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Development Control
Wrexham County Borough Council
Environment and Planning Department
Guildhall
Wrexham
LL11 1AY

Date: 8 January 2021

Our ref: 42227/02/CM/MW1/19236112v1

Your ref: PP-09373450

Dear Simon

**Wrexham Council: Land at the Corner of Oak Road and Abbey Road,
Wrexham Industrial Estate: S73 Application to vary conditions relating to
Planning Permission P/2020/0433**

On behalf of our client, Conrad Energy (Developments) Limited [Conrad], we are pleased to submit a Section 73 application to vary planning permission (P/2020/0433) at Land at the corner of Oak Road and Abbey Road, Wrexham Industrial Estate. This application seeks approval of amendments to the wording of conditions 2, 8 and 13 and the removal of conditions 10 and 11 in respect of the above application.

This application was submitted via the planning portal on the 8th January 2021 (Ref: PP-09373450) and comprises this covering letter and the following information:

- 1 Application Forms;
- 2 Waterco Technical Note (Ref: 13650 dated January 2021); and
- 3 Plans and Drawings:
 - a WXM-GA-01 Rev J Site Layout Plan.

The requisite application fee of £230.00 has been paid online via the planning portal at the time of submission.

Planning History

Planning permission was granted on the 8th May 2019 for:

The erection of a 9.9MW gas fired power station and associated infrastructure'.

Discharge of conditions applications for the following three pre-commencement conditions; 3 (Site Investigation), 6 (Ecology) and 7 (Biosecurity Risk Assessment) were submitted in July and October 2019 and were approved on 6th August 2020 and 11th September 2020.

A further Section 73 application was approved on the 6th November 2020 following updates made to the site layout to incorporate the operational requirements of the Network Operator as well as ecological improvements.

Proposed Amendment Sought

This application seeks minor amendments to the wording of conditions 2, 8 and 13 and the removal of conditions 10, 11.

As part of this application, we propose changes to the wording of the following conditions (additions shown in red and any removal has been struck through):

Condition 2 (Approved Drawings)

The proposed site layout has been updated to reflect an amended gate design as discussed below, and for completeness the following update to the approved site plan is proposed.

"The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:

WXM-GA-01~~F~~^J proposed site layout plan

WXM-SPY-01B Splay detail

WXM-SLP-01B Location Plan

2003663990 Container

TR18017-16V4000L64_03 Outside drawing

P18108-001C Access strategy

1CO106365EC3R5 Ecological Mitigation and Enhancement Strategy REC

01.0009.027 v2 Air Quality Assessment Isopleth

P18108 Construction Traffic Management Plan Prime Transport and as contained within the application documentation"

Condition 8

Condition 8 refers to need to divert the existing drainage ditch in accordance with Waterco's approved report. The updated Technical Note submitted with this application identifies that the existing drainage ditch has been piped and connected to the existing drainage without the need to be diverted. The new pipe provides a betterment over the existing situation through the clearance of siltation within the pipes. We therefore propose the following change.

"No part of the development shall be brought into use until the existing drainage ditch has been diverted and piped in accordance with the detail contained in the approved letter of Waterco dated 22.03.2019 File Ref: W10833-190322-Letter, as updated by Waterco's Technical Note dated January 2021".

Condition 10

Condition 10 relates to ensuring that part of the site is surfaced with hard bound materials for a minimum distance of 10m to ensure that *"no deleterious material is carried on to the highway"*. As shown on the approved drawings, the site compound will be stoned to meet the operational requirements of the site and to ensure adequate permeability for site drainage. This is utilised successfully across many of Conrad Energy sites and a photo example of the finished hardstanding is included at Annex 1. During the operation of the site there will be very few traffic movements and the proposed hardstanding will ensure that no material is

transported off the site and onto the highway, to ensure highway safety. Thus, the necessity for 10m of hardstanding is redundant and unnecessary.

Subsequently we propose that this condition is removed.

~~*“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.”*~~

Condition 11

Condition 11 requires the vehicular access point to be set back 10m from the highway boundary in the interests of the free and safe movement of traffic on the highway and for safe access onto the site. The updated site plan shows the proposed installation of an electric gate in the same position as that shown on the approved plans. The proposed gate will be activated electronically and will open as vehicles approach the site to ensure that no vehicles will be parked on the road. As noted above, there will be few movements associated with the operation of the site (an average of one per week) and this is considered a satisfactory alternative to setting the gate back into the site, as such it is proposed that this condition is removed as the installation of the proposed electric gate on the approved plan is covered within Condition 2.

~~*“There shall be no gates or other means of enclosure across the vehicular access point, XXX within 10 metres of the highway boundary.”*~~

Condition 13

The condition ensures no surface run off from the site in the interests of highway safety. As identified in the updated Technical Note by Waterco, the proposed permeable surfacing for the site is adequate to control surface water as there is no fall in site levels towards the public highway. It is therefore proposed that the condition is amended to remove reference to the need for an Aco drain, as shown below.

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

Relevant planning Policy

The Development Plan comprises the Wrexham Unitary Development Plan [UDP] (adopted February 2005). The Council is currently preparing the Local Development Plan [LDP] which will replace the UDP and cover the period 2013-2028. The LDP is at the later stage of development, having recently gone through the Examination stage.

- 1 Policy PS2: Strategic Policy Relating to Environmental Quality;
- 2 Policy GDP1: General Development Principles;
- 3 Emerging LDP Policy SP10: Wrexham Industrial Estate; and
- 4 Emerging LDP Policy SP15: Natural Environment.

Conclusion

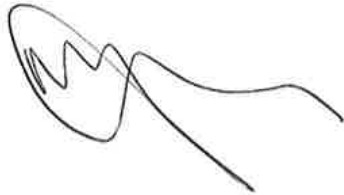
As noted above, the changes are required to ensure the proposal remains in accordance with the approved planning permission, whilst ensuring highway safety. The addition of the electric gate will ensure that traffic will enter the site without the need to park on the highway.

In terms of the drainage, the existing ditch is piped as required to connect into the existing drainage infrastructure and provides a betterment to the current situation. The permeable surfacing will ensure that all surface water is drained on the site and there is no excess run-off.

The changes do not alter the principle of development or the site's operational function or capacity. It is also considered that the proposed changes do not alter any of the assessments and conclusions set out within the other technical reports considered acceptable through the granting of planning permission on the site in 2019 and 2020. The proposed amendments will not give rise to adverse environmental impacts and will have no greater impact on the surrounding environs than that which has been approved.

We trust that the enclosed information allows or the application to be validated and determined at the earliest opportunity. However, should you require any further information, please do not hesitate to contact me on 0161 837 6130.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Melissa Wilson', with a long, sweeping tail extending to the right.

Melissa Wilson
Senior Planner

Copy
David Sheppard – Conrad Energy Developments Limited

Annex 1: Example Conrad Energy Site

