

In pursuance of its powers under the Acts an 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

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Expiry Date: 18/02/2004
Decision Notice Sent Date: 07/06/2005
Grid Reference:
E 330222 N 343353



Applicant	The Wynnstay Farming Company	Code	RUA P/2003/1484
Agent	RPS Fairwater House 1 High Street Wroughton Wiltshire SW4 9JX	Number	
		Date	24/12/2003
		Received	
		Decision	06/06/2005
		Date	

Town and Country Planning Act, 1990

Location of application

Ruabon Business Park Ruabon Business Park Ruabon Wrexham LL146DW

Description of application

Business Park, B1 use (High Technology, manufacturing, research and development of prestige offices).

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

EC11	Archaeology
EC4	Hedgerows, Trees and Woodland
EC5	Special Landscape Areas
EC6	Biodiversity Conservation
GDP1	Development objectives
PS1	Settlement limits
PS2	Development and the environment
T1	Public transport
T8	Parking
T9	Walking, cycling and horse riding routes

Particulars of decision APPROVAL of reserved matters

Subject to the following:-

Condition(s)

1. The development hereby permitted shall be begun before the expiry of five years from the date of this permission.

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2. Development shall only be carried out in strict accordance with the approved plans or with any amendments thereto approved in writing by the Local Planning Authority

3. No part of the development shall be commenced until samples of all external facing and roofing materials have been 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.

4. The use of the site shall be restricted to uses falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987.

5. The development hereby approved shall be progressively developed in Phases I, II and III as shown in the proposed site layout (drawing no 5477 GA100 Rev M). Work shall not commence on the next phase until substantial completion of the previous phase has been undertaken.

6. Prior to the commencement of development, a detailed renewable energy scheme shall be submitted to the Local Planning Authority. This scheme should maximise the potential for renewable energy features on the buildings hereby approved.

7. The detailed layout, design, drainage and construction of the internal estate roads and roundabout shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority prior to the commencement of any site works.

8. An appropriate sum of money shall be agreed for the future provision of three bus stops that shall be provided on site, the siting and implementation of which shall be to the satisfaction of the Local Planning Authority.

9. An appropriate sum of money shall be agreed in lieu of the future provision of a bus service to the development site.

10. A cycleway/footway shall be provided across the full frontage of the site along B5605 Newbridge Road as detailed in drawing no W106/4. The works shall be implemented prior to occupation of the first unit in Phase 1.

11. Tactile paving shall be provided at crossing points at the new access point to the proposed site and A539/B5605 as detailed on Drawing No W106/4. The works shall be implemented prior to the occupation of the first unit in Phase I.

12. A commuted sum shall be agreed for future cycleway provision between the end of the cycleway provided above and Wynnstay Road junction.

13. Prior to the commencement of development or each phase of development, proposals for effective protective fencing for features of historical, archaeological and ecological importance shall be submitted to and approved, in writing, by the Local Planning Authority. The proposals shall include a specification for the protective fencing, and a plan showing the position of the protective fencing. Areas to be fenced shall include: an exclusion zone of 15m from the boundary of the scheduled area of Offa's Dyke, and from the conjectured boundary of its likely continuation to the north; an exclusion zone of 20m from the boundary of Green L edge, an exclusion zone of

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10m from the inner edge of the ha ha along the ha ha along its entire length; and an exclusion zone of a minimum of 10m from the edge of the existing pond and other features of ecological value. The approved fencing shall be erected before any work commences and retained until completion of the building works. No work shall be carried out within these fenced areas without prior consultation and agreement of the Council.

14. No development of any kind shall begin until the presence of a contracted historic garden archaeology specialist has been secured on site according to the prescriptions set out in a curatorial design brief and approved by the Local Planning Authority. Access, at any reasonable time, should be given to this archaeologist to enable the observation and recording of any archaeological remains uncovered during the development. A report of any archaeological records made must be deposited with the County Sites and Monuments Record.

