

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 KEITH BAKER	Code Number	CHI P/2021/0725
Agent	MR CHRISTOPHER HEATHER AXIS PED WELL HOUSE BARNS BRETTON CHESTER CH4 0DH	Date Received	14/07/2021
		Decision Date	13/04/2022

Town and Country Planning Act, 1990

Location of application

KRONOSPAN LTD, HOLYHEAD ROAD, CHIRK, WREXHAM, LL14 5NT

Description of application

DEVELOPMENT OF A WAREHOUSE AND ANCILLARY WORKS /
DATBLYGU WARWS A GWAITH ATEGOL

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

Revision	Date	Description of Decision
0	13/04/2022	Planning permission issued

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

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 only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 2936-0101, Figure 1 Site Location Plan, 700_67, 7000_649, V 1619-T1 Revision 3, 7000_607 Sheet 1/4, 7000_607 Sheet 2/4, 7000_607 Sheet 3/4 and 7000_607 Sheet 4/47000_673 and as contained within the application documentation.
3. 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 is approved. The Method Statement shall include the following:

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- 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 retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
 - c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
 - 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;
 - f) Method for protecting retained trees during demolition works;
 - g) Details of all proposed tree works, including felling and pruning.
4. 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.
 5. No part of the development shall commence until a scheme for the planting of trees and shrubs been submitted to and approved in writing by the Local Planning Authority.
 6. Development shall not commence until a scheme of noise mitigation measures has been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the measures as approved have been implemented in full. The noise mitigation measures shall thereafter be permanently retained.
 7. No part of the development shall commence until a scheme of mitigation that provides the following has been submitted to and approved in writing by the Local Planning Authority:
 - i. full details of the measures specified in Table 5.1: Ecological Constraints and Opportunities of Avian Ecology Preliminary Ecological Appraisal V3 dated 06/05/2021; and
 - ii. full detail of habitat enhancement measures;
 - iii. a timescale for implementation of the scheme
 The scheme as approved shall therefore be implemented in accordance with the timescale contained therein.

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8. No works to remove or excavate the bund situated to the east of the development shall take place until full details of all retaining walls/structures have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the details as approved.

9. Within three months of the commencement of development an Ecological and Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for the landscaped area to the east of the development up to the boundary with Holyhead Road and the land detailed in the Avian Ecology Biodiversity Note dated 14th October 2021 shall be submitted to and approved in writing by the Local Planning Authority. The ecological and landscape management shall thereafter be carried out in strict accordance with the details as are approved.

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. No external lighting shall be installed on any part of the building until a lighting scheme, to include details of the extent of the site and surrounding land that will be illuminated, has been submitted to and approved in writing by the Local Planning Authority. External lighting shall thereafter only be installed in strict accordance with the scheme as approved.

12. The building hereby granted planning permission shall not be used at any time for any purpose other than one falling with Class B8 of the Town and Country Planning (Use Classes) Order 1987 (or any statutory instrument revoking and re-enacting that Order with or without amendment).

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. 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.

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4. 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.
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. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
8. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 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 and to secure long term ecological benefits in accordance with Policies GDP1, EC6 and PS2 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 protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Note(s) to applicant

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Planning & Regulatory Department on 01978 292040 for further advice and information.

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

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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.

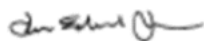
All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

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.

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Ian Jones

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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