

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 ALEX LOVEN	Code No	ISY P/2020/0167
Agent	CBRE MISS ROBIN JONES 10TH FLOOR ONE ST PETERS SQUARE MANCHESTER M2 3DE	Date Received	09/03/2020
		Decision Date	10/08/2020

Town and Country Planning Act, 1990
Section 73

Location of application

LAND SOUTH OF RIDLEYWOOD LANE AND, EAST OF BRYN LANE,
WREXHAM INDUSTRIAL ESTATE, WREXHAM, , LL13 9UT

Description of application

APPLICATION FOR REMOVAL OR VARIATION OF CONDITIONS
IMPOSED UNDER PLANNING APPEAL REF NO. APP/H6955/A/16/3164652
(PLANNING REF NO. P/2016/0327):-

CONDITION 2 - TO EXTEND THE TIME PERIOD FOR SUBMISSION OF
RESERVED MATTERS BY A FURTHER THREE YEARS
CONDITION 3 - TO EXTEND THE TIME PERIOD FOR COMMENCEMENT
OF DEVELOPMENT BY A FURTHER FIVE YEARS
CONDITION 4 - TO REMOVE THE DRAWINGS NUMBERS REFERRED TO
IN THE CONDITION
CONDITION 5 - TO REMOVE THE SINGLE OCCUPIER RESTRICTION OF
THE SITE
CONDITION 10 - TO REMOVE THE REQUIREMENT FOR THE PROVISION
OF VISIBILITY SPLAYS
CONDITION 24 - TO REMOVE THE BREEAM ASSESSMENT AND
CERTIFICATION REQUIREMENT

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

CLF6	Informal recreation - rights of way
E3	Large single user employment sites
EC2	Agricultural Land
EC6	Biodiversity Conservation
GDP1	Development objectives
PS1	Settlement limits
PS11	Biodiversity
PS2	Development and the environment

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T8 Parking

Revision	Date	Description of Decision
0	10/08/2020	Planning permission issued
1	17/06/2021	Non-Material Amendment
2	31/08/2021	Approval of details submitted in respect of conditions 06, 07, 13, 18 and 22
3	17/09/2021	Approval of details submitted in respect of condition 08.
4	21/09/2021	Approval of details submitted in respect of conditions 11, 20 and 21
5	24/11/2021	Approval of revised details in respect of condition 18
6	31/01/2022	Non-Material Amendment and approval of details submitted in respect of condition 05.

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

Condition(s)

- Details of the scale and appearance of the buildings and the landscaping of the site (hereinafter called ""the reserved matters"") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.
- The development hereby permitted shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
- The development shall only be carried out in strict accordance with the details shown on the approved drawings numbered 500_C, 503, 1250, 1251, 1252_C, 5000 and Figure 12 contained within the Transport Statement Addendum dated February 2012.

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Non-material amendment: 17/06/2021 **Reference Number:** P/2021/0446

By: Wrexham County Borough Council

Approved Details: Drawings nos. 500_C, 503, 1252_C and Figure 12 substituted for drawings nos. 19153-C4P-AV-ZZ-DR-A-0010 Revision P9, 19153-C4P-AV-ZZ-DR-A-0013 Revision P2, 19153-C4P-AV-ZZ-DR-A-0011 Revision P9, 19153-C4P-AV-ZZ-DR-A-0012 Revision P6.

5. The development shall be carried out in accordance with the drainage scheme reference C602/SBS/JTJ/U0365 by Shepherd Gilmour Infrastructure Ltd dated 13 October 2011. The approved scheme shall be implemented in accordance with a timescale to be agreed in writing by the local planning authority and maintained thereafter.

Non-material amendment: 31/01/2022 **Reference Number:** P/2021/1214

By: Wrexham County Borough Council

Approved Details: Drainage scheme reference C602/SBS/JTJ/U0365 by Shepherd Gilmour Infrastructure Ltd dated 13 October 2011 substituted for drawing no. T_21_2412-55-01 Revision P8

Dated Approved: 31/01/2022 **Reference Number:** P/2021/1007

By: Wrexham County Borough Council

Approved Details: Letter dated 22 December 2021 from CBRE Limited

6. No development shall be commenced until a scheme of dust mitigation measures has been submitted to and approved in writing by the local planning authority. Such a scheme shall be as recommended in Section 4.6 of the report by Royal Haskoning titled 'Bryn Lane Wrexham: Air Quality, Noise and Vibration Assessment reference 9X0457' and shall be implemented as approved during the construction phase of the development.

