Report of the Chief Officer Economy and Planning

Application Reference
P/2025/0300

Applicant
Mr Clint Shaw

Agent
Mr Steve Goodwin

Site Address
CHRISTMAS FARM, LLAY ROAD, CEFN Y BEDD, WREXHAM, LL12 9UG

Description of Development
NEWID DEFNYDD TIR AR GYFER EI DDEFNYDDIO FEL FFERM GOED NADOLIG A CHANOLFAN HAMDDEN AWYR AGORED I GYNNWYS CANOLFAN CEIRW, PADLFYRDDIO, GWEITHGAREDDAU DWR AC YMESTYN Y LLYN PRESENNOL, CREU LLWYBR RHISGL, CODI ADEILAD I DDARPARU SWYDDFA, STORFA PEIRIANNAU AC OFFER, STORFA WELLT A GOFOD BAE SALWCH/MAMOLAETH AR GYFER CEIRW A CHREU MAES PARCIO, MYNEDIAD A THIRLUNIO SAFLE / CHANGE OF USE OF LAND FOR USE AS CHRISTMAS TREE FARM AND OUTDOOR RECREATION CENTRE TO INCLUDE REINDEER CENTRE, PADDLE BOARDING, WATER RELATED ACTIVITIES AND EXTENSION OF EXISTING LAKE, CREATION OF BARK FOOTPATH, ERECTION OF BUILDING TO PROVIDE OFFICE, MACHINE AND EQUIPMENT STORE, HAY/STRAW STORAGE AND SICK BAY/MATERNITY BAY SPACE FOR REINDEER, AND CREATION OF CAR PARK, ACCESS AND SITE LANDSCAPING

Ward
Llay/Llai

Community
Llay/Llai

Recommendation
Grant

Officer Report

Site Description

The application site comprises approximately 16.6ha of agricultural land located to the south of the B5102 public highway (Llay Road) and to the east of Park Road.



Proposal

The application seeks consent for the change of use of land to a mixed use including a Christmas tree farm and outdoor recreation including the provision of a reindeer centre, paddle boarding, water related activities, engineering operations to extend the existing lake, creation of bark footpath, erection of a cedar clad agricultural building to provide office, machinery and equipment store, hay/straw storage, a sick bay and maternity bay for reindeer, the creation of a car park, the creation of a new access onto Llay Road and landscaping.

Site History

P/2022/0681 - use of the site as a Christmas tree farm and outdoor recreation centre to include a 'reindeer centre', paddle boarding and water related activities. The application also proposed the erection of a building to provide an office, machine and equipment store, a hay/straw storage area and a sick/maternity bay for reindeer. Refused 06/11/2023 Appeal dismissed 03/12/2024.

Development Plan

Wrexham Unitary Development Plan

Outside of a defined settlement, policies PS2, PS8, PS11, GPD1, EC3, EC4, EC6, EC13, T8 and T9 are applicable

Wrexham Local Planning Guidance Notes (LPGN)
7 – Landscape & Development
16 – Parking Standards
17 – Trees & Development
30 – Design
32 – Biodiversity & Development
T2 – Active Travel

Relevant National Policy

National Planning Policy and Guidance
Future Wales: The National Plan 2040
Planning Policy Wales, Edition 12 2024 (PPW)

Technical Advice Notes (TANs)
TAN 5 – Nature Conservation & Planning
TAN 6 – Planning for Sustainable Rural Communities
TAN 11 – Noise
TAN 12 – Design
TAN 13 – Tourism
TAN 16 – Sport, Recreation and Open Space
TAN 18 – Transport

Consultation Responses

Community Council:
No response received.

Local Members:
Cllr Apsley
Concerned that this application is coming before the Planning Committee within four months of it being refused at appeal.
Concerned as there is no specific policy in the LDP which covers this kind of development.
The stagnant water is highly likely to be a health hazard to people like Paddle Boarders.
Concerned with highway and pedestrian safety as described by the inspector's report.

