

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 J O'DONNELL CASTLEMEAD GROUP LTD AND WALES AND WEST HOUSING	Code Number	WRO P/2018/0898
Agent	KERRY JAMES PLANNING MS KERRY JAMES HEN VICARAGE LLANRHAEADR DENBIGH LL16 4NU	Date Received	24/10/2018
		Decision Date	07/06/2019

Town and Country Planning Act, 1990

Location of application

LAND OFF, JACQUES WAY, WREXHAM, LL11 2BY

Description of application

ERECTION OF AFFORDABLE HOUSING UNITS COMPRISING 19 DWELLINGS AND 6 FLATS 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:-

CLF5	Open space requirements from new residential developments
EC11	Archaeology
EC12	Development and flood risk
EC6	Biodiversity Conservation
GDP1	Development objectives
H2	Residential development within settlements
T8	Parking

Revision	Date	Description of Decision
0	07/06/2019	Planning permission issued
1	05/11/2020	Non-material amendment
2	06/08/2021	Approval of details submitted in respect of conditions 03, 04, 05, 06, 07, 08, 09 and 14
3	15/09/2022	Approval of details submitted in respect of condition 11.
4	12/04/2023	Approval of details submitted in respect of Condition 10 (Contamination).

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

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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 be carried out in strict accordance with the details shown on the drawings and documents listed in Appendix 1 to this decision Notice.

Non-material amendment: 05/11/2020 **Reference Number:** P/2020/0229

By: Wrexham County Borough Council

Approved Details: Drawings JWA/PD/00 Revision J, JWA/PD/22 and JWA/PD/23 (see revised Appendix 1)

3. A reptile mitigation area shall be provided in accordance with drawing no. JWA/PD/00 Revision I and section 4.3: Recommendations of the Pearce Environment Reptile Survey Report dated May 2018 to a timescale that shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The reptile mitigation area shall thereafter be permanently retained.

Date Approved: 06/08/2021 **Reference Number:** P/2019/0938

By: Wrexham County Borough Council

Approved Details: Pearce Environment Ltd Reptile Mitigation Timescales dated 12 September 2019.

4. Development shall not commence until the following has been submitted to and approved in writing by the Local Planning Authority:
 - i) A long term management and monitoring plan in respect of the reptile mitigation area as identified on drawing no. JWA/PD/00 Revision I
 - ii) A biosecurity risk assessment.

Upon completion of the reptile mitigation area it shall thereafter be managed and maintained in accordance with the details as approved.

Date Approved: 06/08/2021 **Reference Number:** P/2019/0938

By: Wrexham County Borough Council

Approved Details: Pearce Environment Ltd Habitat Management Plan (HMP) dated September 2019 reference 120919.HMP and Pearce Environment Ltd Biosecurity Risk Assessment & Protocol for Land off Jacques Way, Wrexham, LL11 2BY dated 12 September 2019 reference 120919.BP.

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5. Development shall not commence until a scheme of boundary treatment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:
- i) Full details of the means of boundary enclosure for each plot;
 - ii) Full details of a fence of a trespass proof 1.8m in height that shall be provided around the perimeter of the site
 - iii) Full details of the retaining wall shown on drawing JWA/PD/00 Revision I
 - iv) A timetable for the implementation of the scheme of boundary treatment

The development shall thereafter be carried out in strict accordance with the scheme of boundary treatment as approved.

Date Approved: 06/08/2021 **Reference Number:** P/2019/0938

By: Wrexham County Borough Council

Approved Details: Drawings no. JWA/PD01 Revision F, 7444/RW/01 Revision P3, 7444/RW/02 Revision P3 and 7444/RW/03 Revision P3

6. Prior to commencement of development, the following shall be submitted to and approved in writing by the Local Planning Authority:
- i) a noise survey to determine noise levels within the site during the day time and night time both has been carried out; and
 - ii) a detailed report of the survey findings together with a scheme of noise mitigation.

Each plot shall not be occupied until the noise mitigation measures for it have been implemented in full in strict accordance with the scheme as approved.

