

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	F LLOYD (PENLEY) LTD WAREHOUSING	Code Number	ABE P/2014/0275
Agent	T A C P MR MATTHEW GREGORY 27 GROSVENOR ROAD WREXHAM LL11 1DH	Date Received	17/04/2014
		Decision Date	24/07/2014

Town and Country Planning Act, 1990

Location of application

LAND ADJACENT TO F LLOYD (PENLEY) LTD, BRIDGE ROAD SOUTH,
WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9SQ

Description of application

CONSTRUCTION OF TWO NEW WAREHOUSE UNITS AND ASSOCIATED
SERVICE / HARDSTANDING AREAS

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
EC6	Biodiversity Conservation
GDP1	Development objectives
T8	Parking

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.
2. No part of the development shall commence until a scheme to deal with potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a phased investigation approach to identify the extent of contamination and any measures required to remediate the site, including post-development monitoring.

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3. No part of the development shall be occupied until a Verification Report which demonstrates that the remedial works approved as part of condition no. 02 above have been satisfactorily carried out, has been submitted to and approved in writing by the Local Planning Authority.
4. 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.
5. Each new non-residential building hereby permitted shall be constructed to achieve a minimum [Building Research Establishment Environmental Assessment Method (BREEAM)] overall score of 35.85%.
6. Construction of each building hereby permitted shall not begin until an 'Interim Certificate' has been submitted to the Local Planning Authority, certifying that a minimum BREEAM overall score of 35.85% has been achieved for that individual building in accordance with the requirements of BREEAM 2011.
7. Prior to the occupation of each building hereby permitted, a 'Final Certificate' shall be submitted to the Local Planning Authority, certifying that a minimum BREEAM overall score of 35.85% has been achieved for that individual building in accordance with the requirements of BREEAM 2011.
8. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

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9. The landscaping scheme submitted and approved in connection with condition no. 08 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
10. The vehicular parking and turning areas as shown on approved drawing(s) No(s). SIT01 Revision A shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times.
11. No part of the development shall be used until Traffic Regulation Order has been implemented along the full extent of the Bridge Road South frontage of the F Lloyd (Penley) site in accordance with details that have first been submitted to and approved in writing by the Location Planning Authority.
12. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
13. All works in relation to the erection of the buildings hereby granted planning permission, including site preparation and 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.
14. No piling or other foundation designs using penetrative methods shall be used unless details of first been submitted to and approved in writing by the Local Planning Authority.
15. The development shall be carried out in strict accordance with the TEP F Lloyd (Penley) Development Site, Wrexham Industrial Estate Great Crested Newt Method Statement Version 1 dated May 2014 Version 1 and the TEP F Lloyd (Penley) Development Site Wrexham Industrial Estate Nesting Birds Method Statement, Version 1 dated May 2014

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. In the interests of the amenities of the future occupants of the buildings
3. In the interests of the amenities of the future occupants of the buildings
4. To ensure satisfactory drainage of the site and to avoid flooding.
5. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 6 (2014)).
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7. To comply with the requirements for sustainable buildings published by the Welsh Government (Planning Policy Wales Edition 6 (2014)).
8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
10. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
11. In the interests of highway safety.
12. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
13. To protect the amenities of the occupiers of nearby properties.
14. To avoid pollution of controlled waters from inappropriate methods of piling.
15. In order to protect wildlife interests, which are afforded special protection.

Note(s) to applicant

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

The applicant is advised that compliance with condition no. 13 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.

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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 Housing and Public Protection 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.

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional

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hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com



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**Officer Appointed for this purpose
Head of Community Wellbeing and Development**

**Refer to the Statement of Applicant's Rights and General Information enclosed
or refer to the following link:-**

**[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)**