The same concern is expressed on the drainage and biodiversity effects explained by the inspector's report.

Cllr Walsh

Resubmitted comments made in respect of the previous application. Support the application on the proviso that all highway/footway and ecological concerns are properly addressed through appropriate mitigation

Natural Resources Wales: Consulted
No objection subject to planning conditions relating to protected sites and protected species.

Dwr Cymru Welsh Water: Consulted.
No objection.

Cycle UK:
Recommends that planning conditions requiring the installation of cycle parking, compliant with Welsh Government's Active Travel Guidance and Wrexham's own Local Planning Guidance. In addition, recommend improvements to the design of the junction to provide safe access from the carriageway to the Shared Foot/Cycleway in line with the Active Travel Act Guidance should be made.

Highway Officer:
Raises no objection subject to planning conditions requiring the submission of a Construction Traffic Management Plan, Service Delivery Management Plan and a Car Parking Management Plan. A planning condition relating to opening hours is also recommended in the interests of pedestrian safety.

Contaminated Land Officer:
No comments to make.

Public Protection Officer:
Recommend the inclusion of standard advisory notes in relation to dust and noise management and burning of waste.

Arboricultural Officer:
No objection subject to conditions to secure the implementation of an Arboricultural Method Statement (AMS) and scheme of landscaping incorporating enhanced tree and hedgerow planting.

Ecology Officer:
Notes outstanding issues.

Parks, Countryside and Rights of Way:
No comments to make.

Publicity Undertaken:
Press Notice
Site Notice
Notification Letters

Responses to Publicity:
None.

Background

The application is a resubmission of a proposed development previously refused planning permission in November 2022 (Ref: P/2022/0681) and subsequently

dismissed on appeal. The appeal was dismissed due to two issues, both of which this application seeks to address. The first issue raised by the Inspector was that, taking a precautionary approach, it had not been demonstrated that the scheme would not harm the River Dee SAC due to the potential for increased phosphorous loading. The second related to pedestrian safety, with the Inspector concluding that 'pedestrians would be out of the close eyeline of motorists approaching from the west until moments before reaching the crossing point'.

Principle of Development

Planning Policy Wales 12 paragraph 3.60 establishes that development in the countryside *'should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation*'. It goes on to state that '*new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled'.*

The site lies outside of a defined settlement limit, therefore in accordance with the PPW12, is in an area where development should be strictly controlled. However, both Technical Advice Note 6: Planning for Sustainable Rural Communities and Technical Advice Note 23: Economic Development support sustainable rural economies and in turn, appropriate development that supports and diversifies rural economies.

Technical Advice Note 6: Planning for Sustainable Rural Communities defines rural enterprises as land related businesses that include agricultural as well as other activities that derive their primary inputs from the site, including tourism and leisure enterprises. The proposed development combines elements of both agricultural and recreational elements, therefore for the purposes of TAN6, it can be classed as a rural enterprise.

Although the previous appeal was dismissed, the Inspector found the principle of development acceptable. However, the Inspector's assessment was made in the context of the policies of the now-withdrawn Local Development Plan, which are now no longer relevant. Despite the policy context that applied when the Inspector considered the appeal, the Inspector's conclusions are nevertheless considered to be still applicable.

The UDP does not have any specific policies relating to land-based tourism in the countryside. Policy EC3 of the UDP is applicable in respect of the proposed agricultural building. Policy EC3 supports the construction of new agricultural buildings unless there is harm to the environment or surrounding landscape. The policy directs development to existing farm complexes. The policy states that building located away from established farm complexes will only be permitted in exceptional circumstances where that is an essential agricultural need and no reasonable alternative location.

The UDP was adopted in 2005 and pre-dates both Technical Advice Note 6 and Technical Advice Note 23. The fact that policy EC3 focuses solely on agricultural

buildings and does not acknowledge the potential need for development on other rural enterprises means it is now out of date. Therefore, it is considered that the criteria set out in policy EC3, should be used in the context of the broader definition of rural enterprises. It is perhaps also of note that the criteria set out in policy EC3 in terms of location of development is broadly similar to the criteria set out in the now withdrawn LDP policy considered by the Inspector, albeit with the latter referencing rural enterprises rather than solely focussing on agricultural related development.

