

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	WATKIN JONES & SON LTD	Code No	RHO P/2017/0755
Agent	WATKIN JONES GROUP MR MIKE HUGHES 3 ABBOTS PARK PRESTON BROOK RUNCORN WA7 3GH	Date Received	07/09/2017
		Decision Date	13/03/2018

Town and Country Planning Act, 1990
Section 73

Location of application

NEW FOUNDRY BUILDINGS, GUTTER HILL, JOHNSTOWN, WREXHAM,
LL14 1LS

Description of application

VARIATION OF CONDITION NO 1 IMPOSED UNDER PLANNING
PERMISSION CODE NO P/2012/0561 TO EXTEND THE EXPIRY DATE OF
THE PERMISSION FOR FIVE YEARS

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

EC6	Biodiversity Conservation
GDP1	Development objectives
H2	Residential development within settlements
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	13/03/2018	Planning permission issued
1	13/07/2018	Details submitted in respect of condition 05 approved.
2	01/03/2023	Details submitted in respect of Conditions 3, 4, 6 and 9 approved. Reference P/2019/0283

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

Condition(s)

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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 accordance with the following plans:

- i 4080-07 Revision P3
- ii 4080-06 Revision P1
- iii 4080-04 Revision P1
- iv 4080-02 Revision P1
- v 4080-01 Revision P1

3. The mitigation measures as included in section 4.0 of the TEP Assessment of the Potential Direct and Indirect Impacts on the Johnstown SAC - report ref: TEP 3484.001 Version 3.0 dated July 2012 shall be fully implemented as part of the development hereby approved. Evidence that these implementation measures has been fully complied with, together with the payment of the commuted sum to an appropriate wildlife organisation, shall be submitted to an approved by the Local Planning Authority before the apartments are first occupied. **A**

pp Ref No: P/2019/0283 **Documents Approved:** Drawing L122B

Approved by: Wrexham County Borough Council **Date:** 01/03/2023

4. Notwithstanding the approved plans, further details regarding the design and position of refuse and waste disposal for the use shall be submitted to and approved by the Local Planning Authority. The scheme as approved shall be fully implemented before the use is first implemented, and thereafter maintained for those purposes.

App Ref No: P/2019/0283 **Documents Approved:** Drawing L117A

Approved by: Wrexham County Borough Council **Date:** 01/03/2023

5. 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

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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: 13/07/2018 **Reference Number:** P/2018/0471

By: Wrexham County Borough Council

Approved Details: Tier Environmental Ltd Remediation Strategy and Gas Protection Verification Plan Issue 1.1 Dated 25 June 2018

6. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 05 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.

App Ref No: P/2019/0283 **Documents Approved:** Report TE1085GPMVR, Letter dated 14 March 2019 and Email dated 23 May 2019 **Approved by:** Wrexham County Borough Council **Date:** 01/03/2023

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. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. 4080-06 Revision P1.

9. A scheme of details for all external lighting to the building and the car park and amenity area shall be submitted to and approved by the Local Planning Authority before it is first introduced at the site.

App Ref No: P/2019/0283 **Documents Approved:** Drawing L100

Approved by: Wrexham County Borough Council **Date:** 01/03/2023

10. The alterations to reduce the size of the existing car park area as shown on the approved plan shall be completed before the residential use first commences, and thereafter this parking area shall be retained for use by the development.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To define the scope of the planning permission
3. To protect nature conservation interests within and adjacent to the site.

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4. To protect the amenities of residents and to ensure that the refuse and recycling facilities are provided which are suitable for the scale of use.
5. In the interests of the amenities of the future occupants of the buildings
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7. To protect the amenities of the occupiers of nearby properties.
8. In the interests of highway safety.
9. To ensure that the scheme does not prejudice wildlife interests of the site.
10. To ensure that car parking does not exceed adopted maximum parking standards and in the interests of maintaining an appropriate level of off street parking for the type of use.

Note(s) to applicant

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: <https://www.gov.uk/government/publications/building-on-or-within-the->

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influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority



**Officer Appointed for this purpose
Head of Environment 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