

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 BRYN RICHARDS ALDI STORES LTD	Code Number	LLA P/2020/0623
Agent	JLL LANDMARK ONE OXFORD STREET MANCHESTER M1 4PB	Date Received	07/10/2020
		Decision Date	12/02/2021

Town and Country Planning Act, 1990

Location of application

, LAND AT HOME FARM, GRESFORD ROAD, LLAY, WREXHAM, , LL12 0NW

Description of application

ERECTION OF FOODSTORE (USE CLASS A1), CAR PARK, ACCESS AND LANDSCAPING.

CODI STORFA FWYD (DEFNYDD O DIR A1), MAES PARCIO, MYNEDIAD A THIRLUNIO

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

EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
GDP2	Capacity of infrastructure and community facilities
PS2	Development and the environment
S4	Large-scale retail development
S7	Retail sales in the countryside
T8	Parking

Revision	Date	Description of Decision
0	04/01/2021	Planning permission issued
1	25/05/2021	Discharge of conditions 7, 8, 19, 20 and 21 issued
2	13/10/2021	Discharge of conditions 16 and 17 issued. Part discharge of condition 18 issued.

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

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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) referenced:-

General

Dwg No. 2636NESW-100 (1:1250 Location Plan)
 Dwg No. 2636NESW-122 Rev A (Proposed Site Plan)
 Dwg No. 2636NESW-123 Rev A (General Arrangement Plan)
 Dwg No. 2636-NESW-V122- (1:1000 Proposed Site Plan)
 Dwg No. V2636 L01 Rev L (1:200 Landscape Plan)
 Dwg No. UC-9379-02 (1:500 Indicative Utility Infrastructure Drawing)
 Dwg No. 5551/G/102 Rev A (External Spillage Plan)
 Dwg No. 5551/G/105 (Service Ducting Layout Rev B)
 No Dig Path (NTS)
 Dwg No. V6236 DO1 (Rev A) (Tree Pit Detail)
 Dwg No. V2636 DO2 (Rev B) (Tree Pit Details)
 Dwg No. V2636 DO3 (Rev B) (Tree Pit Details)
 Cambrian Ecology Ltd/Preliminary Ecological Assessment/Land at Home Farm, Llay/21/05/2019

Elevations, Floor Plans & Sections

Dwg No. 2636-NESW-124 Rev A (1:100 Proposed Elevations)
 Dwg No. 2636NESW-V124-Proposed Elevations (NTS)
 Dwg No. 2636NESW-125 (Proposed Roof Plan)
 Dwg No. 2636NESW-126 (Proposed Roller-Shutter Door)
 Dwg No. 2636NESW-127 Rev A (Proposed Boundary Treatment)
 Dwg No. 2636NESW-128 (Proposed Sub-Station)
 Dwg No. 2636NESW-129 Rev A (Proposed Fence Elevations)
 Dwg No. 2636NESW-130 Rev A (Proposed Fence Sections)

Highway Plans

Dwg No. 486-01/GA-11 Rev A (Site Access Arrangement & Off-Site Highway Works)
 Dwg No. 486-01/GA-12 (Site Access Arrangement Visibility Splays)
 Dwg No. 486-01/ATR-04 (Site Access Arrangement Track Plot Analysis)

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3. The development hereby approved shall not exceed 1,333m² in sales area.

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any statutory instrument revoking or re-enacting that Order with or without amendment) no part of the premises shall be used except for the precise purposes described in the application plans and documents.

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

6. The landscaping scheme including paving, footpaths and car parking, approved as part of this application, shall be fully implemented in strict accordance with approved drawing no. Dwg No. V2636 L01 Rev L (1:200 Landscape Plan) prior to first use 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. The landscaping scheme shall be maintained in accordance with the detail specified on this plan and maintained in this condition for the lifetime of the development.

7. Prior to commencement of the relevant part of works and notwithstanding the approved Proposed Boundary Treatments Plan (Dwg No. 2636-NESW-127 Rev A) all close boarded timber fencing shall receive a painted finish in a colour to be submitted to and approved in writing by the Local Planning Authority.

App Ref No: P/2021/0180 **Details Approved:** Close Boarded Timber Fence Specification **Approved by:** Wrexham County Borough Council **Date:** 28/04/2021

8. No development shall commence until a surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to first use of the development.

App Ref No: P/2021/0180 **Details Approved:** Please refer to documents 1 – 16 listed on page 3 of the submitted SAB Approval (ref SAB_FUL_2019_1005) **Approved by:** Wrexham County Borough Council **Date:** 28/04/2021

9. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) 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 of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

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10. The development shall be carried out in accordance with the dust mitigation measures outlined in Appendix F of the submitted document titled 'Air Quality Assessment MCP2179' and dated May 2019.

11. The development hereby approved shall only be open to the public within the following hours:

08:00 - 22:00 Monday to Saturdays

10:00 - 18:00 Sundays

08:00 - 20:00 Bank Holidays

12. Prior to first use of the development hereby approved, the vehicular access off Gresford Road shall provide visibility splays of 2.4m x 43m in both directions measured to the nearside edge of the adjoining highway. Within these splays, there shall be no obstruction above the level of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

13. The vehicular parking and turning areas as shown approved drawing Dwg No. 2636NESW-122 Rev A shall be fully laid out, surfaced and drained prior to first use of the development hereby approved. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times.

