

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	M & L INVESTMENT PARTNERS	Code	ISY P/2020/0773
Agent	CAULMERT LTD MRS JENNY COXON 8 ST GEORGES COURT ALTRINCHAM BUSINESS PARK DAIRY HOUSE LANE ALTRINCHAM WA14 5UA	No Date Received	12/11/2020
		Decision Date	13/01/2021

Town and Country Planning Act, 1990
Section 73

Location of application

2 ELM POINT, ABBEY ROAD NORTH, WREXHAM INDUSTRIAL ESTATE,
WREXHAM, LL13 9UE

Description of application

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CYMERADWY / VARIATION OF CONDITION 2 OF PLANNING
PERMISSION P/2019/0593 - APPROVED PLANS

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
EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
PS1	Settlement limits
PS2	Development and the environment
PS3	Brownfield Land
PS4	Settlement Pattern
T8	Parking
T9	Walking, cycling and horse riding routes

Revision	Date	Description of Decision
0	13/01/2021	PLANNING PERMISSION ISSUED
1	22/03/2021	P/2020/0831 - DISCHARGE OF CONDITIONS 5 (BOUNDARY TREATMENTS), 7, 9 AND 10 (ECOLOGY), 11 (LANDSCAPING), 16 (DRAINAGE) AND 19 (DELIVERY PLAN) OF PLANNING PERMISSION P/2020/0773

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

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 17049-C4C-BB-ZZ-DR-A-(00)150_P05, MH19/02 Rev 02, DMS620-200 Rev P4, 17049-C4C-B2-00-DR-A-(20)150_P04, 17049-C4C-B2-ZZ-DR-A-(20)250_P03, G7128.003F 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. Prior to first use of the development, boundary treatments shall be installed on site in strict accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority. These boundary treatments shall thereafter be permanently retained and no other walls, fences or other means of enclosure shall be erected on site.

Approval: 22.03.2021 **Reference Number:** P/2020/0831

By: Wrexham County Borough Council

Approved Report Ref: Boundary Treatment Scheme no. 3523-CAU-XX-XX-RP-T-0302.A0.C1 Dated November 2020

Approved Plan Ref: MH20/01 Rev 01

6. The development shall be carried out in strict accordance with the GCN avoidance, mitigation and compensation measures as contained within the Ecological Assessment Ref: TEP 7128.003, the Grizzled Skipper Mitigation Proposals Ref: 49.18.VIII and Plan Ref: G7128.003F approved as part of this application.

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7. No part of the development shall commence until an invasive non-native species protocol has been submitted to, and approved in writing by, the Local Planning Authority. These measures as are approved shall be fully implemented on site.

Approval: 22.03.2021 **Reference Number:** P/2020/0831

By: Wrexham County Borough Council

Approved Report Ref: Invasive Non-Native Species Method Statement, Prepared by TEP – Warrington, Document Ref 7128.01.001 Version 1, Dated 12 October 2020

8. A compliance audit shall be carried out by a qualified ecologist, independently of the appointed principal ecologist, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. A copy of the completed audit reports shall be submitted to and approved in writing by the Local Planning Authority after each phase of development.

9. No part of the development shall commence until a long-term surveillance scheme, which accords with the online Wales GCN monitoring scheme, has been submitted to, and approved in writing by, the Local Planning Authority. The scheme as is approved shall be fully implemented.

Approval: 22.03.2021 **Reference Number:** P/2020/0831

By: Wrexham County Borough Council

Approved Report Ref: Landscape and Ecological Management Plan, Prepared by TEP – Warrington, Ref 7128.01.002 Version 2, Dated 10/03/2021

10. No part of the development shall commence until a scheme of long-term measures to protect the extent, integrity and functionality of the compensation area has been submitted to, and approved in writing by, the Local Planning Authority. The scheme as is approved shall be fully implemented.

Approval: 22.03.2021 **Reference Number:** P/2020/0831

By: Wrexham County Borough Council

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Approved Report Ref: Landscape and Ecological Management Plan,
Prepared by TEP – Warrington, Ref 7128.01.002 Version 2, Dated
10/03/2021

Approved Plan Ref: MH20/01 Rev 01

11. No part of the development shall commence until full details of a hard and soft landscaping scheme together with a timescale for the implementation of works have been submitted to and approved in writing by the Local Planning Authority.

Approval: 22.03.2021 **Reference Number:** P/2020/0831

By: Wrexham County Borough Council

Approved Report Ref: Landscape and Ecological Management Plan,
Prepared by TEP – Warrington, Ref 7128.01.002 Version 2, Dated
10/03/2021

Approved Plan Ref: MH20/01 Rev 01

12. The landscaping scheme submitted and approved in connection with condition no. 11 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

13. The planting scheme implemented in connection with condition no.12 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.

14. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.

15. No development shall take place within 3 metres either side of the public sewer which crosses the site.

16. 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

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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,
- 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.

Approval: 22.03.2021 **Reference Number:** P/2020/0831

By: Wrexham County Borough Council

Approved Report / Plan Refs:

- PPS V-Series – Submersible Pump Specification,
- Email Dated 12 January 2021,
- Summary of Approved Drainage Scheme No. 3523-CAU-XX-XX-RP-T-0300.A0.C Dated November 2020

17. No part of the development shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with condition no. 16. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.

18. No light source at the proposed development site hereby granted consent shall be directly visible to drivers of motor vehicles using the adjacent highway.

19. No development shall take place until a Service and Delivery Management Plan (SDMP) to include (but not limited to) the details of frequency of deliveries, type of delivery vehicles to be used, management of car parking to facilitate delivery vehicles has been submitted to and approved in writing by the local planning authority. The SDMP as agreed shall be implemented in accordance with the approved details.

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Approved Report Ref: Service Delivery Management Plan - 3523-CAU-XX-XX-RP-T-0301.A0.C2, Dated November 2020

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification), no further development shall take place under Part 8 other than the development hereby granted permission.

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 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.
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 prevent the spread of non-native species.
8. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
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11. 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.
12. 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.
13. 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.
14. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
15. To protect the integrity of the public sewer and avoid damage thereto in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
16. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
17. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
18. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
19. In the interests of highway safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
20. The site has considerable wildlife/nature conservation interest and it is essential that the site is protected to ensure that its quality and integrity is not materially harmed by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

Note(s) to applicant

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The applicant is advised to have regard for the advice contained with the NRW consultation response letter dated 28/08/2019 attached to this permission.

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.

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

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on 01978 315300 for further advice and information.



**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