15. Prior to the commencement of development, a comprehensive detailed survey of the historic landscape by the historic garden archaeology specialist approved under Condition n14, or other approved specialist, shall be submitted for the further approval of the Local Planning Authority. This shall include recommendations for restoration and renovation of historic features to be retained. If further historical/archaeological features are found during the construction period, recommendations shall also be submitted for their restoration and renovation, where appropriate.

16. No part of the development hereby permitted shall be commenced until full details of both hard and soft landscape works for the site have been submitted to and approved, in writing, by the Local Planning Authority etc. The scheme shall include timescale or phasing proposals for implementation, any changes to ground levels (shown by existing and proposed contours or levels, and any existing vegetation to be removed or retained, proposed advance structural planting, other planting, any means of enclosure, car parking layouts, access and circulation, hard landscape materials, minor structures such as refuse and recycling stores, lamp columns, location of services, drainage including construction of outfalls and culverts, and proposals for restoration and enhancement of historic landscape features.

17. The landscape works, including the paving and footpath areas referred to in Condition 16 shall be completed in all respects within three months of the first use of the buildings included in each phase of the development, with the exception of soft landscape works which shall be carried out in the first planting season etc.

18. No development shall take place until details of earthworks have been submitted to and approved, in writing, by the Local Planning Authority. These details shall include the levels and contours to be formed and their relationship to existing vegetation and surrounding landform. Details of soil stripping, storage and replacement shall be included. Development shall be carried out in accordance with the approved details.

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19. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is sooner, for its permitted use. The approved landscape management plan shall be carried out as approved.

20. The Local Planning Authority shall be given not less than five days notice of the intended starting date of each phase of the works.

21. The erection of fencing for the protection of trees and shrubs shall be undertaken before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. The above mentioned fencing shall consist of 1.5 metre high Heras fence or other approved fence erected at full extent of each tree and shrub. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written permission of the Local Planning Authority.

22. No trees either existing or planted in accordance with this or a previous permission shall be lopped, topped, felled or uprooted without the prior written permission of the Local Planning Authority, nor shall any trees be wilfully damaged.

23. Protective fencing for the woodland along the western boundary and the subject of Tree Preservation Order WMBC 175 shall be 2.4m close board fencing and erected no closer than 1m outside the canopy spread of any tree.

24. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

25. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

26. Prior to the commencement of development a detailed scheme for the treatment of Japanese Knotweed for the disposal of soils affected by Japanese Knotweed shall be submitted to and approved by the Local Planning Authority.

27. Prior to commencement of the development hereby approved, details of a habitat and mitigation scheme, which takes into account the ecological interest of the

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site, (particularly the bag foraging routes), shall be submitted and approved. This scheme shall demonstrate how existing features of ecological/wildlife interest will be protected and managed in the long-term, and how these measures will be secured. The report must also propose and deliver appropriate conservation schemes and 'Reasonable Avoidance Measures' and be submitted to and approved by the Local Planning Authority. Any mitigation measures required shall be implemented in accordance with the timescales to be agreed as part of the measures before development commences on site.

28. Prior to the commencement of the development, details of the lighting scheme shall be submitted and agreed by the Local Planning Authority. The scheme to take into account the need for natural features to remain as "dark" corridors for use by foraging bats.

29. Prior to commencement of the development a satisfactory assessment of road traffic noise shall be submitted and approved in writing by the Local Planning Authority.

30. No development shall take place until a comprehensive scheme of foul drainage and surface water drainage has been submitted to and approved by the Local Planning Authority in consultation with Welsh Water. The approved scheme shall be completed before the development is occupied.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure that the development fully complies with the appropriate policies and standards.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. In accordance with the provisions of E2 of the Wrexham Unitary Development Plan.
5. To ensure that the site is developed in an orderly and sustainable progression.
6. To ensure that the proposal is sustainable.
7. To ensure the formation of a safe and satisfactory access.
8. To provide adequate accessibility to public transport.
9. To provide adequate accessibility to public transport.
10. To provide adequate pedestrian and cycling access to the proposed site.
11. In the interests of pedestrian safety.
12. To provide a connection to the Council's proposed cycle network.
13. To protect Offa's Dyke which is a Scheduled Ancient Monument, historic landscape features which are within the Wynnstay Estate, and areas of ecological interest. Also to protect landscape features which are of significant amenity value to the area and which would help to ensure a satisfactory standard of appearance of the development.