14. The existing hedgerow/vegetation along Gresford Road shall be maintained at a height no greater than 1m for the lifetime of the development.

15. The Crown Cross Roads Junction Assessment Mitigation measures as set out in the submitted Transport Assessment prepared by Cameron Rose Associates shall include:-

- Extension of the flare length along the B5102 (Straight Mile) from 7.0 pcu to 10.4 pcu (i.e From 40m to 60m) and;

- Amendment of the order that the stages are called within each cycle to minimise lost intergreen time, saving 6s per cycle (when Chapel Lane is not called).

The above additions, as well as all other relevant mitigation measures included within the above named document, shall be carried out prior to first use of the development and thereafter maintained for the lifetime of the development.

16. No development shall commence until a scheme detailing the layout, design drainage, lighting and construction of all highway works associated with the Straight Mile including left turn only access and associated signing and extension to the left turn lane at Crossroads junction has been submitted to the Local Planning Authority. The scheme shall be approved and fully implemented prior to the first use of the development.

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App Ref No: P/2021/0387 **Details Approved:** Drainage and Services Rev P3, Signs and Markings Rev P3, Construction Details Rev P1, Risk Management Rev P3, Project Number: 100214 Rev A, 31/03/2021, 100214-JLD-S278-DC-0002A 30th March 2021, 100214-JLD-S278-DC-0003A 30th March 2021, Designers Risk Assessment Rev A 31st March 2021, General Arrangement Rev P3, Site Clearance Rev P3, Highway Works Rev P3, Highway Works Pavements Rev P3 **Approved by:** Wrexham County Borough Council **Date:** 13/10/2021

17. No development shall take place until details of a pedestrian crossing on Gresford Road have been submitted to the Local Planning Authority. The scheme shall be approved and fully implemented prior to the first use of the development.

App Ref No: P/2021/0387 **Details Approved:** General Arrangement Rev P3, Site Clearance Rev P3, Highway Works Rev P3, Highway Works Pavements Rev P3 **Approved by:** Wrexham County Borough Council **Date:** 13/10/2021

18. No development shall commence until a Stage 2 Independent Safety Audit has been submitted for the proposed scheme to the Local Planning Authority. The Stage 2 Independent Safety Audit shall be approved and a Stage 3 Independent Safety Audit shall be submitted for approval post construction.

App Ref No: P/2021/0387 **Details Approved:** 2402-01-RSADR02: Technical Note 22nd July 2021 **Approved by:** Wrexham County Borough Council **Date:** 13/10/2021 (Please note the above condition is part discharged only – further information will be required post construction)

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.

App Ref No: P/2021/0180 **Details Approved:** Dwg No. TPP/3926/Y/300 Rev B, Arboricultural Method Statement February 2021, **Approved by:** Wrexham County Borough Council **Date:** 05/05/2021

20. 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

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shall take place except in strict accordance with Method Statement as is approved. The Method Statement shall include the following:

- 1) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
- 2) 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;
- 3) 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;
- 4) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
- 5) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
- 6) Method for protecting retained trees during demolition works;
- 7) Details of all proposed tree works, including felling and pruning.

App Ref No: P/2021/0180 **Details Approved:** Dwg No. TPP/3926/Y/300 Rev B, Arboricultural Method Statement February 2021, **Approved by:** Wrexham County Borough Council **Date:** 05/05/2021

21. No part of the development shall commence until details of underground and overhead services have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the details as approved.

App Ref No: P/2021/0180 **Details Approved:** Email received 21/05/2021, Dwg No. V2636 D02 Rev B, Dwg No. V2636 D03 Rev B, Proposed Drainage Rev P1, Proposed Formation Levels Rev P1, Proposed Finished Levels Rev P1 **Approved by:** Wrexham County Borough Council **Date:** 25/05/2021

22. The planting scheme implemented in connection with condition no. 6 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.

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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 control any future expansion of the development without first applying for planning permission in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. To prevent unrestricted change of use of development within the same use class and to safeguard the amenities of the occupiers of nearby properties in accordance with UDP Policy GDP1.
5. In the interest of safeguarding visual amenities of the area in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
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7. In the interest of safeguarding visual amenities of the area in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. 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 in accordance with Policies GDP1 and EC13 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 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.
13. To provide for the parking and turning of vehicles clear of the public highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with UDP Policy GDP1.
14. In the interest of ensuring full visibility of pedestrians at the zebra crossing is maintained by vehicular drivers in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
15. In the interest of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
16. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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

18. In the interests of highway safety in accordance with Policy GDP1 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 ensure the work is carried out to accepted arboricultural practices for the long term well being of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

21. To ensure that the works on the site properly take account of the future health of the trees in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.

22. 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.

Note(s) to applicant

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 site boundary have the potential to cause unreasonable disturbance to

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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.

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.



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