Report of the Chief Officer Economy and Planning

Application Reference
P/2024/1554

Applicant
Mr Morear

Agent
Mr - Campbell

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

Description of Development
CYFLEUSTER DIDOLI DEUNYDD AILGYLCHU METEL ARFAETHEDIG, GWAREDU TOMEN O BRIDD, ESTYNIAD I IARD GONCRID, TIRLUNIO A GWAITH CYSYLLTIEDIG MEWN EIDDO BUSNES PRESENNOL / PROPOSED METAL RECYCLING SORTING FACILITY, SOIL HEAP REMOVAL, CONCRETE YARD EXTENSION, LANDSCAPING AND ASSOCIATED WORKS AT EXISTING BUSINESS PREMISES

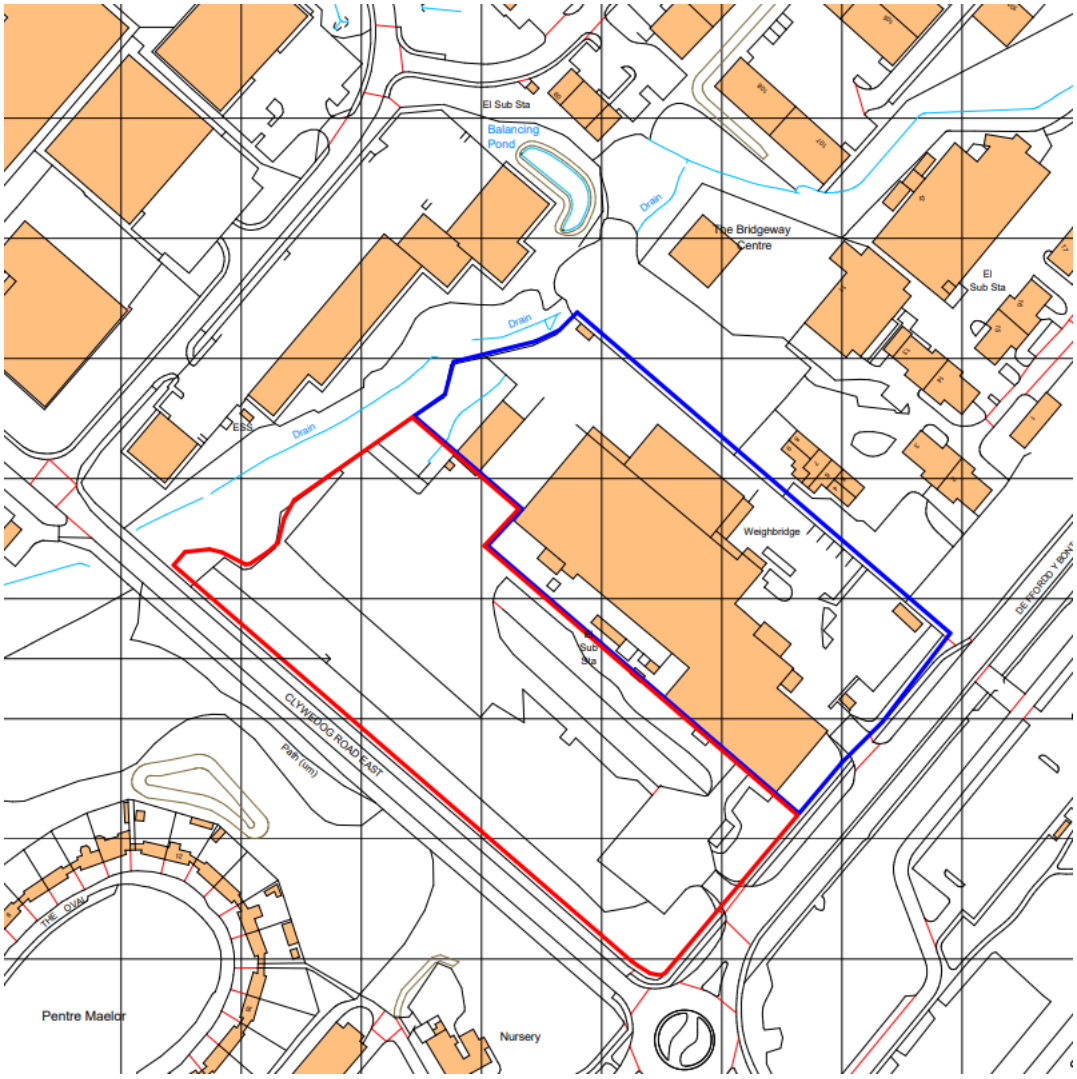
Ward
Holt/Holt

Community
Abenbury/Abenbury

Recommendation
Grant

Officer Report

Site Description
The application site forms part of the existing Hydro Aluminum Deeside Ltd metal recycling business, on Bridge Road North on the Wrexham Industrial Estate. The application site is currently used for the storage of goods, including aluminium billets manufactured on site.



