall take place except in strict accordance with the reports as approved.

17. The development shall be carried out in strict accordance with the 'Trevor Basin Arboricultural Method Statement (AMS) - Amenity Tree Care Ltd' approved in connection with permission ref: P/2021/0560.

18. The trees on site shall be supervised in strict accordance with the 'Trevor Basin Arboricultural Method Statement (AMS) - Amenity Tree Care Ltd' approved in connection with P/2021/0560.

19. The development shall be carried out in strict accordance with measures contained within the 'Ecology Management Plan, Trevor Basin, Wrexham, prepared by Ecology Services UK Ltd, dated 25 April 2022' and 'Ecology Method Statement, Trevor Basin, Wrexham, prepared by Ecology Services UK Ltd, dated April 2022' approved in connection with permission ref: P/2021/0560.

20. The vehicular access hereby approved shall be a minimum width of 4.8 metres.

21. There shall be no gates or other means of enclosure across the vehicular access point within 10 metres of the highway boundary.

22. Prior to first use of the development, the proposed vehicular access shall be laid out in strict accordance with plan refs: GA Proposed Site Plan V17 and GA Proposed Site Access Plan V19, approved in connection with permission ref: p/2021/0560. The visibility splays shall thereafter be permanently retained free of all obstruction in excess of 1 metre in height.

23. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 33 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height

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above the level of the nearside edge of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

24. Prior to first use of the development on-site vehicular and cycle parking facilities shall be provided in strict accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of vehicles and cycles.

25. The Construction Traffic Management Plan refs: Construction Traffic Management Plan, V2 1938 300 Trevor Boat Base CTMP overview, V2 1938 301 Trevor Boat Base CTMP Area 1, V2 1938 302 Trevor Boat Base CTMP Area 2, V2 1938 303 Trevor Boat Base CTMP Area 3, approved in connection with permission ref: P/2021/0560 shall be fully implemented for the entirety of the construction phase of development.

26. The Service Delivery Management Plan ref: SDMP_TrevorHireBase_P-2021-0560, approved in connection with permission ref: P/2021/0560, shall be fully implemented for the life of the development.

27. The development shall only be carried out in strict accordance with Boundary Plan Ref: GA BOUNDARY TREATMENTS 2019 28 147 V2, approved in connection with permission ref: P/2021/0560. No other boundary treatments or other means of enclosure shall be erected on any part of the site, and the approved boundary treatments shall thereafter only be replaced on a like for like basis.

28. The lighting scheme approved in connection with permission ref: P/2021/0560 - Plan Refs:

"" 1938 145 EXTERNAL LIGHTING DETIALS

"" 1938 146 LIGHTING & SOFT PLANTING

"" 1938 148 V1 PROPOSED LIGHTING & P1 HABIT SURVEY

shall be fully implemented prior to first use of the development. No other external lighting shall be installed on any part of the site.

29. Prior to their use on the development, details of the proposed green energy technologies shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved and shall thereafter only be replaced on a like for like basis.

30. Within 2 months of the date of this permission, details of signage to assist in the pedestrian and vehicular movement / interpretation within and around the site shall be submitted to, and approved in writing by, the Local Planning Authority. The signage shall be permanently erected in strict accordance with such details as are approved, prior to first use of the development.

31. The development shall be carried out in strict accordance with the findings and recommendations contained within the following approved Ecology Assessments:

* Brain. S. (2021), Bat Roost Assessment (BRA) - Preliminary Roost Feature Investigation - 3 No. Additional Trees: Trevor Basin, Llangollen. Amenity Tree Care, and

* Brain. S. (2021), Otter Survey Report - Trevor Basin, Llangollen. Amenity Tree Care.

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32. No use of the development shall be made before 0800 or after 2100 hours on any day.
33. No part of the development shall be occupied until a timber security gate has been installed at the bridge arch to the south of the site, to match the existing timber gate currently in situ at the opposite side of the bridge arch (in both height, width and design). The timber security gate shall be finished with sadolin wood stain to treat/protect the timber and darken the colour. The gate shall thereafter be kept closed and locked outside of the lawful hours of opening of the boat hire business.
34. No part of the development shall be occupied until the foul / waste water drainage scheme has been fully implemented in strict accordance with plan ref: GA Drainage Plan V17 approved in connection with permission ref: P/2021/0560. Thereafter, there shall be no other means of foul / waste water drainage at the site, and no further foul / waste water shall be allowed to connect directly or indirectly with the public sewerage system.

REASON(S)

1. To comply with Section 92 of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
4. 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.
5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DM1 and NE3 of the Wrexham Local Development Plan.
6. The site may contain archaeological remains which should be recorded if they are damaged in accordance with Policies DM1 and SP15 of the Wrexham Local Development Plan
7. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.
8. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
9. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
10. To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.
11. To prevent pollution of the water environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
12. To protect the integrity of the public sewer and avoid damage thereto in accordance with Policy DM1 of the Wrexham Local Development Plan.
13. To prevent pollution of the water environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
14. To ensure landscape features are properly considered and protected in accordance with Policy DM1 of the Wrexham Local Development Plan.

