

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	JACKIE HUXLEY J & M PROPERTIES	Code Number	ISY P/2020/0099
Agent	TACP MR MATTHEW GREGORY PEMBROKE HOUSE WREXHAM TECHNOLOGY PARK WREXHAM LL13 7YT	Date Received	12/02/2020
		Decision Date	10/06/2020

Town and Country Planning Act, 1990

Location of application

LAND AT, UNIT 108, ABBEY ROAD SOUTH, WREXHAM INDUSTRIAL ESTATE, WREXHAM, , LL13 9RF

Description of application

ERECTION OF NEW INDUSTRIAL BUILDING

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

E4	Employment development within settlements
EC13	Surface water run-off
EC6	Biodiversity Conservation
GDP1	Development objectives
PS1	Settlement limits
PS11	Biodiversity
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	10/06/2020	Planning permission issued
1	26/05/2023	Discharge of condition 3 (contamination), 6 and 7 (ecology) and 11 (highways) of planning permission P/2020/0099

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 only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:
100 proposed plans and elevations
700 Location Plan
701 Existing site plan
702 P01 Proposed Site Plan
703 Proposed site plan with tracking
and as contained within the application documentation.

3. 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: 26/05/2023 Reference Number: P/2023/0034
By: Wrexham County Borough Council
Approved Details: 108 ABBEY ROAD SOUTH, WREXHAM INDUSTRIAL ESTATE STAGE 1 CONTAMINATION ASSESSMENT For: J&M Properties September 2022 R3117-R01-v1 received 14th February 2023 and 108 Abbey Road South, Wrexham Industrial Estate STAGE 2 CONTAMINATION ASSESSMENT For: J&M Properties April 2023 R3117-R02-v1 received 3rd May 2023.

4. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 3 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to

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and approved in writing by the Local Planning Authority.

5. The vehicular parking areas as shown on approved drawing No. 702 P01 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 of motor vehicles at all times.

6. No part of the development shall commence until details of the proposed Reasonable Avoidance Measures (RAMs) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:

- a) Details of a tool box talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project;
 - b) Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);
 - c) Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;
 - d) Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery.
 - e) Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked each morning for any amphibians. Any amphibians located are to be moved to the artificial hibernacula.
- The development shall be carried out in strict accordance with the RAMs as are approved.

Date Approved: 26/05/2023 Reference Number: P/2023/0034

By: Wrexham County Borough Council

**Approved Details: Enfys Ecology Ltd 108 ABBEY ROAD SOUTH,
WREXHAM INDUSTRIAL ESTATE: REASONABLE AVOIDANCE
MEASURES (RAMs) FOR GREAY CRESETED NEWTS (GCN) Report Ref:
EE.3727.22.RC v1 received 14th February 2023**

7. No part of the development shall commence until a Biosecurity Risk

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Assessment has been submitted to and approved in writing by the Local Planning Authority. The Assessment shall include appropriate measures to prevent the introduction of Invasive Non Native Species (INNS) during the construction phase, and measures to control INNS as are currently present on site. The measures and proposals shall be fully implemented in strict accordance with the details as are approved.

Date Approved: 26/05/2023 Reference Number: P/2023/0034

By: Wrexham County Borough Council

**Approved Details: Enfys Ecology Ltd 108 ABBEY ROAD SOUTH,
WREXHAM INDUSTRIAL ESTATE: BIOSECURITY RISK ASSESSMENT
Report Ref: EE.3727.22.RC v1 received 14th February 2023**

8. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating how foul water, surface water and land drainage will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in accordance with a timescale to be agreed as part of the submitted details and maintained thereafter.

9. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.

10. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 10 metres behind the adjoining highway.

11. No part of the development shall commence until a Service and Delivery Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall be used in strict accordance with the details as are approved.

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**Approved Details: Condition 11 – Service and Delivery Management Plan
20222271 001 received 14th February 2023**

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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. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To provide for the parking of vehicles clear of the highway in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
6. 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.
7. In the interests of biodiversity
8. 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 Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
9. 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.
10. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Note(s) to applicant

Your attention is drawn to Highway Supplementary Notes - 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.h

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NRW Advice

Pollution Prevention

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/>

Surface Water Drainage

We refer the developer to the Environment Agency (2017) 'Approach to groundwater protection' position statements which have been adopted by Natural Resources Wales. In particular the developer should be aware of the advice under Position Statements G11 (Discharges from areas subject to contamination) and G13 (sustainable drainage systems) applies to this development.

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 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 Environment and Planning Department on 01978 315300 for further advice and information.

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

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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.

Further advice on compliance with condition no. 3 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.

From the 7th of January 2019 any new development of more than one dwelling or that involves construction work of more than 100m² is required to obtain approval from the SuDS Approving Body (SAB) prior to the commencement of those construction works. Furthermore the surface water drainage systems serving proposals of greater than one property will be subject to adoption by the SAB and must be constructed in such a manner as to be compliant with new national statutory standards. Given the potential implications for your development, in particular it's layout, it is essential that you satisfy yourself as to whether SAB approval is required, and if so, that you can demonstrate that the surface water drainage arrangements will be compliant with the national standards.

While it is possible to seek planning permission in isolation of seeking SAB approval we emphasis the risk in pursuing such an approach. The earlier it can be determined that your proposals are compliant with the new standards the less chance of delay, wasted effort and costs for all parties involved. These comments are made in advance of any formal response from either the SAB or the Lead Local Flood Authority through the normal planning application consultation process to allow your early consideration of the

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implications of the new legislative requirements for your proposed development.

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.



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