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14. To enable the observation and recording of any historic landscape / archaeological remains.
15. To protect and enhance the character of the historic landscape.
16. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
17. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
18. To ensure that the works on the site properly take account of the future health of the trees.
19. To ensure landscape features are properly considered and protected.
20. To enable the Council to monitor/supervise the landscape works.
21. To protect trees which are of significant amenity value to the area.
22. To protect trees which are of significant amenity value to the area.
23. To protect trees which are of significant amenity value to the area.
24. To prevent pollution of the water environment.
25. To prevent pollution of the water environment.
26. To prevent the spread of an invasive non-native species.
27. To ensure that the features identified as having wildlife importance are protected and maintained in the long-term.
28. To ensure that the features identified as having wildlife importance are protected and maintained in the long-term.
29. To protect residential amenity.
30. To deal with foul and surface water drainage from the site.

Note(s) to applicant

In relation to Condition 5, the Local Planning Authority would require completion of four units in each of Phases I and II to qualify as substantial completion.

A S.104 Agreement will be required to take all surface water/roof drainage. In this instance the Highway Authority will only adopt the gullies and gully connections.

The whole of the Ruabon Business Park is within the Wynnstay Estate, although only part is included in the CADW/ICOMOS Register of Parks and Gardens of Special Historic Interest in Wales (Grade 1). The same protection should be afforded to all historic features regardless of designation. All areas of ecological interest shall be protected unless otherwise agreed with the County Ecologist.

The Council recommends that archaeological works should be undertaken by a member of the Institute of Field Archaeology. You are advised to contact both the Council's Archaeology Officer on (01978) 317979 and Clwyd Powys Archaeological Trust on (01939) 553670, to discuss and agree a brief for the site.

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The report required by Condition No. 15 should be deposited with the Clwyd Powys Archaeological Trust at Welshpool, with copies of the County Archaeologist, CADW and the Planning Department.

The survey and recommendations required by Condition No. 15 should be deposited with the Clwyd Powys Archaeological Trust at Welshpool, with copies to the County Archaeologist, CADW and the Planning Department.

You are advised to contact the Council's Landscape Officer to arrange advice for the preparation of the conditioned landscaping scheme.

With regard to ecological issues, you are advised to contact the Council's Ecology Officer.

You are advised of the need to ensure that the sewers serving all units are constructed to a standard whereby they can be adopted by the local Sewerage Undertaker.

You are advised the existing woodland on the western boundary is the subject of a Tree Preservation Order (WMBC 175). Any management works proposed for this woodland need to be identified in a tree survey and submitted as a separate TPO application. You are advised to contact the Council's Arboricultural Officer.

Any works affecting or culverting of a watercourse requires the prior written approval of the Local Authority under the terms of the Public Health Act 1936, and the prior written consent of the Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Agency seeks to avoid culverting, and its consent for such works will not normally be granted except for access crossings.

All foul drainage, including contaminated surface water runoff, must be disposed of in such a way as to prevent any discharge to any borehole, well, spring, soakaway or watercourse, including dry ditches with connection to a watercourse.

Site operators should ensure that there is no possibility of contaminated water entering an polluting surface or underground waters.

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.

If, during construction/excavation works, any contaminated material is revealed then the movement of such material either on or off site should be in consultation with the Agency.

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Carriers transporting waste from the site must be registered waste carriers.

The activity of importing waste into the site for use as, for example hardcore, must be registered by the Environment Agency Wales as an exempt activity under the Waste Management Licencing Regulations 1994.

The developers should adopt all appropriate pollution control measures, both underground and on the surface, to ensure that the integrity of the aquatic environment, both groundwater and surface water, is assured.

A handwritten signature in black ink, appearing to be 'L. Jones' or similar, written over a horizontal line.

Officer Appointed for this purpose

Refer to the Statement of Applicant's Rights and General Information Enclosed

Chief Planning Officer, Lambpit Street, P O Box 1290, Wrexham, LL11 1WL.