In pursuance of its powers under the Acts an 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

wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

Applicant Mr Morear

Reference P/2024/1554

Agent Mr - Campbell
20 Hurst Bank,
Bebington, Wirral,
United Kingdom, CH42
4NR

Date Received 31/10/2024

Decision Date 03/11/2025

Town and Country Planning Act, 1990

Location of Application

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

Description of Application

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

In reaching this decision the Council has had regard to the following relevant policies: -

Development Plan Policies:

Future Wales Policy 20 - National Growth Area - Wrexham and Deeside

GDP 1- Development Objectives
MW12 - Waste Management
PS1 - Broad Location of Development
PS 11 - Biodiversity
PS2 - Broad Location of Development
PS6 - Employment
PS8 - Transport

Revision	Date	Description of Decision
0	03/11/2025	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

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Condition(s)

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 F)
Proposed Access Plan (dwg no. 2027.P.006 A)
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.: 9059NDAXXXXRPD8301 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.

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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

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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.

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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.

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7. The vehicular parking and turning areas as shown on approved drawing no. Proposed site plan (dwg no. 2027. P. 003 F) 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.

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 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

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10. The rating level of any noise generated by the site (including this development) shall not exceed 39dB LAeq,15 mins at the nearest noise sensitive properties located on The Oval, Pentre Maelor. 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 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.

12. The landscaping scheme shown within the approved statement of Landscape Design and dwg. nos. D9871.100 and D9871.101 shall 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.

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13. 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.

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

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15. 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.

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

17. 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.

18. 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.

19. Prior to the first use of the development hereby permitted, the Existing North Access (as described on dwg no. 2027 . P . 003F) shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 10 metres behind the adjoining highway.

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20. 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 Existing North Access (as described on dwg no. 2027 . P . 003 (F)), to intercept any such run off prior to first use of the development hereby permitted and thereafter permanently retained.

21. The development shall not be brought into use until a Service and Delivery Management Plan, to include the implementation of the one-way system referred to on proposed site plan, dwg no. 2027 . P . 003F, has been submitted to and approved in writing by the Local Planning Authority. Servicing and deliveries to the development shall thereafter take place in accordance with the approved Service and Delivery Management Plan.

22. Prior to first use of the development hereby permitted, a Noise Management Plan shall be fully implemented in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be operated in accordance with the approved Noise Management Plan.

Reason(s)

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.

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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 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.

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 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.

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

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11. 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.

12. 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

13. 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.

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

15. 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.

16. 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

17. 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.

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

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

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20. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

21. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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

Note(s) to applicant

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.

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

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

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

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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.

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.

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

Ian Jones

Prif Swyddog Dros Dro Yr Economi a Chynllunio
Interim Chief Officer Economy and Planning

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Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
Planning and building control | Wrexham County Borough Council