

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	HAFREN DYFRDWY	Code	LLR P/2020/0260
Agent	FISHER GERMAN LLP MISS ANTONIA WYATT THE ESTATES OFFICE NORMAN COURT IVANHOE BUSINESS PARK ASHBY DE LA ZOUCH LE65 2UZ	No Date Received Decision Date	 28/04/2020 30/10/2020

Town and Country Planning Act, 1990
Section 73

Location of application

, SUGN Y PWLL SERVICE RESERVOIR, TOWER HILL, GARTH,
WREXHAM, LL20 7YH,

Description of application

AMRYWIO AMODAU 2 (LLUNIADAU CYMERADWY), 3 (CAU MYNEDIAD),
5 (PARCIO I GERBYDAU) A 14 (FFINIAU) O GANIATAD CYNLLUNIO
P/2018/0481 / VARIATION OF CONDITIONS 2 (APPROVED DRAWINGS), 3
(ACCESS CLOSURE), 5 (VEHICULAR PARKING) AND 14 (BOUNDARIES)
OF PLANNING PERMISSION P/2018/0481

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

GDP1	Development objectives
PS2	Development and the environment

Revision	Date	Description of Decision
0	30/10/2020	Planning permission issued
1	14/04/2021	Discharge of condition 15 issued

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

Condition(s)

1. The development hereby approved shall be commenced before 11/09/2023
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 1:200 Site Access Road Visibility Splays, 1:250 Planning Sections and Elevations Rev B, 1:100 Site Access Road Sections, 1:250 Landscaping Plan Rev D, 1:20 Stock Fencing

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Details, 1:200 Proposed Site Layout Rev Rev P01 and as contained within the application documentation.

3. The existing vehicular access as shown on approved plan no. 1:200 Proposed Site Layout Rev P01 shall be permanently closed up prior to first use of any part of the development in accordance with a specification of works which has been submitted to and approved in writing by the Local Planning Authority.

4. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.

5. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 1:200 Proposed Site Layout Rev P01 and 1:250 Landscaping Plan rev D shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.

6. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 43 metres in both directions measured to the centreline of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

7. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

8. No part of the development shall commence until a ConstructionTraffic 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.

9. 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:

a) A specification for tree protection fencing and ground protection measures

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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 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.

10. 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.

11. The construction phase of development shall be carried out in accordance with the dust mitigation measures as set out in the approved Planning, Design and Access Statement dated June 2018 revision 001.

12. Prior to commencement of the relevant part of works, detailing of the appointed Ecological Clerk of Works (ECoW) employed to oversee any tree works to those trees identified as having bat potential, along with any vegetation, scrub or hedgerow removal, shall be submitted to and approved in writing by the Local Planning Authority.

13. Prior to commencement of the relevant part of works, details of the colour and finish of the roof of both tanks, shall be submitted to and approved in writing by the Local Planning Authority.

14. The boundary treatments approved as part of this application shall be fully implemented in strict accordance with the approved drawing 1:250

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Landscaping Plan rev D within three months of the first use of the development.

15. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a five year Maintenance Plan and timescales for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

App Ref No: P/2021/0033 **Approved Documents:** Landscaping Plan Rev D, Outline Planting Specification, 5 Year Schedule of Landscape Maintenance Operations. **Approved by:** Wrexham County Borough Council **Date:** 14/04/2021

16. The landscaping scheme submitted and approved in connection with condition no. 15 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

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. In the interests of highway safety.
4. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
5. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
6. To ensure that adequate visibility is provided at the proposed point of access to the highway.
7. In the interests of highway safety.
8. In the interests of highway safety.
9. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
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11. In the interest of safeguarding residential amenities of neighbouring occupiers.
12. In the interest of safeguarding protected specified in accordance with TAN 5.
13. In the interest of safeguarding visual amenities of the locality and this open countryside location.
14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
15. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
16. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

Note(s) to applicant

The separate written consent of the Local Highway Authority must be obtained before any work is carried out within the confines of the highway. The scheme of arboricultural supervision required in connection with condition no. 10 above shall make provision for a pre-commencement site meeting between the Local Planning Authority's Arboriculturist, the Developer/Applicant/ Agent and their appointed Arboricultural Supervisor to agree matters of detail. It shall specify the frequency of arboricultural monitoring and reporting to the Local Planning Authority on the status of all tree protection measures throughout the course of the development and make provision for the submission and approval of a satisfactory arboricultural completion statement

The scheme of landscaping referred to in the above conditions shall include any changes to ground levels (shown by existing and proposed

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contours/levels) and any existing vegetation (showing that to be retained) and proposed planting. In addition, any of the following which apply to the particular site must be included:- means of enclosure, car parking layout, access and circulation areas, materials for hard surfaced areas, any minor structures (e.g. refuse stores, lamp columns, play equipment) location of services, and any historic landscape features to be retained/improved.

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. 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 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.

A license should be obtained (as required by s.184 of the Highways Act 1980) from the Highway Authority in order to cross the verge at the new access position.

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**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