Date Approved: 31/08/2021 **Reference Number:** P/2021/0660

By: Wrexham County Borough Council

Approved Details: Noise and Dust Mitigation Strategy Revision 1 Received 2 August 2021

7. No development shall be commenced until a scheme of noise and vibration mitigation measures has been submitted to and approved in writing by the local planning authority. Such a scheme shall be as recommended in Section 3.5.2 of the report by Royal Haskoning titled 'Bryn Lane Wrexham: Air Quality, Noise and Vibration Assessment reference 9X0457' and shall be implemented as approved during the construction phase of the development.

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Date Approved: 31/08/2021 **Reference Number:** P/2021/0660

By: Wrexham County Borough Council

Approved Details: Noise and Dust Mitigation Strategy Revision 1 Received 2 August 2021

8. No development shall be commenced until a scheme has been submitted to and approved in writing by the local planning authority to ensure that the rating level of any noise generated by reason of this development shall not exceed the permissible boundary noise levels specified in Table 3.8 of the report by Royal Haskoning titled 'Bryn Lane Wrexham: Air Quality, Noise and Vibration Assessment reference 9X0457' at any time. Measurements and an assessment shall be made in accordance with BS 4142:1997 Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas. The development shall only be carried out in accordance with the approved scheme.

Date Approved: 17/09/2021 **Reference Number:** P/2021/0801

By: Wrexham County Borough Council

Approved Details: Net World Sports, Bryn Lane, Wrexham, Noise Impact Assessment' By Hepworth Acoustics dated September 2021 Report No: P21-107-R01v6

9. Prior to the first use of the development hereby approved the vehicular accesses shown on drawing no. 503 shall provide visibility splays of 2.4 metres x 120 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.

Non-material amendment: 17/06/2021 **Reference Number:** P/2021/0446

By: Wrexham County Borough Council

Approved Details: Drawing no. 503 substituted for drawing no. 19153-C4P-AV-ZZ-DR-A-0013 Revision P2.

10. Prior to the first use of the development hereby approved the vehicular access serving the proposed development along Bryn Lane shall provide adequate forward visibility by providing a stopping sight distance of 120 metres for vehicles approaching the proposed access from the north.

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11. No part of the development shall be commenced until a scheme detailing the construction of the following has been submitted to and approved in writing by the local planning authority:

(a) Detailed layout, design, drainage and construction of the proposed new footway/carriageway along Bryn Lane; and

(b) Detailed layout, design, drainage and construction of the proposed new right hand turning lane serving the proposed development

The scheme as approved shall be fully implemented prior to the first use of the development.

Date Approved: 21/09/2021 **Reference Number:** P/2021/0713

By: Wrexham County Borough Council

Approved Details: Drawings nos. T-21-2412-66-01 Revision P1 and T_21_2412-66-02 Revision P1

12. A Final Travel Plan shall be submitted to and approved in writing by the local planning authority following the first anniversary of the first use of the development, in accordance with a timetable to be agreed in writing with the local planning authority.

13. No part of the development shall be commenced until a scheme to deal with potential contamination at the site has been submitted to and approved in writing by the local planning authority. This scheme shall include a phased investigation approach to identify the extent of any contamination and any measures required to remediate the site, including post-development monitoring.

Date Approved: 31/08/2021 **Reference Number:** P/2021/0660

By: Wrexham County Borough Council

Approved Details: Tier Consult Ltd, Ground Investigation Report for Net World Sports, Wrexham. Version 1.3 Ref: TE1456GIR1.3 Final. Dated 10 July 2021, Email including response from Tier Consult in response to memorandum of 23 July 2021 and Tier Consult Ltd, Ground Investigation Report for Net World Sports, Wrexham. Version 1.0 Ref: TE1456GIR1.0 Draft. Dated 28 May 2021.

14. No part of the development shall be occupied until a Verification Report which demonstrates that the remedial works approved as part of condition no. 13 have been satisfactorily carried out, has been submitted to and approved in writing by the local planning authority.

