

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 GORDON BINNIE IPSEN BIOPHARM	Code Number	ABE P/2020/0625
Agent	LOVELOCK MITCHELL ARCHITECTS 3 STANLEY STREET CHESTER CHESHIRE CH1 2LS	Date Received	05/10/2020
		Decision Date	13/01/2021

Town and Country Planning Act, 1990

Location of application

IPSEN BIOPHARM, ASH ROAD NORTH, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9JT

Description of application

CODI ADEILAD DIWYDIANNOL CYFFREDINOL (B2) / ERECTION OF GENERAL INDUSTRIAL BUILDING (B2)

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

EC13	Surface water run-off
EC6	Biodiversity Conservation
GDP1	Development objectives
PS1	Settlement limits
PS3	Brownfield Land

Revision	Date	Description of Decision
0	13/01/2021	PLANNING PERMISSION ISSUED
1	06/05/2021	P/2021/0403 - DISCHARGE OF CONDITION 12 (ECOLOGY) OF PLANNING PERMISSION P/2020/0625
2	27/05/2021	DISCHARGE OF CONDITIONS 05 (CONTAMINATION), 09 (FOUNDATION DETAILS) AND 10 (DRAINAGE) OF PLANNING PERMISSION P/2020/0625

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) numbered:
IPD-LMA-XX-01-DR-A-7001 P3
IPD-LMA-XX-02-DR-A-7002 P3
IPD-LMA-XX-03-DR-A-7003 P3
IPD-LMA-XX-XX-DR-A-7101 P3
IPD-LMA-XX-XX-DR-A-7102 P3
IPD-LMA-XX-XX-DR-A-7110 P3
IPD-LMA-XX-XX-DR-A-7111 P3
IPD-LMA-XX-XX-DR-A-7200 P3
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. Prior to first use of the development the site shall be laid out in strict accordance with layout plan no. IPD-LMA-XX-DR-A-7200 P3.
5. No part of the development shall commence until a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by, the Local Planning Authority. The scheme shall comprise of the following information:
 1. A preliminary risk assessment which has identified:
 - a. all previous uses;
 - b. potential contaminants associated with those uses;
 - c. a conceptual model of the site indicating sources, pathways and receptors;
 - d. potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on Point 1 (above) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
 3. The results of the site investigation and the detailed risk assessment referred to in Point 2 (above) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;

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4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in Point 3 (above) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the details as are approved.

Details approved: 27.05.2021 **Reference Number:** P/2021/0375

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6. Prior to first occupation of the development, a verification report demonstrating completion of works set out in the remediation strategy approved in connection with condition no. 5 shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the details as are approved.

7. Prior to first occupation / use of the development, a long-term monitoring plan for protected sites and land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

- * Details of the methods and triggers for action to be undertaken;
- * Timescales for the long-term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required (for x years);
- * Timescales for submission of monitoring reports to the LPA e.g. annually;
- * Details of any necessary contingency and remedial actions and timescales for actions;
- * Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

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8. If during the course of the construction of the development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as is approved.

9. No part of the development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the details as are approved.

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10. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable urban Drainage Systems (SuDS) in accordance with the principles of sustainable drainage systems set out in Technical Advice Note 15: Development and Flood Risk, and the results of the assessment shall be submitted in writing to the Local Planning Authority. Where a SuDS scheme is to be implemented, the submitted details shall:

- i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
- ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,

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iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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11. No part of the development shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with condition no. 10. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.

12. No part of the development shall commence until a Method Statement including details of the proposed Reasonable Avoidance Measures (RAMs) have been submitted to and approved in writing by the Local Planning Authority. The details shall include (but not be limited to) the following:

- a) Details of a tool box talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project;
 - b) Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);
 - c) Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;
 - d) Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery.
 - e) Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked each morning for any amphibians. Any amphibians located are to be moved to the artificial hibernacula.
- The development shall be carried out in strict accordance with the Method Statement and RAMs as are approved.

Details approved: 06.05.2021 **Reference Number:** P/2021/0403

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Approved Report Ref: GCN Reasonable Avoidance Measures, ETIVE ECOLOGY Ltd, Dated 15 April 2021.

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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. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To prevent pollution of the water environment in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
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8. To prevent pollution of the water environment in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. To prevent pollution of the water environment in accordance with Policy GDP1 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 satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
12. 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.

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:

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- 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.

You are advised that should protected species be discovered at any stage during the construction works, all work should stop immediately and NRW contacted for further advice.

For groundwater protection and land contamination advice:

1. Follow the risk management framework provided Welsh Local Government Association & Natural Resources Wales 2017 Development of Land Affected by Contamination: A Guide for Developer, when dealing with land affected by contamination.
2. Refer to the Environment Agency's 'Guiding Principles for Land Contamination' for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the Environment Agency's (2017) 'Approach to Groundwater Protection'

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

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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