Proposal
The application seeks planning permission for the erection of a metal recycling sorting building and an extension to the existing concrete yard.

Reason for Committee Determination
Major development.

Site History
P/2020/0552 Discharge of conditions 5 and 8 of planning permission P/2019/0558 (ecology). Approved - 21/10/2020

P/2019/0558 - Development of a new finished good storage area 68m x 40m adjoining the current finished goods yard. Granted - 21/05/2020

P/2018/0513 - Installation of new water tower (16m above ground) and water holding tank (50m3 capacity). Granted - 8/8/2018

P/2007/0821 - Construction of three sided enclosure with walls up to 4m high to be used to contain raw material scrap. Granted - 3/9/2007

Development Plan

Wrexham Local Development Plan
UDP Policy PS1 - The Broad Location Of Development
UDP Policy PS2 - The Broad Location of Development
UDP Policy PS6 - Employment
UDP Policy PS8 - Shopping
UDP Policy PS10 - Waste
UDP Policy GDP1 - Development Objectives
UDP Policy EC6 - Biodiversity Conservation
UDP Policy EC14 - Protection of Controlled Waters
UDP Policy T8 - Parking
UDP Policy MW12 - Waste Management

Unadopted Local Development Plan
Policy MW6 - Waste Management Facilities

Local Planning Guidance notes [LPGN]
LPGN 16 Parking
LPGN 30 Design
LPGN 32 Biodiversity and Development

Relevant National Policy

Future Wales: The National Plan 2040
Planning Policy Wales (Edition 12)
TAN 5: Nature Conservation & Planning
TAN 11: Noise
TAN 12: Design
TAN 18: Transport
TAN 21 - Waste Management
TAN 23: Economic Development

Consultation Responses

Community Council:
Raises concerns in respect of:

- Increased noise and traffic around the site and the impact upon the amenity of nearby residential properties; and
- Ongoing issue with lorries and other vehicles queuing to access the plant along Bridge Road and Bridge Road South.

Requests planning conditions be imposed if planning permission is granted to secure measures to limit noise and traffic impact.

Local Member:
No response received.

Natural Resources Wales:
Raises no objection subject to conditions being imposed requiring the submission of a Construction Environment Management Plan and a scheme of Reasonable Avoidance Measures for GCN.

Dwr Cymru Welsh Water:
Raises no objection. Advises that the site is crossed by a public sewer and that the proposed layout should take account of it position. Recommend the inclusion of an Advisory Note in relation to the requirement for SAB approval.

North Wales Fire Authority
Raises no objection and has no comments to make regarding access for fire appliances or water supplies.

Health and Safety Executive
Advises that the proposed development site identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline

Highway Officer:
Raises no objection. Recommends a planning be imposed to require the submission of a detailed lighting and pedestrian safety plan prior to occupation.

Contaminated Land Officer:
Recommends conditions be imposed to require the site to be investigated for contamination and its subsequent remediation.

Public Protection Officer:
Raises no objection. Recommend the inclusion of Advisory Notes relating to construction noise management and the burning of waste.

Arboricultural Officer:
Raises no objections. Comments that the proposed removal of the trees identified is acceptable and is adequately mitigated for within the landscape scheme.

Ecology Officer:
No response received.

Minerals and Waste Officer
Raises no objection. Advises that the proposed development would not conflict with policy TAN 21 and unadopted LDP policy MW6. Recommendations conditions be imposed relating to annual throughput, sheeting of vehicles and cessation of working.

Flood & Water Management Officer:
No response received

Publicity Undertaken:
Press Notice: Yes
Site Notice: Yes
Notification Letters: Yes

Responses to Publicity:
1no representation has been received which raises concern in relation the impact of development on the community. However, no specific concerns raised.