There are no other permanent buildings on the site, therefore a building is necessary to support the livestock and crop growing elements of the proposal (i.e. agricultural uses). Being a multi-functional rural enterprise reliant on both agriculture and recreational activities, the location of the latter is, as the Inspector concluded, dictated by the location of the lake. This in turn dictates the location of the building. As discussed in more detail in the Design section below, the impact of the building on the rural landscape is considered to be acceptable. The proposed development is therefore broadly in accordance with policy EC3.

Having regard to the above, the principle of development is considered to be acceptable.

Design

The application site is located within the open countryside and enclosed by mature hedgerows along its northern and western boundaries. The proposed building would be detached from any existing buildings or farmsteads, but would be of standard agricultural appearance and therefore would not appear out keeping or unduly prominent within the rural landscape. At the western end of the proposed car park it is proposed to erect a cedar clad twin pitched agricultural building measuring 30m x 60m to provide an office, machine and equipment store, maintenance facility together with hay/straw storage and a sick bay and maternity bay for reindeer. A gravelled access will be provided on 3 sides. The height of the building is proposed to be 4m to the eaves and 6m to the ridge. Additional tree planting is proposed to the east and west to further assist with screening and to break up the outline of the building. The proposed use of cedar cladding in the form of a traditional agricultural building would also aid in assimilating the new built form on the site into the existing rural landscape.

Ground level changes of approximately 500mm would be required to extend the lake on-site. The extent of this work would be relatively minor and would not have a significant impact on the wider landscape. A gravel surfaced car park would be provided adjacent to the proposed building. Whilst of a relatively large scale, its position within the site together with screening provided by existing hedgerows means it would not have an adverse impact upon the rural landscape.

The submitted plans outline that additional screening in the form of soft landscaping is to be provided as part of the development. However further details of the proposed landscaping would be required together with an

appropriate scheme of landscape management. This could be secured by a suitably worded condition.

The appeal Inspector raised no issues over the visual impact of the development noting in addition that the location of the recreational activities are dictated by the existing lake, a resource not available elsewhere locally.

Having regard to the above and subject to the approval and implementation of a landscaping scheme and appropriate management plan, the proposed development could be successfully assimilated into the rural landscape without causing detriment to the visual amenities of the site and surroundings.

Having regard to the above, the development would accord with UDP Policies PS2 and GDP1.

Impact on Neighbouring Amenity

The proposed building would be sited approximately 215m from the neighbouring dwellings to the north-west, which is a sufficient distance to avoid any direct harm to residential amenity. The Public Protection Officer raises no objections to the development and advises that there have been no registered noise complaints in relation to the site, whilst it has previously operated. The use is unlikely to give rise to significant noise levels and hours of operation could be controlled by a suitably worded condition.

Having regard to the above, the proposed development would accord with UDP policy GDP1 (f).

Highway Considerations

Access and Parking

The development would be served by a vehicular access off Llay Road and parking would be provided in a gravel surface car park, with space for 100 cars. The Highway Officer has advised that visibility at the site access for vehicular traffic is acceptable subject to the relocation the hedgerow to the west of the site access. This assessment was accepted by the appeal Inspector.

Whilst there is no adopted local guidance relating to the required parking provision for a development of this type, it is considered that the proposed parking provision would be appropriate for the nature and scale of the proposed development and the car park could be appropriately managed via a suitably worded planning condition requiring the submission and implementation of a Car Parking Management Plan.

To manage construction traffic, a suitably worded condition could require the submission and implementation of a Construction Traffic Management Plan.