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15. To ensure the amenity afforded by the trees is continued into the future in accordance with Policies DM1 and NE3 of the Wrexham Local Development Plan.
16. To protect trees which are of significant amenity value to the area in accordance with Policies DM1 and NE3 of the Wrexham Local Development Plan.
17. To ensure that hard surfacing does not cause harm to retained trees in the interests of visual amenity in accordance with Policies DM1 and NE3 of the Wrexham Local Development Plan.
18. 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 and NE3 of the Wrexham Local Development Plan.
19. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.
20. To ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.
21. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.
22. To ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.
23. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy DM1 of the Wrexham Local Development Plan.
24. To ensure that adequate parking facilities are provided and maintained within the curtilage of the site in the interests of the free flow of traffic, highway safety and the amenities of the locality in accordance with Policy DM1 of the Wrexham Local Development Plan.
25. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
26. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
27. To enable the control of matters not detailed in the application in in accordance with Policy DM1 of the Wrexham Local Development Plan.
28. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted, and to conserve the AONB's dark sky and nocturnal wildlife in accordance with UDP Policies DM1 and SP14 of the Wrexham Local Development Plan..
29. To enable the control of matters not detailed in the application in in accordance with Policy DM1 of the Wrexham Local Development Plan.
30. To enable the control of matters not detailed in the application in in accordance with Policy DM1 of the Wrexham Local Development Plan.
31. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.

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32. To ensure that the boat hire business use is not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policy DM1 of the Wrexham Local Development Plan.
33. To ensure a satisfactory standard of security and appearance of the development in the interests of the visual and residential amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
34. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system in accordance with Policy DM1 of the Wrexham Local Development Plan..

NOTE(S) TO APPLICANT

The applicant is advised that a separate application for Listed Building Consent will be required for the timber security gate to be installed in connection with condition no. 35, if the gate is to be affixed to the listed bridge structure.

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs 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 works outside of the specified times, permission to proceed may be sought by contacting Environmental Health and Housing Standards at: healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply

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with the requirements of the notice can result in prosecution;

- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Planning & Regulatory Department on 01978 292040 for further advice and information.

The development site is in close proximity to residential properties and the developer is therefore required to carry out a noise survey in connection with condition no. 9 in order to determine noise levels for both day (0700 - 2300 hours) and night (2300 - 0700 hours) having regard to Planning Guidance (Wales), Technical Advice Note (TAN) 11 - Noise. The report of the noise survey findings shall include:

a) Noise levels arising from day/night time activities in the vicinity of the proposed development site and the impact upon the proposed accommodation, and

b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the future occupants of the proposed accommodation hereby approved.

Lighting has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If lighting is found to be causing a nuisance than an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting.

You are advised that the development should comply with the provisions of the Health and Safety (Emissions to the Atmosphere) Regulations, 1983 which are administered by the Health and Safety Executive.

Guidance on best management practice for catering outlet for the dispersal of fats, oils, grease and food waste, as issued by Water UK is available by contacting the Council's Planning & Regulatory Department on 01978 292040 for further advice and information

The proposed development site is crossed by public sewers with the approximate position being marked on the attached Statutory Public Sewer Record. The positions shall be accurately located and marked out on site before works commence and no operational development shall be carried out within a specified easement zone either side of the centreline of the public sewers. The applicant is advised to contact Welsh Water to discuss.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""? 7th Edition. Further

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information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on Dwr Cymru / Welsh Water maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru / Welsh Water in dealing with the proposal, the applicant may contact Dwr Cymru / Welsh Water to establish the location and status of the apparatus.

Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The scheme of arboricultural supervision required in connection with condition no. 19 above shall make provision for a pre-commencement site meeting between the Local Planning Authority's Arboriculturist, the Developer/ Applicant/ Agent and their appointed Arboricultural Supervisor to agree matters of detail. It shall specify the frequency of arboricultural monitoring and reporting to the Local Planning Authority on the status of all tree protection measures throughout the course of the development and make provision for the submission and approval of a satisfactory arboricultural completion statement

This planning permission requires that development be carried out in accordance with the approved plans, including the construction of an estate road intended for adoption by the Council under the Highways Act 1980. It is essential therefore that the detailed proposals are submitted to the Highway Authority and confirmed as acceptable BEFORE development commences. Please contact the Highway Authority on telephone no. 01978 729690 for further guidance.

The written consent of the Highway Authority (as required by section 38 of the Highways Act 1980) must be obtained before any work is carried out on private land that is intended for adoption by the Highway Authority in connection with condition no. 28. All works shall be constructed to a safe and usable condition and completed to an adoptable standard. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council.

NRW advises that any fuel storage tank should have secondary containment with 110% capacity. It is also advised that any tank is sited at least 10m away from any watercourse. It should be ensured that any such proposal complies with the Control of Pollution (Oil Storage) Regulations 2016. For further advice and guidance, refer to GPP2: gpp-2-pdf.pdf (netregs.org.uk)

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to GPP 5 and PPG 6 at the following link:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention->

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guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/

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

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which are available on the following website:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- o o before it is collected, disposed of or recovered
- o o to identify the controls that apply to the movement of the waste
- o o to complete waste documents and records
- o o to identify suitably authorised waste management options
- o o to prevent harm to people and the environment.

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Any waste removed from site will be subject to waste management controls. The links below provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

Further advice on compliance with condition no. 8 may be obtained by contacting the Council's Environmental Protection Team on 01978 298989 or contaminatedland@wrexham.gov.uk

Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Housing and Public Protection Department prior to commencement of works on site.