Principle of Development
The site is located within the defined settlement limit of the Wrexham Industrial Estate. Policy PS1 directs new development to sites within settlements.
The proposed development is for a waste management facility. Policy MW12 deals specifically with waste management facilities and they will be located having regard to:-

a) the best practicable environmental option;
b) the waste hierarchy;
c) the proximity principle.
d) regional self-sufficiency.

The policy also states that facilities for sorting, transferring and processing of waste will be permitted within sites on general industrial estates.

Policy MW12 pre-dates Technical Advice Note (TAN)21, which was published in 2014.

Policy MW6 of the unadopted LDP also deals with waste management facilities. The policy supports the location of waste management facilities within employment areas, such as the Wrexham Industrial Estate, provided that the following criteria are also met:

i. The proposal would move the management of waste up the waste hierarchy; or
ii. There is an identified need for the facility type at the regional level, in accordance with Technical Advice Note 21; and
iii. There would be no adverse impact on residential amenity by virtue of noise, dust or odour; and
iv. There would be no adverse impact on air quality; and
v. The proposal would not have an adverse impact on areas designated for their landscape value; and
vi. Any visual impacts would be minimised through the storage of wastes within buildings or height limits on stockpiles; and
vii. There would be no adverse impact on water quality; and
viii. The highway is capable of accommodating the size and type of vehicles which would access the site or can be sufficiently improved prior to the development being brought into use.

The unadopted LDP been scrutinised at Examination in Public and found to be sound. Moreover, the policy MW6 is consistent with TAN21. Taken together,

policy TAN21 and unadopted LDP policy MW6 are both more up to date than UDP policy MW12. MW12 is therefore afforded limited weight.

Paragraph 4.2 of TAN21 establishes that to "*enable proper consideration of the principles contained in the Technical Advice Note, a Waste Planning Assessment should be submitted with all applications for a waste facility classified as a disposal, recovery or recycling facility. The purpose of the Waste Planning Assessment is to ensure that the information necessary for making a decision is provided by the applicant when a planning application is submitted. The Waste Planning Assessment should be appropriate and proportionate to the nature, size and scale of the development proposed".*

The application is accompanied by a Waste Policy Statement (WPS). This demonstrates how the proposal would accord with Welsh Government's 'Towards Zero Waste' objectives, as set out in TAN21. The application site is used for the recycling and re-smelting of aluminium. The proposed development would provide additional sorting capacity for 30,000 tonnes of low grade aluminium scrap per annum. This would be in addition to the 65,000 tonnes per annum that is already processed at the site.

Matters relating to visual impact, noise, air quality, pollution and highway capacity will be discussed in more detail below. However, having regard to the above, the proposed development accords with TAN21 and unadopted LDP policy MW6 in terms of the location of waste management developments. The principle of development is therefore acceptable.

Design

The proposed building would have a floor area of 2,878 sq.m and would be approximately 15.7m high, matching the height of an existing building on the site. The facing and roofing materials would be metal cladding, which would also match appearance of the existing buildings. Views of the building from Clywedog Road East would be screened by the existing bund, which has extensive tree coverage on it. It would also be viewed in the context of the existing building and also industrial buildings on surrounding sites. It is therefore considered that the development accords with the industrial character of the area and as such complies with policies PS2 and GDP1.

Impact on Neighbouring Amenity

The Pentre Maelor housing estate is approximately 120m to the south west of the site. Pentre Maelor is separated from the application site by Clywedog Road East and a the Pentre Maelor Buffer Zone which has dense coverage of mature trees. Having regard both of these factors, the proposed development would not harm the living conditions of the residents of Pentre Maelor in terms of visual over dominance.

The application is accompanied by a Noise Assessment. This concludes that the development is not expected to have an adverse impact upon the living conditions of nearby residential properties. The Councils Public Protection Officer agrees with the findings of the Noise Assessment.

The application is also accompanied by an Air Quality Assessment (AQA). The AQA conclusions that there would be some risk of dust from the site but a low risk to health. The AQA outlines mitigation measure that should be implemented to minimise dust generation. The Council's Public Protection Officer raises no objection to the application subject to the mitigation detailed in the AQA being implemented. This could be secured by a suitably worded condition.

Having regard to the above, the development is unlikely to have an unacceptable impact upon the living conditions of nearby properties. It therefore accords with policy GDP1.