Service Vehicles

The application is accompanied by a swept path analysis which demonstrates that a service vehicle can safety enter and exit the site. However, the vehicles would require part of two vehicle parking spaces when manoeuvring into/out of

the site. Given the potential for a service vehicle to be impeded if the parking spaces were occupied, service deliveries/collections should not carried out during operational hours. This could be managed via a Service Delivery Management Plan secured via a suitably worded planning condition.

Pedestrian Safety

A pedestrian crossing is proposed to the north of the site access. The concerns previously raised by the appeal Inspector have now been addressed by the submission of the revised access plan. This demonstrates that the required visibility and stopping sight distances can be achieved.

The application is accompanied by Road Safety Audit. This identified a potential risk of pedestrians falling into the ditch near the proposed footpath at the site access. To address this matter a protective barrier could be installed. This could be secured by a suitably worded condition.

The Council's Highway Officer raises no concerns over pedestrian safety generally, however they have raised concerns about the potential intensification of pedestrian traffic along the B5102 due to traffic speeds and a lack of street lighting. In the appeal decision, the Inspector outlined that a condition to restrict opening times could be imposed to ensure pedestrians walking to the site are unlikely to be crossing the road after dark. A suitably worded condition could therefore by used to limit opening times to daylight hours.

Cycle Parking

There is ample space within the site to accommodate secure cycle storage to promote active travel methods. Cycle parking could be secured by a suitably worded planning condition.

Having regard to the above assessment, the development would not give rise to highway or pedestrian safety concerns and accords with UDP policy GDP1.

Natural Environment

Blast Road Pond Local Wildlife Site lies along the application site's western boundary and the Llay Bog Site of Special Scientific Interest (SSSI) is located approximately 50m to the east, with part of the application site extending into the SSSI's buffer zone. Natural Resources Wales (NRW) raise no objections to the proposed development subject to appropriately worded conditions to secure Reasonable Avoidance Measures for Otter and a Protected Species Conservation Plan. A further condition is recommended by NRW in relation to Biosecurity. The Council's Ecology Officer has identified matters which could be addressed within the Protected Species Conservation Plan.

Despite the previous proposals being dismissed on appeal, the Inspector raised no concerns on ecology grounds noting: *"Given the nature of the proposal, there is no disagreement that use of the locally designated site cannot be avoided. The appeal is supported by, amongst other things, an Arboricultural Impact Assessment and Ecological Appraisal which set out the baseline conditions at the site, the anticipated effects of the appeal proposal on trees and biodiversity interests and set out avoidance and mitigation measures. I have taken into*

account the objections received from interested parties in relation to the potential effects of the appeal scheme on biodiversity and nature conservation interests. However, the Council raises no concerns in relation to the application of the step-wise approach to maintain and enhance biodiversity, build resilient ecological networks and deliver benefits for biodiversity by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for, and from the evidence before me, I have no reason to disagree. Appropriate management of the site could be set out in an Ecological Mitigation and Enhancement Strategy and could be secured by a planning condition".

This application is supported by an Arboricultural Impact Assessment and Ecological Appraisal which set out the baseline conditions at the site, the anticipated effects of the proposal on trees and biodiversity interests and set out avoidance and mitigation measures. The application is also accompanied by a Green Infrastructure Statement which demonstrates that the step-wise approach required by Planning Policy Wales 12 Chapter 6 has been applied to the development. A scheme of biodiversity enhancements has been submitted. The measures proposed include planting of wildflower grassland meadows, planting of native hedge trees to create new hedges and to strengthen existing as well as the locating of bat and bird boxes. In order to provide the required visibility splays, an existing section of hedgerow is to be removed, with replacement planting taking place outside of the splay.

The Council's Arboricultural Officer raises no objection to the development subject suitably worded conditions to secure protection measures for existing trees and hedgerow and a landscaping scheme to secure enhanced tree and hedgerow planting. This would contribute to delivering a net benefit to biodiversity.