Date Approved: 06/08/2021 **Reference Number:** P/2019/0938

By: Wrexham County Borough Council

Approved Details: Blue Acoustics Noise Survey Reference BA NS226/3 dated 14.8.2019

7. No part of the development shall commence until a scheme for the provision of affordable housing as part of the proposed development has been submitted to and approved in writing by the Local Planning Authority as part of the reserved matter application. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN2 or any future guidance that replaces it. The scheme shall include:

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- 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 the dwellings to be built;
- 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/the long term management of the affordable housing;
- 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: 06/08/2021 **Reference Number:** P/2019/0938

By: Wrexham County Borough Council

Approved Details: STATEMENT BY WALES AND WEST HOUSING TO DISCHARGE CONDITION 7 OF THE PLANNING PERMISSION RELATING TO AFFORDABLE HOUSING PROVISION

8. 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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Date Approved: 06/08/2021 **Reference Number:** P/2019/0938

By: Wrexham County Borough Council

Approved Details: Drawings nos. Drainage Layout 7387/ 01 Revision H, Drawing 91568/2003 Revision K, 7837-03/01 Revision A 7837/03 -2 Revision A 7837-06 Revision C, 7837-08 Revision B, 7837-09 Revision B 7387-10 Revision A and 7387-11 Revision A and Storm Sewer Calculations dated 13/03/2020 reference 7387 SW07.MDX.

9. 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. 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.

Date Approved: 06/08/2021 **Reference Number:** P/2019/0938

By: Wrexham County Borough Council

Approved Details: Remediation Strategy prepared by REC dated June 2020, reference: 108157P3R3

10. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 09 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.

Date Approved: 12/04/2023 **Reference Number:** P/2022/1015

By: Wrexham County Borough Council

Approved Details: Nicholls Colton Group Interpretive Report on A Ground Investigation for Chester Road, Kelsall, on Behalf of Castlemead Ground, June 2019 Report Number G19021-IR.

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11. No dwelling shall be occupied until a scheme of odour mitigation in respect of the pumping station identified on drawing no. JWA/PD/00 Revision I has been implemented in full in strict accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.

Date Approved: 15/09/2022 **Reference Number:** P/2022/0690

By: Wrexham County Borough Council

Approved Details: DustScan AQ Odour Assessment Revision A dated 05 July 2022

12. The vehicular parking and turning areas as shown on approved drawing(s) No(s). JWA/PD/00 Revision I 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.

13. The development shall be carried out in strict accordance with section 5: Method Statement of the Pearce Environment Reptile Survey Report dated May 2018

14. Prior to their use on the development samples of all external facing and roofing materials 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.

Date Approved: 06/08/2021 **Reference Number:** P/2019/0938

By: Wrexham County Borough Council

Approved Details: Materials Schedule received 28 April 2020

15. There shall be no ground level alterations outside of the area described as development platform on the drawing titled Proposed Development Platform,

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.

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3. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
4. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
5. In the interests of the appearance of the development, the safety and amenity afforded to the occupiers of the development and to ensure the safe use of the internal estate road and the adjoining railway lines in accordance with policy GDP1 of the Wrexham Unitary Development Plan.
6. To protect the amenities of the occupiers of the development in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. To secure the provision of affordable housing in accordance with UDP policy H7.
8. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
9. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. To protect the amenities of the occupiers of the development in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. 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
13. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 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 ensure the development does not result in an increased risk of off-site flooding in accordance with policy EC12 of the Wrexham Unitary Development Plan.

Note(s) to applicant

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Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed will be required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works should any condition not be submitted for discharge prior to the 7th January 2020. This may require amendments, including site to site layout, to demonstrate compliance with the now Statutory Standards that may require any valid planning permission to be revisited. 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/>

Prior to any works commencing on site a method statement and risk assessment must be submitted to Network Rail's Asset Protection Engineer (assetprotectionWales@networkrail.co.uk) for approval. This must take full account of the consultation response received from Network Rail dated 20 November 2018

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



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

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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