Highway Considerations

The site has two accesses onto Bridge Road. The main access is to the north-east of the site and is used by staff and visitors. It is also the access used by HGVs to exit the site. The second access is to the south of the site and is used by HGV to enter and then traverse a one-way system within the site.

The proposed development would generate an additional 14 additional two-way trips during the morning peak (08:00 – 09:00) and 16 additional two-way trips during the PM peak (16:00 – 17:00). This would be a modest amount of additional traffic that is unlikely to have any impact upon the local highway network.

There are 41 existing car parking spaces at the site. The application is accompanied by a Car Park Usage Log. This shows that there was space capacity within the car park over the 7 day period monitoring took place. The application is also accompanied by a Staffing Statement which confirms the proposed development would not result in an increase in staffing numbers. It would therefore not give rise to a need for additional parking provision.

Sufficient space would remain for up to 12 HGV to be parked within the site, together with sufficient space for them to turn within the site. The proposed plans also provide for an overflow areas to limit the risk of vehicles queuing on Bridge road in the event of several HGVs arriving at the same time.

There are bus stops on both sides of Bridge Road and a signal controlled pedestrian within 100m of the main side access. The site can therefore be safely accessed by employees who do not travel to the site by car. There are also pedestrian routes within the site connecting the car parks and buildings. The Council’s Highway Officer has recommended that a condition be imposed to the implementation of lighting and pedestrian safety plan be submitted. However, the safety of pedestrians within the site would be a matter for the company's own health and safety policies. The planning condition suggested by the Council’s Highway Officer would therefore not meet the test of being necessary set out in Circular 10/2024: The Use of Planning Conditions for Development Management.

Having regard to the above, the proposed development would not give rise to highway safety concerns and therefore accords with policy GDP1.

Natural Environment

Protected Species

The application is accompanied by a Preliminary Ecological Assessment (PEA). This recommends measures be put in place during construction avoid harm to Great Crested Newts (GCN). However, no details of the measures have been submitted. NRW raise no objection to the application subject to the implementation of a scheme of Reasonable Avoidance Measures in respect of GCN and a Landscape and Ecology Management Plan. These could be secured by suitably worded conditions

Protected Sites

The PEA has identified a watercourse to the north of the site connects to the River Dee and Bala Lake SAC. To protect the SAC from pollution during constriction NRW have recommended that a Construction Environment Management Plan (CEMP) be implemented during the construction phase of the development. This could be secured by a suitably worded condition.

Air Quality

The AQA concludes that there are no ecologically sensitive sites that are likely to be affected by the development.

Impact on Trees

There are 4 groups of trees within the site. The application is accompanied by Arboricultural Impact Assessment. It proposes measures that would be put in place to protect the trees during construction.

The proposed development would result in the loss of approximately 0.03ha of tree coverage within the site. The development would secure such benefits by enabling a greater volume of scrap metal to be processed and recycling, thus contributing to meeting the Welsh Government's 'Towards Zero Waste' objectives set out in TAN21. A scheme of landscaping is proposed that proposes 25 new individual tree being planted, approximately 0.08ha of new woodland planting and 60m of new hedgerow. The planting scheme would accord with the requirements of para 6.4.42 of PPW12 by providing appropriate replacement for the trees to be lost. It would also introduce a greater range of tree and hedgerow species to the site and therefore deliver a net benefit to biodiversity.

The Council’s Arboricultural Officer raises no objection to the proposed development subject to the implementation of tree protection measures and the proposed planting scheme. These could be secured by suitably worded conditions.

Green Infrastructure and Biodiversity Enhancements

The application adequately demonstrates how the step-wise approach to development and Green Infrastructure detailed at chapter 6 of Planning Policy Wales 12 has been applied to the proposal. The application also adequately demonstrates how a net biodiversity benefit will be achieved across the site.

Having regard to the above, the proposed development accords with policies PS11, EC4 and EC6 as well as paragraph 6.4.5 of Planning Policy Wales 12.

Drainage

The application is accompanied by a Staffing Statement confirming no additional staff would be employed. The proposed development would therefore not increase foul water drainage from the site and in turn would not increase the volume or concentration of phosphorous entering the River Dee and Bala Lake Special Area of Conservation (SAC). It is therefore unlikely to have a significant effect on the SAC.

Having regard to the above, the proposed development accords with policy EC6.

