

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

|                  |                                                                                                                                |                      |                 |
|------------------|--------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| <b>Applicant</b> | J C P INVESTMENTS LTD                                                                                                          | <b>Code Number</b>   | ABE P/2020/0846 |
| <b>Agent</b>     | CAULMERT LTD<br>MR HOWARD JONES<br>8 ST GEOGRES COURT<br>ALTRINCHAM BUSINESS PARK<br>DIARYHOUSE LANE<br>ALTRINCHAM<br>WA14 5UA | <b>Date Received</b> | 26/10/2020      |
|                  |                                                                                                                                | <b>Decision Date</b> | 01/03/2021      |

### **Town and Country Planning Act, 1990**

#### **Location of application**

LAND TO THE NORTH WEST OF, CLYWEDOG ROAD NORTH, WREXHAM INDUSTRIAL ESTATE, WREXHAM, , LL13 9XE

#### **Description of application**

ADELIAD WARWS DIWYDIANNOL A MYNEDIAD NEWYDD I GERBYDAU, MAES PARCIO A MAN GWASANAETH / INDUSTRIAL WAREHOUSE BUILDING (USE CLASSES B1C, B2, B8) AND NEW VEHICULAR ACCESS, CAR PARK AND SERVICE AREA

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

|      |                                           |
|------|-------------------------------------------|
| E4   | Employment development within settlements |
| EC4  | Hedgerows, Trees and Woodland             |
| EC6  | Biodiversity Conservation                 |
| GDP1 | Development objectives                    |
| PS1  | Settlement limits                         |
| PS2  | Development and the environment           |
| T8   | Parking                                   |

| Revision | Date       | Description of Decision                                |
|----------|------------|--------------------------------------------------------|
| 0        | 01/03/2021 | Planning permission issued                             |
| 1        | 16/6/2021  | P/2021/0465 Discharge of conditions 10 and 15 approved |
| 2        | 19/7/2021  | P/2021/0659 Discharge of condition 18 approved         |

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

|                  |                                                                                                                                |                      |                          |
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|                  |                                                                                                                                | <b>Decision Date</b> |                          |

### 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:  
1149.P.001 Location Plan  
1149.P.002 Existing site plan  
1149.P.003 Proposed Site Plan  
1149.P.004 Proposed Floor Plan  
1149.P.005 Proposed elevations  
1149.P.006 Proposed sections  
4371-CAU-XX-XX-DR-C-1600. S4-P1 Drainage Strategy  
CW/9895-P-TP-1 Tree protection plan  
1717/01B Proposed access arrangements  
and as contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
4. The rating level of any noise generated by reason of this 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.
5. 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.
6. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment as carried out by Etive Ecology Ltd. Preliminary Ecological Appraisal - Land off Clywedog Road North, Wrexham Industrial Estate and dated October 2020 approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

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7. 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.CW/9895-AS Cheshire Woodlands
  - 2) Tree Protection Plan ref no. CW/9895-P-TP-1 Cheshire Woodlands
  - 3) Arboricultural Method Statement ref no. CW/9895-AS Cheshire Woodlands
- No development or other operations shall take place except in strict accordance with the reports as approved.

8. The landscaping scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing no. 1149 . P . 003 within three months of the 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.

9. The landscaping scheme as carried out in connection with condition no. 8 shall be retained for a minimum of 5 years. Within this timescale, any retained trees or new planting becoming 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 with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

10. No part of the development shall commence until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in strict accordance with the details as approved. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

**Date Approved:** 16/6/2021 **Reference Number:** P/2021/0465

**By:** Wrexham County Borough Council

**Approved Details:** Drainage scheme Plan 1124-21-01-001-P2  
Management and maintenance scheme A059-R008

|                  |                                                                                                                                |                      |                          |
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## Foul and Surface Water Drainage strategy 1124-21

11. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 10 metres behind the adjoining highway.
12. Prior to first use of the development, the proposed vehicular access shall be laid out in strict accordance with approved plans nos. 1149 . P . 003 and 1717/01B. The visibility splays shall thereafter be permanently retained free of all obstruction in excess of 1 metre in height.
13. The vehicular parking and cycle parking areas as shown on approved drawing numbers(s) 1149 . P . 003 and 1717/01B shall be fully laid out, surfaced and drained prior to first use of the development. This parking area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.
14. Prior to first use of the development, a 2.0m wide footway shall be constructed along the entire site frontage in strict accordance with Highway Authority adoptable standards.
15. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.

**Date Approved:** 16/6/2021 **Reference Number:** P/2021/0465

**By:** Wrexham County Borough Council

### **Approved Details:**

Construction Traffic Management Plan May 2021. Please note: All signage must be bilingual, Welsh over English.

16. No storage shall take place in the open on any part of the site except in the building(s) or in the areas indicated for those purposes on the approved plan number 1149-P-003.
17. A Service and Delivery Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of use of the building and shall be carried out thereafter.
18. Within 3 months of commencement of development a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting as is approved shall be installed in strict accordance with the scheme prior to first use of the development and shall thereafter be permanently retained in a fully operational condition.

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**Date Approved:** 19/7/2021 **Reference Number:** P/2021/0659

**By:** Wrexham County Borough Council

**Approved Details:** Ecolighting Specification 28/6/2021

### **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 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 protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. 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.
7. 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.
8. 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.
9. 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.
10. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
11. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. To ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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13. To provide for the parking of vehicles clear of the highway in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
14. In the interests of pedestrian safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
15. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
16. To safeguard the amenities of the area
17. To safeguard highway safety and sustainable transport in accordance with Policies GDP1 and PS4 of the Wrexham Unitary Development Plan.
18. This is a non-standard reason

### **Note(s) to applicant**

The written consent of the Highway Authority (as required by section 278 of the Highways Act 1980) must be obtained before any work is carried out within the confines of the highway in connection with condition no(s). @@. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council.

Your attention is drawn to Highway Supplementary Notes - 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](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)

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.

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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.

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.

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 Housing and Public Protection Department on 01978 315300 for further advice and information.

From the 7th of January 2019 any new development of more than one dwelling or that involves construction work of more than 100m<sup>2</sup> is required to obtain approval from the SuDS Approving Body (SAB) prior to the commencement of those construction works. Furthermore the surface water drainage systems serving proposals of greater than one property will be subject to adoption by the SAB and must be constructed in such a manner as to be compliant with new national statutory standards. Given the potential implications for your development, in particular it's layout, it is essential that you satisfy yourself as to whether SAB approval is required, and if so, that you

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can demonstrate that the surface water drainage arrangements will be compliant with the national standards. While it is possible to seek planning permission in isolation of seeking SAB approval we emphasis the risk in pursuing such an approach. The earlier it can be determined that your proposals are compliant with the new standards the less chance of delay, wasted effort and costs for all parties involved.

These comments are made in advance of any formal response from either the SAB or the Lead Local Flood Authority through the normal planning application consultation process to allow your early consideration of the implications of the new legislative requirements for your proposed development.

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](https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm) or by contacting the SAB Team directly at [SAB@wrexham.gov.uk](mailto:SAB@wrexham.gov.uk) .

Natural Resources Wales Environment Team:

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-andreplacement-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

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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.



**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](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)