

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

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Expiry Date: 01/09/2008
Decision Notice Sent:
29/07/2010
Grid Reference:
E 338188
N 349964



Applicant	DEMON TWEEDS DIRECT	Code No	ISY P/2008/0771
Agent	EARL DEVELOPMENTS LTD PO BOX 3425 CHESTER CH1 9BT	Date Received	08/07/2008
		Decision Date	29/07/2010

Town and Country Planning Act, 1990

Location of application

LAND ADJACENT TO DEMON TWEEDS, 75 ASH ROAD SOUTH,
WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL12 9UG

Description of application

SPECULATIVE WAREHOUSE AND OFFICE ACCOMMODATION.

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
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
PS2	Development and the environment
T8	Parking

**Particulars of decision that permission be GRANTED
Subject to the following:-**

Condition(s)

1. The development hereby permitted shall be begun before the expiry of five years from the date of this permission.
2. No part of the development shall be commenced until samples of all external facing and roofing materials have been 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.
3. No development shall commence until a scheme for the provision of turning facilities for articulated HGV's has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be laid

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out, surfaced and drained prior to the first use of the building hereby granted and shall thereafter be retained for those purposes.

4. The vehicle parking and turning areas as indicated on the approved plans (Drawing No P/130-PO1 - rev D) shall be laid out, surfaced and drained prior to the first use of the building hereby granted and shall thereafter be retained for those purposes.

5. No development shall commence until details of a 2m wide footway along the entire frontage of the proposed and existing premises of Demon Tweeds have been submitted to and approved in writing by the Local Planning Authority. The footway as approved shall be constructed prior to occupation of the building hereby approved.

6. The development hereby approved shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan as approved shall be implemented to an agreed timetable. Within 12 months of occupation and thereafter annually a monitoring and assessment report shall be submitted to and approved in writing by the Local Planning Authority.

7. Development shall not begin on site 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. Where remediation works are required, the development shall not be occupied/used until a Validation Report to show that the works have been satisfactorily carried out has been submitted to and approved in writing by the Local Planning Authority.

8. All works, ancillary operations and the use of plant and machinery which are audible at the site boundary shall be carried out between 0730 hours to 1930 hours Monday to Friday, between 0800 hours to 1400 hours on Saturdays and at no time on Sundays or Bank Holidays.

9. All hard and soft landscape works shall be carried out in accordance with the approved plans (Drawing No. 1239/SI/01). The works shall be carried out within 3 months of the first use of the development with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use.

10. All trees, shrubs and hedge plants supplied shall comply with the requirements of the current BS 3936 Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirement of the current BS 4428 Code of Practice for General Landscape Operations (excluding hard surfaces). All new tree planting shall be carried out in accordance with guidance contained in Section 13 of the current BS 5837 A guide for Trees in Relation to Construction - Recommendations.

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11. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of similar size and species to those originally required to be planted unless otherwise approved in writing by the Local Planning Authority.

12. No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall include a specification for tree protection fencing and ground protection measures that complies with British Standard 5837:2005; a plan showing the location of retained trees' with their crown spreads, Root Protection Areas' and the location of protective fencing plotted. A full specification for any access, driveway, path, underground services or wall foundations within retained trees' Root Protection Areas', including any related sections, details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires; details of the frequency of supervisory visits and procedures for notifying the finding of such visits to the Local Planning Authority and method statement for protecting retained trees during demolition works should also be included. Works shall be carried out in accordance with the approved method statement.

13. Prior to commencement of the development hereby approved, an Ecological Method Statement and Management Plan, which takes into account the proposed ecological mitigation and compensation measures as detailed in Section 6 of the approved Ecological Statement (rev 15 July 2010), shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall demonstrate how existing and proposed features of ecological/wildlife interest will be protected, implemented and managed in the long-term, and how these measures will be secure. The report must also propose and deliver appropriate conservation schemes and 'Reasonable Avoidance Measures' together with details of compliance audit/monitoring. The agreed works/proposals shall be implemented in accordance with timescales to be agreed as part of the measures before development commences on site.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
3. To provide for the 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.

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4. 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.
5. In the interests of pedestrian safety.
6. To ensure that the level of proposed parking does not have a detrimental impact upon the highway and reduce the dependency upon the car.
7. In the interests of the amenities of the future occupants of the buildings
8. To ensure that the site is not used at a time which would be likely to cause nuisance or disturbance to nearby residents.
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
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11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
12. To ensure the amenity afforded by the trees is continued into the future.
13. To ensure that the features identified as having wildlife importance are protected and maintained in the long-term.

Note(s) to applicant

The premises are required to comply with the requirements of the Workplace (Health, Safety and Welfare) Regulations 1992 (in particular the regulations relevant to safety of vehicle movements and segregation of pedestrians from vehicles). You are advised to discuss the details of these requirements with health and safety at an early stage on tel. 01978 813717.

The scheme of landscaping referred to in the above conditions shall include any changes to ground levels (shown by existing and proposed contours/levels) and any existing vegetation (showing that to be retained) and proposed planting. In addition, any of the following which apply to the particular site must be included:-

means of enclosure, car parking layout, access and circulation areas, materials for hard surfaced areas, any minor structures (e.g. refuse stores, lamp columns, play equipment) location of services, and any historic landscape features to be retained/improved.

The proposed development lies within a former coal mining area. You should take account of any hazards to stability which may arise from coal working in or near the site. Specific advice on any past working may be obtained from the Coal Authority Mining Reports Service. Phone 0845 762 6848 or from

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www.coal.gov.uk.

Any operations which may involve entry into former workings, shafts or adits or implementation of site investigations or other works may need permission from the Coal Authority.

Further advice on compliance with Condition 10 may be obtained by contacting the Council's Environmental Protection Section tel. 01978 813724. Should the investigation identify contamination issues that may affect receptors other than the site users eg. groundwater, then it is recommended that these issues are also addressed in consultation with the Public Protection Department prior to works commencing on site, so as to avoid enforcement under part II of the Environment Protection Act 1990.

Your attention is drawn to Highway Supplementary Notes Numbered 1, 3, 4 and 5 on the enclosed "Applicants' Rights and General Information".

Welsh Water states that:

- no land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system;
 - foul water and surface water discharges must be drained separately from the site;
- and that

- no surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system.

You are advised to contact Welsh Water in respect of any of the above and/or if a connection is required to the public sewerage system (Dwr Cymru Welsh Water's Network Development Consultants on 01443 331155).

You are advised that it will be necessary to obtain a Welsh Assembly Government mitigation licence to allow the proposed development/mitigation works to proceed lawfully.

Officer Appointed for this purpose
Refer to the Statement of Applicant's Rights and General Information Enclosed

Chief Planning Officer, Lambpit Street, Wrexham, LL11 1AR