

## APPENDIX 5

### **Schedule of Suggested Conditions in the event that the Planning Inspector is minded to allow the appeal.**

1. Approval of the following details shall be obtained from the Local Planning Authority before any part of the development is commenced:
  - a. the layout of the building(s)
  - b. the scale of the building(s)
  - c. the appearance of the building(s)
  - d. the means of access to the site and building(s)
  - e. the landscaping of the site.

**Reason:** *To comply with the provisions of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012*

2. Plans and particulars of the reserved matters referred to in condition 1 (above) shall be submitted in writing to the Local Planning Authority before the expiry of two years from the date of this permission. The development shall only be carried out in strict conformity with such details as are approved.

**Reason:** *To comply with Section 92 of the Town and Country Planning Act, 1990.*

3. The development hereby approved shall be commenced before the expiry of three years from the date of this permission or before the expiry of one year from the date of approval of the last of the reserved matters required to be approved, whichever is the later.

**Reason:** *To comply with Section 92 of the Town and Country Planning Act, 1990*

4. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an

additional scheme of remediation has been submitted to and approved in writing by the local planning authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

**Reason:** *In the interests of the amenities of the future occupants of the buildings*

5. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 04 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

**Reason:** *In the interests of the amenities of the future occupants of the buildings*

6. 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.

**Reason:** *To ensure satisfactory drainage of the site and to avoid flooding.*

7. No part of the development shall commence until the following have been submitted to and approved in writing by the Local Planning Authority:
- i) A detailed plan of the mitigation proposed for the land show as GCN Mitigation Area in Appendix III of The Tyrer Partnership Great Crested Newt Strategy dated 5 November 2015
  - ii) An Ecological Method Statement in respect of the implementation of the mitigation referred to above, to include timescales for the provision of the Mitigation Area; and
  - iii) A Biosecurity Risk Assessment
- Off-site mitigation shall thereafter be provided in strict accordance with the details as approved.

**Reason:** *In order to protect wildlife interests, which are afforded special protection*

8. No part of the development shall commence until a scheme of Reasonable Avoidance Measures (RAMs) in respect of Great Crested Newts has been submitted to and approved in writing by the Local Planning Authority has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved RAMs scheme.

**Reason:** *In order to protect wildlife interests, which are afforded special protection*

9. No part of the development shall take place until a mitigation scheme in respect of badgers has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved mitigation scheme.

**Reason:** *In order to protect wildlife interests, which are afforded special protection*

10. No part of the development shall commence until a long term Ecological Management and Monitoring Plan in respect of mitigation required by condition 07 has been submitted to and approved in writing by the Local Planning Authority. The land shall thereafter be managed and monitored in strict accordance with Ecological Management and Monitoring Plan as approved.

**Reason:** *In order to protect wildlife interests, which are afforded special protection*

11. Development shall not commence until a Construction Environment and Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction shall thereafter be carried out in strict accordance with the details as approved.

**Reason:** *To protect the amenities of the occupiers of nearby properties.*

12. Development shall not commence until a scheme of noise mitigation, to include a timescale for implementation, has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter take place in strict accordance with the details as approved and the noise mitigation measures shall thereafter be permanently retained.

**Reason:** *In the interests of the standard of amenity afforded to future occupiers of the development.*

13. The site layout and landscaping details required by condition 01 shall include an area or areas of public open space to be provided within the development together with a scheme that includes the following details:

- i) the siting, size, layout and appearance of any formal play equipped play areas;
- ii) hard and soft landscaping of the open space area(s);
- ii) the timing of the construction and landscaping of the open space area(s);

Public open space shall be provided on site within each phase in accordance with the scheme as approved and thereafter permanently retained.

**Reason:** *In the interests of the appearance of the development and the standard of amenity afforded to future occupiers.*

14. The site layout and landscaping details required by condition 01 shall include details of a footpath and cycleway that shall follow the route of the former railway corridor adjacent to the northern boundary of the site. The footpath and cycleway as approved shall be provided in full prior to the first occupation of any dwelling hereby granted planning permission.

**Reason:** *To ensure compliance with policy T10 of the Wrexham Unitary Development Plan.*