

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	HMD INVESTMENTS LTD	Code Number	HOL P/2020/0624
Agent	BOB DEWEY PLANNING MR B DEWEY THE GABLES LLANFYNYDD WREXHAM LL11 5HG	Date Received	28/09/2020
		Decision Date	23/11/2020

Town and Country Planning Act, 1990

Location of application

WESTFIELD DEPOT, BUCK ROAD, COMMONWOOD, HOLT, WREXHAM, LL13 9TF

Description of application

ESTYNIAD I ADEILADU A DIWYGIO I SAFLE LLAWER CYMERADWYWYD GAN P/2015/0617 A NEWID DEFNYDDIO I STORIO TRACTOR / EXTENSION TO BUILDING AND AMENDMENT TO SITE LAYOUT APPROVED BY P/2015/0617 AND CHANGE OF USE TO TRACTOR STORAGE

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

E5	Employment in the countryside
EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
PS1	Settlement limits

Revision	Date	Description of Decision
0	23/11/2020	Planning permission issued

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.

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2. The development shall only be carried out in strict accordance with the details shown on the approved drawings numbered 03, 04 and 05 Rev B, 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 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 Method Statement Ref: 092020/TCS/DB provided by S. Cutmore Arboricultural & Ecological Services,

*2) Plan ref: 05 Rev B

No development or other operations shall take place except in strict accordance with the reports as approved.

5. The existing trees, shrubs and hedges shown on drawing(s) No(s). 05 Rev B to be permanently retained shall not be cut down, grubbed out, lopped or uprooted. Any trees, shrubs or hedges removed or being severely damaged or becoming diseased shall be replaced with trees, shrubs or hedging plants of the equivalent size and species.

6. Within six months of the first use of the development, trees and shrubs shall be planted on the site in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

7. If, during 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 the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. Development shall thereafter only recommence and proceed in strict accordance with the remediation strategy as approved.

8. Should a remediation strategy be submitted, approved and implemented in accordance with condition no. 07, no part of the development shall be occupied until a Verification Report which demonstrates that the approved remediation works have been carried out in full has been submitted to and approved in writing by the Local Planning Authority.

9. No agricultural vehicles or machinery shall be displayed for sale on any part of the site other than in the spaces labelled as 'Proposed Tractor Storage Area' or within the building to be extended as part of this application, as shown on approved plan ref: 05 Rev B.

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10. No agricultural vehicles or agricultural machinery awaiting repair, or waiting to be collected following repair, shall be parked/stored on site other than in the area labelled 'Change of Use Proposed to Storage of Agricultural machinery and Parts' or within the building to be extended as part of this application, as shown on approved plan ref: 05 Rev B

11. Nothing shall be displayed for sale on any part of the site other than agricultural vehicles or machinery.

12. No portacabin / office shall be located on the site other than in the position shown on the approved plan ref: 05 Rev B.

13. 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.

14. No use of any part of the site shall be made before 09:00 or after 17:00 Mondays to Saturdays or at any time on a Sunday or Bank Holiday.

15. 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,

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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16. No part of the development shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with condition no. 15. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.

17. The area labelled 'Change of Use Proposed to Storage of Agricultural Machinery and Parts', as shown on approved plan ref: 05 Rev B, shall only be used for these precise purposes and in connection with the principal site use only.

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 trees which are of significant amenity value to the area in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
5. To ensure the amenity afforded by the trees is continued into the future in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
6. 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.
7. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. In the interests of the amenities of the future occupants of the buildings in accordance with Policy GDP1 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 and highway safety, in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
10. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and highway safety, in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

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11. To control the nature of the use in the interests of highway safety and to ensure compliance with adopted planning policies.
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 protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
14. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
15. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 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 protect the amenities of the occupiers of nearby properties, highway safety and visual amenities in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Note(s) to applicant

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.

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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.

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 .



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

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