

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 MCCARTHY M & L INVESTMENT PARTNERS LLP	Code Number	ISY P/2017/1013
Agent	BOB DEWEY PLANNING MR B DEWEY THE GABLES LLANFYNYDD WREXHAM LL11 5HG	Date Received	08/12/2017
		Decision Date	24/01/2018

Town and Country Planning Act, 1990

Location of application

LAND OFF ABBEY ROAD, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9UE

Description of application

ERECTION OF INDUSTRIAL WAREHOUSE (USE CLASS B1, B2 & B8)
WITH ASSOCIATED SERVICE YARD AND CAR PARKING

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
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	24/01/2018	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 drawing(s) numbered C4C-B1-ZZ-A1-18-S2-00-001 Rev E, C4C-B1-ZZ-A1-20-P2-00-001 Rev E, C4C-B1-ZZ-A1-20-P2-00-002 Rev D, C4C-B1-ZZ-A1-19-E2-00-001 Rev F, C4C-B1-ZZ-A1-19-E2-00-002 Rev F, C4C-B1-ZZ-A-01-DR-00-001 Rev J, C4C-B1-ZZ-A1-27-P2-00-003 Rev E and as contained within the application documentation.

3. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.

4. Prior to their use on the development samples of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

5. 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.

6. 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.

7. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a five year Maintenance Plan and timescales for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

8. The landscaping scheme submitted and approved in connection with condition no. 07 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

9. The landscaping scheme as carried out in connection with condition no. 08 shall be permanently retained. Any planting becoming 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 with trees or shrubs of similar size and species to those

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originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

10. The development shall be carried out in strict accordance with the GCN avoidance, mitigation and compensation measures as contained within the Ecological and Method Statement provided by Marches Ecology and dated 25 October 2017, approved as part of this application.

11. No part of the development shall commence until either:

- a) Bat and Newt licences issued by NRW pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 authorising commencement of the development; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified development will require a licence for either great crested newt or bats, has been submitted to and approved in writing by the Local Planning Authority.

12. 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;
- g) Details of all proposed tree works, including felling and pruning.

13. 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.

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

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.

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. No part of the development shall be occupied until a Verification Report which identifies any contaminated land and confirms that any contamination land remedial works have been carried out has been submitted to any approved in writing by the Local Planning Authority.

18. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. C4C-B1-ZZ-A-01-DR-00-001 Rev J.

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

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20. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.

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

22. 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.

23. Prior to first use of the development a 2.0m wide footway shall be constructed along the southern edge of the proposed access in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority.

24. There shall be no gates or other means of enclosure across the vehicular access point.

25. 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 20 metres behind the adjoining highway.

26. Prior to first use of the development hereby approved the vehicular access shall provide a visibility splay of 2.4 metres x 33 metres in the north westerly direction measured to the nearside edge of the adjoining highway. Within this splay there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining carriageway. The splay shall thereafter be permanently retained clear of any such obstruction to visibility.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To define the scope of the planning permission
3. To protect the amenities of the occupiers of nearby properties.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

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5. To protect the amenities of the occupiers of nearby properties.
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10. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
11. The development has the potential to impact on both great crested newt and bats.
12. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
13. 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.
14. To protect the integrity of the public sewer and avoid damage thereto.
15. To ensure satisfactory drainage of the site and to avoid flooding.
16. To ensure satisfactory drainage of the site and to avoid flooding.
17. In the interests of the amenities of the future occupants of the buildings
18. In the interests of highway safety.
19. In the interests of highway safety.
20. In the interests of highway safety.
21. In the interests of highway safety.
22. In the interests of highway safety.
23. In the interests of pedestrian safety.
24. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
25. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety.
26. To ensure that adequate visibility is provided at the proposed point of access to the highway.

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Note(s) to applicant

The applicant is advised that compliance with condition no. 03 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

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. 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 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.

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**Officer Appointed for this purpose
Head of Environment and Planning**

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