Conclusion

The proposed would not give rise to concerns regarding the character and appearance of the area, residential amenity, highway safety or ecology. It therefore accords with the relevant UDP policies.

Conditions

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.

2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):

   Existing site plan (dwg no. 2027 . P . 002)

   Proposed site plan (dwg no. 2027 . P . 003)

   Location plan (dwg no. 2027 . P . 001)

   Proposed floor plan (dwg no. 2027 . P . 004)

   Proposed elevations (dwg no. 2027 . P . 005)

   Detailed Planting Plan (dwg no. D9871.101)

   Statement of Landscape Design (doc ref: 9871.004)

   Landscape Masterplan (doc. ref. D9871.100)

Phase I Geoenvironmental Site Assessment Hydro Aluminium Deeside Ltd Reference:16-685-R1-2 Date: May 2024

Phase II Geoenvironmental Site Assessment Hydro Aluminium Deeside Ltd Reference: 16-685-R2-2 Date: May 2024

Flood Risk Assessment and Drainage Strategy Document No.: 9059-NDAXXXXRPD8301 R2

Air Quality Assessment Reference: 16-685-R3-1 Date: May 24

Transport Statement

3. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) detailed within the Statement of Landscape Design and dwg. nos. D9871.100 and D9871.101 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

4. Development shall not commence until Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP set out measures that will be put in place during the construction phase of development to protect water courses from pollution and should include the following:

- Construction methods: Details of materials to be used and how waste generated will be managed;

- General Site Management: Details of the construction programme, including a timetable, details of site clearance, details of site construction drainage, containment areas and buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;

- Biodiversity Management: Invasive species management; species and habitats protection, avoidance and mitigation measures;

- Soil Management: Details of topsoil strip, storage and amelioration for re-use.

- CEMP Masterplan: Details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures;

- Control of Nuisances: Details of restrictions to be applied during construction including timing, duration and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill;

- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use;

- Traffic Management: Details of site deliveries, plant on site, wheel wash facilities;

- Pollution Prevention: Demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan. Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details;

- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations.

The approved CEMP during the site preparation and construction phases of the development.

5. Development shall not commence until a scheme of Reasonable Avoidance Measures (RAMs) in respect of Great Crested Newt (GCN) has been submitted to and approved in writing by the Local Planning Authority. The scheme of RAMs shall include, but not necessarily be limited to, the following:

- Details of the design and location of one-way amphibian fencing and a management and maintenance plan for the fencing during the construction phase of the development; and

- A timescale for the implementation of the RAMs measures.

The development shall be carried on in accordance with the approved RAMSs scheme.

6. No development including site clearance, shall commence until a Landscape and Ecological Management Plan (LEMP) for the provision, management and maintenance of the landscape and ecological features at the site has been submitted to and approved by the Local Planning Authority. The LEMP should build upon the principles outlined

in the ecology report and include, but not necessarily be limited to the submission of a long-term site management plan that includes:

- Details of habitats and ecological features present or to be created, both in written form and shown on appropriate drawings, including planting plans o defined aims and objectives for each identified ecological feature (including defined key performance indicators for long term monitoring indicators)

- Monitoring and management prescriptions for identified ecological areas and any SuDS features;

- Details of the intended condition of each habitat and criteria to determine when habitats have achieved this;

- Details of short and long-term management prescriptions to both achieve and maintain the condition of the habitat, including contingency prescription is invasive non-native species (INNS) or predators of identified ecological features (e.g. fish in respect of amphibians are detected)

- Biosecurity measures which consider invasive non-native species and specific diseases (e.g. Chytrid) to prevent the introduction of and where present control, removal or for the long-term management of invasive species both during construction and operation;

- A timetable for the implementation of the LEMP

The LEMP shall be implemented in accordance with the approved timescale and thereafter all landscape and ecological features shall be managed and maintained in accordance with the approved detailed.

7. 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

8. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 7 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

9. No development shall take place until an 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 Method Statement as is approved. The Method Statement shall include the following: 1) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;

2) 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;

3) 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;

4) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;

5) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;

6) Method for protecting retained trees during demolition works;

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

10. The rating level of any noise generated by reason of this development shall not exceed 44dB LAeq level at any time and measurements and assessment shall be made in accordance with BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound (or any Guidance revoking or re-enacting that Guidance with or without modification).

