

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 D GRATTON CARTREFFI GO LTD	Code Number	RUA P/2019/0805
Agent	SEAN CADDICK ARCHITECTURAL MR SEAN CADDICK 13 BELVIDERE WALK SHREWSBURY SY2 5LT	Date Received	23/10/2019
		Decision Date	17/11/2021

Town and Country Planning Act, 1990

Location of application

SITE OF WYNNSTAY TECHNOLOGY PARK, SOUTH OF LLANGOLLEN ROAD, RUABON, WREXHAM, LL14 6EN

Description of application

ERECTION OF 43 AFFORDABLE DWELLINGS WITH ASSOCIATED PARKING

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

Revision	Date	Description of Decision
0	17/11/2021	PLANNING PERMISSION ISSUED
1	17/04/2024	P/2023/0793 - DISCHARGE OF CONDITIONS 3 (MATERIALS), 4 AND 6 (DRAINAGE), 7 (CONTAMINATION), 9 (DUST MANAGEMENT) AND 10 (NOISE SURVEY) OF PLANNING PERMISSION P/2019/0805

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

Condition(s)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:
18/1786/03 Rev H

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18/1786/05 Rev A

18/1786/06 Rev A

18/1786/07 Rev A

18/1786/08 Rev C

18/1786/09 Rev A

18/1786/10 Rev A

and as contained within the application documentation.

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

Approved on: 17.04.2024 **Reference Number:** P/2023/0793

By: Wrexham County Borough Council

Approved Schedule Ref: 'Details in relation of condition 3 – Revision A - SITE OF WYNNSTAY TECHNOLOGY PARK, SOUTH OF LLANGOLLEN ROAD, RUABON, WREXHAM, LL14 6EN'

4. 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 the results of the assessment shall be submitted in writing to the Local Planning Authority. Where a SuDS scheme is to be implemented, 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.

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Approved on: 17.04.2024 **Reference Number:** P/2023/0793

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Approved Plan and Document Refs:

SAB_FUL_2021_0404 Determined on 26/04/2022

19010-501-P03 - Prop Drainage

19010-502-P03 - Prop Drainage

19010-503-P03 - Foul MHS

19010-505-P03 - F Long Secs

19010-508-P02 - Cons Details 1

5. No part of the development shall commence until the sustainable drainage scheme for the site has been commenced in accordance with condition no. 4, and the development shall not thereafter be occupied until the drainage scheme has been completed in all respects. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.

6. No part of the development shall commence until details of the improvement works to the existing culverted watercourse that crosses the site have been submitted to and approved by the Local Planning Authority. The works shall be carried out in strict accordance with the details as are approved prior to first use / occupation of the development.

Approved on: 17.04.2024 **Reference Number:** P/2023/0793

By: Wrexham County Borough Council

Approved Document Ref: SAB_FUL_2021_0404 Determined on 26/04/2022

7. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme.

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If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

Approved on: 17.04.2024 **Reference Number:** P/2023/0793

By: Wrexham County Borough Council

Approved Document Ref: GroundSolve Ltd 'Additional Phase 2 Ground Investigation: Wynnstay Technology Park, Ruabon', GSL3060R01 Version 2, 28 March 2024, Revision A, prepared for Wales and West Housing

8. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 7 shall not be occupied / used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

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

Approved on: 17.04.2024 **Reference Number:** P/2023/0793

By: Wrexham County Borough Council

Approved Document Ref: Dust Management Scheme - Wynnstay Technology Park, Ruabon, LL14 6EN',

10. No part of the development shall commence until a noise survey in order to determine noise levels for both day and night has been carried out, and a detailed report of the survey findings together with a detailed scheme of noise attenuation and/or noise insulation measures has been submitted to and approved in writing by the Local Planning Authority. The measures as are approved shall be fully implemented prior to the first occupation / use of the development.

Approved on: 17.04.2024 **Reference Number:** P/2023/0793

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Approved Document Ref: 'Land at Wynnstay Technology Park, P/2019/0805, Noise Impact Assessment', by Parker Jones Acoustics, dated 8 June 202.

11. 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.

12. The hibernaculum, invertebrate bricks and bug houses as described within sections 5.1 and 5.3 of the Phase 2 Survey dated 03/07/2020 and referenced 2298 2007R, submitted and approved as part of this application, shall be fully implemented prior to occupation of the dwellings hereby approved.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification), no further development shall take place under Classes A, B, C, D, E, F, G and H of Schedule 2 Part 1, and Classes A, B and C of Schedule 2 Part 2, other than the development hereby granted permission.

14. The boundary treatments as shown on approved plan ref: 18/1786/03 Rev H shall be completed in all respects prior to first use / occupation of the development and shall thereafter be permanently retained and only replaced on a like for like basis. No other gate, fence, wall or other means of enclosure shall be erected on any part of the site.

15. With the exception of those shown on the approved plan and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification) no windows or other openings shall be inserted in any elevation of the buildings.

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16. Prior to first use of the development hereby approved the vehicular access to the site shall provide visibility splays of 2.4 metres x 43 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction above the level of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

17. Prior to first use of the development hereby approved the vehicular internal estate access shall provide visibility splays of 2.4 metres x 25 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction above the level of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

18. The vehicular parking and turning areas as shown on approved drawing no. 18/1786/03 Rev H shall be fully laid out, surfaced and drained prior to first use of the development. These areas 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.

19. Prior to first use of the development the site shall be laid out in strict accordance with layout plan no. 18/1786/03 Rev H.

20. No part of the development shall be occupied / first used until the new footways and carriageways have been constructed in strict accordance with Highway Authority adoptable standards.

21. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:

- a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
- b) A Tree 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;

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- 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.

22. No part of the development shall commence until full details for the arboricultural supervision of tree protection measures and any ground works within retained tree(s) Root Protection Areas, as specified by BS5837:2012 or as shown on a Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The supervisory works shall be carried out in strict accordance with the details as approved.

23. Within three months of commencement of development, full details of a hard and soft landscaping scheme including below-ground tree planting pit specifications in accordance with BS8545:2014 section F.1.3, together with a five year Maintenance Plan and timescales for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

24. The landscaping scheme submitted and approved in connection with condition no. 23 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

25. The planting scheme implemented in connection with condition no. 24 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.

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26. No part of the development shall commence until the site has been inspected by a competent ecologist for signs of occupation by badgers. The results of this survey should be submitted to and approved in writing by the Local Planning Authority. The development shall commence no later than within one month of the approval of these survey results.

27. No part of the development shall commence until details of the role and responsibilities of, and operations to be overseen by, an appropriately competent person (e.g. an ecological clerk of works) have been submitted to and approved in writing by the Local Planning Authority. The appointed competent person shall undertake all roles and responsibilities, and oversee all operations, in strict accordance with these details as are approved.

28. Prior to first use of the development, an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- a) identify those areas and features on site that are particularly sensitive for wildlife and that are likely to cause disturbance in or around their foraging or commuting routes; and
- b) indicate where external lighting will be installed and the type of lighting to be used.

The scheme as is approved shall be fully implemented in strict accordance with the details as are approved and no other external lighting shall be installed on any part of the site.

29. Prior to occupation of any part of the development, a scheme of bat and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented in strict accordance with the details as are approved prior to occupation of the buildings.

30. The existing trees, shrubs and hedges shown on drawing no. 18/1786/03 Rev H 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.

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31. No equipment, machinery, plant or materials of any kind in connection with the development shall be brought onto the site until tree protection fencing and ground protection measures have been implemented in strict accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The details should include specification and location for the fencing. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made.

32. The tree protection fencing and ground protection measures approved in connection with condition no. 31 shall be kept in place until all external site works have been completed and the removal of the fencing has been approved in writing by the Local Planning Authority.

33. No part of the development shall commence until a scheme for the long term management, maintenance and responsibility for the proposed butterfly mitigation areas, as shown approved plan no. 18/1786/03 Rev H shall be submitted to and approved in writing by, the Local Planning Authority. The management plan as is approved shall be fully implemented in accordance with the details for the life of the development.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
4. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
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7. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
13. Due to the restricted application site and its relationship with adjoining properties it is considered important to ensure that no additional development as described in the condition is carried out without the permission of the Local Planning Authority in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
15. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
16. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
17. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
18. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan.
19. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
20. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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21. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
22. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
23. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
24. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
25. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
26. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
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29. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
30. To ensure the amenity afforded by the trees is continued into the future in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
31. To ensure that the retained trees are adequately protected during development in the interests of amenity in accordance with Policies GDP1 and EC4 of the Wrexham Unitary Development Plan.

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32. To ensure that the retained trees are adequately protected during development in the interests of amenity in accordance with Policies GDP1 and EC4 of the Wrexham Unitary Development Plan.

33. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

Note(s) to applicant

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 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 our 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 us 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.

Further advice on compliance with condition nos. 7 and 8 may be obtained by contacting the Council's Environmental Protection Team on 01978 298989 or contaminatedland@wrexham.gov.uk

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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.

Applicants are advised that compliance with condition no. 9 does not provide an exemption from the statutory nuisance provisions of the Environmental Protection Act 1990. Under the Act dust from any type of activity can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that the dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection Department on 01978 315300 for further advice and information.

The development site is in close proximity to several industrial and commercial noise sources and the developer is therefore required to carry out a noise survey in connection with condition no. 10 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.

The applicant is advised that compliance with condition no. 11 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990.

Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

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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.

For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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. 20. 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.

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.

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Please contact the Highway Authority on telephone no. 01978 729690 for further guidance.



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

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-

http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm