

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	CANAL AND RIVER TRUST	Code Number	LLR P/2021/0560
Agent	CANAL AND RIVER TRUST MR NICK WILD FEARNS WHARF NEPTUNE STREET LEEDS LS9 8PB	Date Received	01/06/2021
		Decision Date	06/07/2022

Town and Country Planning Act, 1990

Location of application

TREVOR BASIN, NEW ROAD, TREVOR, WREXHAM, LL20 7TP

Description of application

AILDDATBLYGU BASN CAMLAS AR GYFER DEFNYDD BUSNES LLOGI CYCHOD GAN GYNNWYS CODI 2 ADEILAD A MAN STORIO / REDEVELOPMENT OF CANAL BASIN FOR USE AS BOAT HIRE BUSINESS INCLUDING ERECTION OF 2 BUILDINGS AND STORAGE ENCLOSURE

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

CLF7	Informal recreation - countryside and water resources
EC1	Green Barriers
EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
EC7	Conservation Areas
EC9	Listed buildings of special architectural or historic interest
GDP1	Development objectives
PS1	Settlement limits
PS2	Development and the environment
PS3	Brownfield Land
PS4	Settlement Pattern
T8	Parking
T9	Walking, cycling and horse riding routes

Revision	Date	Description of Decision
0	06/07/2022	Planning permission issued

Particulars of decision that permission be GRANTED

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Subject to the following:-

Condition(s)

- The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
- 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 Storage Structures and Pump Housing V15
 - * 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 Landscape Plan V18,
 - * Proposed Foot & Carriageway Section Details V3, and
 as contained within the application documentation.
- Prior to their use on the development samples of all external facing, roofing and hard surfacing materials, including sample board, 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.
- Within 3 months of commencement of development on site, full details of both hard and soft landscape works, to include native planting for the site, shall be submitted to and approved in writing by the Local Planning Authority. The plan shall provide for ecological improvement / habitat creation and enhancement in the soft landscape areas for the benefit of biodiversity conservation specifically tailored to the landscape features. The works 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 in the first planting season (November to March) or seeding season (April to September) following the first use.

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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. No part of the development / works shall commence until details of an on-site watching brief, prepared and to be carried out by a suitably qualified archaeologist, for the duration of the construction works has been submitted to and approved in writing by the Local Planning Authority. The archaeological watching brief must meet the standards laid down by the Chartered Institute for Archaeologists Standard and Guidance for archaeological watching briefs.

7. The works shall be carried out in strict accordance with the watching brief approved in connection with condition no.6 and a copy of the 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, RCAHMW (nmr.wales@rcahmw.gov.uk).

8. 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.

9. 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.

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10. 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.

11. 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.

12. 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 of such contents.

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

14. 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.

15. Within three months of the commencement of development a 5 year landscaping Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall be managed and maintained in strict accordance with these details as are approved.

16. 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.

17. 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;

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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.

18. No part of the development shall commence until full details for any hard surfaced areas 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 details shall include existing and proposed levels, a specification for hard surfaces, and a method statement detailing the construction process. The works shall be carried out in strict accordance with the details as are approved.

19. 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.

20. No part of the development shall commence until a long-term Ecological Management Plan and Ecological Method Statement have been submitted to, and approved in writing by, the Local Planning Authority. This information shall demonstrate how existing features of ecological / wildlife interest will be protected, identify any areas of compensation and demonstrate management in the long-term. The recommendations as approved shall be fully implemented in accordance with timescales to be agreed in writing before any part of the development commences on site.

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

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

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

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24. 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 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.

25. 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.

26. 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 as part of this application shall be fully implemented for the entirety of the construction phase of development.

27. The Service Delivery Management Plan ref: SDMP_TrevorHireBase_P-2021-0560, approved as part this application, shall be fully implemented for the life of the development.

28. Within 3 months of commencement of development, details of all boundary treatments in and around the site, 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. 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.

29. 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 shall relate to all parts of the application site and buildings and be of low level, micro LED only. 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.

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30. 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.

31. Within 3 months of commencement of development, 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.

32. 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.

33. No use of the development shall be made before 0800 or after 2100 hours on any day.

34. 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.

35. No part of the development shall be occupied until the foul / waste water drainage scheme has been fully implemented in strict accordance with approved plan reference GA Drainage Plan V17. 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.

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

Reason(s)

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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 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.
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 GDP1 and PS2 of the Wrexham Unitary Development Plan.
6. The site may contain archaeological remains which should be recorded if they are damaged in accordance with Policies GDP1 and EC11 of the Wrexham Unitary Development Plan
7. The site may contain archaeological remains which should be recorded if they are damaged in accordance with Policies GDP1 and EC11 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 prevent pollution of the water environment in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
13. To protect the integrity of the public sewer and avoid damage thereto in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
14. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
15. To ensure landscape features are properly considered and protected in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

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16. 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.

17. To protect trees which are of significant amenity value to the area in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

18. To ensure that hard surfacing does not cause harm to retained trees in the interests of visual amenity in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

19. 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.

20. 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.

21. To ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

22. 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 GDP1 of the Wrexham Unitary Development Plan.

23. To ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

24. 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.

25. 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 GDP1 of the Wrexham Unitary Development Plan

26. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

27. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

28. To enable the control of matters not detailed in the application in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

29. 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 GDP1 and EC6.

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30. To enable the control of matters not detailed in the application in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
31. To enable the control of matters not detailed in the application in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
32. 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.
33. 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 GDP1 of the Wrexham Unitary Development Plan.
34. 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 Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
35. 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.
36. 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.

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.

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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.

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 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.

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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.

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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 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.

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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-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.

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

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:

Applicant	CANAL AND RIVER TRUST	Code Number	LLR P/2021/0560
Agent	CANAL AND RIVER TRUST MR NICK WILD FEARNS WHARF NEPTUNE STREET LEEDS LS9 8PB	Date Received	01/06/2021
		Decision Date	06/07/2022

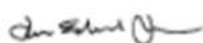
<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>
<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

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.



Ian Jones

Prif Swyddog Cynllunio a Rheoleiddio Dros Dro

Interim Chief Officer Planning & Regulatory

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