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15. The development shall be carried out in strict accordance with the following arboricultural plans and reports submitted and approved as part of this application:

(a) Arboricultural Implications Assessment Report Ref: TEP.3080.003 version 3 dated March 2012; and

(b) Tree Implications and Protection Plan Ref no. D3080.002 A

No development or other operations shall take place except in strict accordance with the reports as approved.

16. The hard landscaping scheme approved as part of the reserved matters application shall be fully implemented in strict accordance with the approved drawings within three months of the first use of the development with the exception of soft landscaping which shall be carried out in the first available planting season (November to March) or seeding season (April to September) following the first use.

17. The landscaping scheme pursuant to condition 17 shall be permanently retained for the lifetime of the development. Any planting becoming severely damaged or seriously diseased, or which is in poor physiological condition and/or is removed without the written permission of the local planning authority shall be replaced within a timescale to be submitted to and approved in writing by the local planning authority.

18. No part of the development shall commence until a Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas has been submitted to and approved in writing by the local planning authority. The landscaping shall be managed and maintained in strict accordance with the approved details.

Date Approved: 24/11/2021 **Reference Number:** P/2021/0610

By: Wrexham County Borough Council

Approved Details: Soft Landscape Works Maintenance and Management Proposals – 10 Years reference 2147-21-RP01D.

19. As part of the reserved matters application a long term Ecological Management Plan and Ecological Method Statement shall be 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.

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20. The access road and footways shall be progressively constructed to base coat standards from Bryn Lane. Details of wildlife friendly kerb stones and gully pots to safeguard amphibians from harm through incidental capture as part of these works shall be submitted to and approved in writing by the local planning authority prior to their installation. Such works shall be completed prior to the first occupation of the building hereby approved.

Date Approved: 21/09/2021 **Reference Number:** P/2021/0713

By: Wrexham County Borough Council

Approved Details: TEP Ecological Method Statement reference 8304.008 dated June 2021

21. No part of the development shall commence until an updated Bat Roost and Bird Breeding Assessment, carried out by a qualified ecologist, has been submitted to and approved in writing by the local planning authority. The report shall include an Ecological Method Statement demonstrating/identifying any measures of protection/compensation/mitigation. The recommendations as approved shall be implemented in strict accordance with timescales to be agreed in writing before any part of the development commences on site.

Date Approved: 21/09/2021 **Reference Number:** P/2021/0713

By: Wrexham County Borough Council

Approved Details: TEP Breeding Bird Survey Technical Report reference 8304.009 dated June 2021, TEP Bat Survey Report reference 8304.006 dated October 2020 and TEP Ecological Method Statement reference 8304.008 dated June 2021

22. 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 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 those to be retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and the location of protective fencing and ground protection measures accurately plotted;
- (c) A full specification, including any related sections, for any access, driveway, path, underground services or wall foundations within Root Protection Areas or Construction Exclusion Zone of trees to be retained, and methods for avoiding or minimising damage to retained trees;

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(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; and

(f) Details of all proposed tree works, including felling and pruning.

Date Approved: 31/08/2021 **Reference Number:** P/2021/0660

By: Wrexham County Borough Council

Approved Details: TEP Arboricultural Method statement reference 8304.02/001 Version 3.0 dated June 2021

23. Notwithstanding the details shown on drawings nos. 500_C and 1252_C, there shall be no means of vehicular access to the site other than the access shown on drawing no. 503.

Non-material amendment: 17/06/2021 **Reference Number:** P/2021/0446

By: Wrexham County Borough Council

Approved Details: Drawings nos. 500_C, 1252_C and 503 substituted for 19153-C4P-AV-ZZ-DR-A-0010 Revision P9, 19153-C4P-AV-ZZ-DR-A-0011 Revision P9 and 19153-C4P-AV-ZZ-DR-A-0013 Revision P2

Reason(s)

1. To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012
2. To comply with Section 92 of the Town and Country Planning Act, 1990.
3. To comply with Section 92 of the Town and Country Planning Act, 1990.
4. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
5. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
6. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
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9. 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.
10. 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.
11. To ensure the formation of a safe and satisfactory vehicular and pedestrian access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. To support reduced dependency on the motor vehicle in accordance with Policies GDP1 and PS4 of the Wrexham Unitary Development Plan.
13. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
14. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
15. 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.
16. 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.
17. 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.
18. 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.
19. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
20. In the interests of ensuring a safe means of access to the site and in order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
21. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
22. 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.

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



**Officer Appointed for this purpose
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