11. No development shall take place until a Dust Management Scheme has been submitted to, and approved in writing by, the Local Planning Authority. The approved Dust Management Scheme shall be implemented for the entire duration of the construction phase.

12. 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.

13. The landscaping scheme shown within the approved statement of Landscape Design and dwg. nos. D9871.100 and D9871.101shall be fully implemented prior to the first beneficial use of the development hereby permitted, 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 beneficial use. Any trees or hedgerows which die, are removed or become seriously damaged or diseased shall be replaced in the next available planting season with trees or hedgerow of the same species originally planted.

14. The vehicular parking and turning areas as shown on approved drawing(s) No(s). Proposed site plan (dwg no. 2027 . P . 003) 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 HGV's at all times.

15. No more than 100,000 tonnes of waste shall be delivered to the site per annum.

16. Records of the daily heavy good vehicle movements and the tonnage of waste being imported to the site shall be maintained for the operation of the development hereby permitted. These records shall include the dates and timings of movements (access and egress) and the associated numberplates for the vehicles. These records shall be made

available to the Local Planning Authority no later than one week after any request to view them has been made.

17. All loaded vehicles shall enter and egress the site sheeted.

18. Upon cessation of use, defined as no recycling or recovery operations taking place in any consecutive 12 months, details of a scheme to remove the development and all associated infrastructure shall be submitted to the Local Planning Authority for its written approval within 3 months of the end of that 12 month period unless permission to extend the period is requested by the owner and granted in writing by the Local Planning Authority. The scheme shall detail a timetable and method statement for the removal of all waste and recycled product. The scheme shall be implemented in accordance with the approved details.

Reasons

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

3. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.

4. To ensure necessary management measures are agreed prior to commencement of development or phase of development and implemented for the protection of the environment during construction, in accordance with Policy EC6 of the Wrexham Unitary Development Plan.

5. To ensure protection of a statutorily protected species in accordance with Policy EC6 of the Wrexham Unitary Development Plan.

6. To ensure protection of a statutorily protected species in accordance with Policy EC6 of the Wrexham Unitary Development Plan.

7. To ensure that the risks to the future occupants/users of the site and to the local environment associated with contamination at the site have been assessed and, where necessary, appropriately remediated, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan and paragraph 6.9.17 of PPW12.

8. To ensure that the risks to the future occupants/users of the site and to the local environment associated with contamination at the site have been assessed and, where necessary, appropriately remediated, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan and paragraph 6.9.17 of PPW12.

9. To preserve the health, safety and amenity value of the tree(s) in accordance with Policies GDP1 and EC4 of the Wrexham Unitary Development Plan.

10. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Unitary Development Plan.

11. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

12. 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 in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

13.

To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy GDP1 of the Wrexham Unitary Development Plan

14. 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 in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan.

15. In order to control the scale of the development in accordance with Technical Advice Note 21.

16. To control the scale of the development and to avoid adverse effects on the highway network in accordance with policy GDP1 of the Wrexham Unitary Development Plan.

17. To prevent waste from being deposited on the public highway in the interests of highway safety and local amenity in accordance with policy GDP1 of the Wrexham Unitary Development Plan

18. In the interests of avoiding dereliction and permanent deposition of wastes and materials on the site, and the amenity of the area, in accordance with policy GDP1 of the Wrexham Unitary Development Plan.

Notes

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. 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 or by contacting the SAB Team directly at SAB@wrexham.gov.uk

Notes

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 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 is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If, however, there are urgent or unavoidable circumstances requiring work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & Housing Standards at healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

Notes

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 Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

Notes

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties in that section include the following:

* Notice of initiation of development

Before beginning any development to which this planning permission relates, notice must be given to the Local Planning Authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The forms set out the details that must be given to the Local Planning Authority to comply with this duty.

* Display of notice

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details that the person carrying out development must display to comply with this duty.

The person carrying out development must ensure that the notice is:

a)Firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;

b)Legible and easily visible to the public without having to enter the site; and

c)Printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.

Notes

Due to the potential for contamination issues as a result of historical use (manufacture of explosives) of the land covering the majority of the Wrexham Industrial Estate, should any made ground be identified during the works it would be prudent to investigate the potential for such contamination and inform the Councils Contaminated Land Officer immediately. The applicant is advised to

contact the Council's Contaminated Land Officer on 01978 298771 or 297773 for further guidance.

Notes

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority