

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



|                  |                                                                                                                  |                      |                          |
|------------------|------------------------------------------------------------------------------------------------------------------|----------------------|--------------------------|
| <b>Applicant</b> | MR JOEL PRIEST                                                                                                   | <b>Code Number</b>   | ABE P/2019/0558          |
| <b>Agent</b>     | MR JOEL PRIEST<br>HYDRO ALUMINIUM DEESIDE LTD<br>BRIDGE ROAD<br>WREXHAM INDUSTRIAL ESTATE<br>WREXHAM<br>LL13 9PS | <b>Date Received</b> | 26/07/2019<br>21/05/2020 |
|                  |                                                                                                                  | <b>Decision Date</b> |                          |

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### **Town and Country Planning Act, 1990**

#### **Location of application**

HYDRO ALUMINIUM DEESIDE LTD, BRIDGE ROAD, WREXHAM  
INDUSTRIAL ESTATE, WREXHAM, LL13 9PS

#### **Description of application**

DEVELOPMENT OF A NEW FINISHED GOOD STORAGE AREA 68M X 40M  
ADJOINING THE CURRENT FINISHED GOODS YARD

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

|      |                                           |
|------|-------------------------------------------|
| E1   | Employment allocations                    |
| E4   | Employment development within settlements |
| EC4  | Hedgerows, Trees and Woodland             |
| EC6  | Biodiversity Conservation                 |
| GDP1 | Development objectives                    |
| PS1  | Settlement limits                         |
| PS11 | Biodiversity                              |
| PS2  | Development and the environment           |
| T8   | Parking                                   |

| Revision | Date       | Description of Decision    |
|----------|------------|----------------------------|
| 0        | 21/05/2020 | 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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|                  | DEESIDE LTD        | <b>Received</b> | 21/05/2020      |
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|                  | WREXHAM INDUSTRIAL | <b>Date</b>     |                 |
|                  | ESTATE             |                 |                 |
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|                  | LL13 9PS           |                 |                 |

2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:  
700-04 P03 Goods Yard Improvement Plan  
Location Plan  
and as contained within the application documentation.

3. Within 2 months of commencement of development, full details of both hard and soft landscape works, to include some native planting shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include a timescale for the implementation of works, and shall provide for ecological improvement / habitat creation and enhancement in the soft landscape areas for the benefit of biodiversity conservation specifically tailored to the landscape features.

4. The landscaping scheme submitted and approved in connection with condition no. 3 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

5. 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 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 Exclusion Zones, and location of protective fencing and ground protection 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;

|                  |                                                                                                                        |                                                                                       |                                  |
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g) Details of all proposed tree works, including felling and pruning.

6. The access shall be kept clear of obstruction at all times

7. No part of the development shall commence until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in strict accordance with the details as approved. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

8. No development shall commence until a site species/habitat Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should build upon the outline conservation plan (part 3.4 of the Ecological Addendum) and include:

- The submission of amphibian avoidance measures;
- The submission of a scheme that identifies the provision and management of a corridor for long term conservation purposes;
- The submission of measures designed to prevent the accidental capture/killing of newts post construction. This is essentially the design and construction of an amphibian friendly surface water management system;
- Ecological Compliance Audit, including key performance indicators.
- Biosecurity Risk Assessment. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

The conservation plan shall be carried out in accordance with the approved details.

### **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

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1990.

3. 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.
4. 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.
5. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s) in accordance with Policies GDP1, PS2 and EC4 of the Wrexham Unitary Development Plan.
6. In the interests of highway safety
7. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
8. To safeguard protected species

### **Note(s) to applicant**

Your attention is drawn to Highway Supplementary Notes - 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.h  
tm](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)

Advice for the Developer from Natural Resources Wales:

Pollution Prevention

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which is available on the following website:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Waste produced during construction

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste

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- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls.

The links below provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

Surface Water Drainage

We refer the developer to the Environment Agency (2017) 'Approach to groundwater protection' position statements which have been adopted by Natural Resources Wales. In particular the developer should be aware of the advice under Position Statements G11 (Discharges from areas subject to contamination) and G13 (sustainable drainage systems) applies to this development.

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

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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.

From the 7th of January 2019 any new development of more than one dwelling or that involves construction work of more than 100m<sup>2</sup> is required to obtain approval from the SuDS Approving Body (SAB) prior to the commencement of those construction works. Furthermore the surface water drainage systems serving proposals of greater than one property will be subject to adoption by the SAB and must be constructed in such a manner as to be compliant with new national statutory standards. Given the potential implications for your development, in particular its layout, it is essential that you satisfy yourself as to whether SAB approval is required, and if so, that you can demonstrate that the surface water drainage arrangements will be compliant with the national standards.

While it is possible to seek planning permission in isolation of seeking SAB approval we emphasise the risk in pursuing such an approach. The earlier it can be determined that your proposals are compliant with the new standards the less chance of delay, wasted effort and costs for all parties involved. These comments are made in advance of any formal response from either the SAB or the Lead Local Flood Authority through the normal planning application consultation process to allow your early consideration of the

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implications of the new legislative requirements for your proposed development.

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](https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm) or by contacting the SAB Team directly at [SAB@wrexham.gov.uk](mailto: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](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)