Given that there a no material differences between the proposed development and the scheme considered by the appeal Inspector in respect of natural environment considerations and that there have been no material changes in circumstances since the appeal decision, subject to suitably worded planning conditions, the proposed development would not give rise to ecological concerns in respect of protected species and protected sites or concerns regarding trees or hedgerows . It therefore accords with UDP policies PS11, EC4 and EC6 as well as PPW12 paragraph 6.4.5.

Drainage

Surface Water Drainage

Formal approval of surface water drainage methods would need to be obtained separately from the Council as Sustainable Drainage Systems Approval Body (SAB) before development commences on site. This is a statutory requirement. There is no requirement for SAB approval be obtained before planning permission can be given. The need to obtain SAB approval means that there are adequate controls in place to ensure surface water is properly managed.

Foul Water Drainage and impact upon the River and Dee Bala Lake Special Area of Conservation

Planning Policy Wales 12 advises that development proposals in sewered areas must connect foul drainage to the main sewer. However, Circular 008/2018 advises that private package treatment plants could be utilised where a connection to the public sewer network is not feasible.

The proposed development is located in an area not served by the public sewer network, with the nearest public sewer being approximately 1km away. It is therefore considered that a connection is unlikely to be feasible.

The Inspector concluded that the drainage field for the package treatment plan proposed to serve the staff toilet facilities would be effective. However, the appeal was dismissed because it had not been demonstrated that the proposed use of portable toilet units for customer toilets provided appropriate drainage arrangements.

In contrast with the previous proposals, this application proposes installation of 2no. permanent visitor toilets. This would also discharge into a new package treatment plant. This would accord with NRW's guidance

The drainage field for the package treatment plant drainage field would not be within 50m of another drainage field. The anticipated volume of treated water discharged to the ground is less than 2 cubic meters per day. Having regard to NRW's guidance "*Advice contain to planning authorities for planning applications affecting nutrient sensitive Special Areas of Conservation*" the development is unlikely to result in an increase in nutrient levels within the Special Area of Conservation. NRW raise no objection.

Having regard to the above, the proposed development is not likely to have a significant effect on the Special Area of Conservation and accords with UDP policy EC6.

Other Considerations

Public Rights of Way

Public Footpath Llay 12 is located within the site and upon consultation, the Council's Public Rights of Way Officer raises no objection to the proposal.

Conclusion

The proposed development would not give rise to visual impact, residential amenity, highway safety or ecological concerns. It therefore accords with the relevant UDP policies, PPW and relevant Technical Advice Notes.

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):

- 3034-01-001 – Location Plan

- 3034-01-002 REV F – General Arrangement Plan

- 3034-01-003 REV C – Plans and elevations

- 3034-01-D01 REV A – Typical Toilet details

- 3034-01-D03 REV C – Sewage treatment plan

- 3034-01-D02 REV H- Proposed Site Access Arrangements and Visibility Splays.

- 3034-01-ATR01 REV E - Swept Path Assessment Plan.

3. No part of the development shall commence until full details of a hard and soft landscaping scheme, together with a timescale for the implementation of works, have been submitted to and approved in writing by the Local Planning Authority.

4. Landscaping shall be undertaken in accordance with the scheme submitted and approved in connection with condition 3, All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting (November to March) and seeding seasons following the first use of the development (April to September). Any trees, hedgerows or plants which, within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

5. No development shall commence until a scheme of Reasonable Avoidance Measures (RAMs) for Otters has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved RAMs scheme.

6. 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.

7. No development shall commence until a Conservation Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Management Plan include but not be limited to:

i) Build upon the principles outlined in the PEA and Addendum by Leigh Ecology.

ii) Submission of details and associated plans concerning GCN avoidance and mitigation measures including fence design, specifications and proposed locations; consideration of access issues across fence lines (including PROW if applicable); fence monitoring and maintenance requirements; and supervised removal of barrier fences. Submission to include proposed timescales and reporting requirements

iii) Submission of long-term site management plan (for a duration of not less than 25 years*) that includes:

• For each identified ecological feature including GCN, Birds, Otter and Bats, defined aims and objectives (including targets that can be used as key performance indicators for monitoring purposes).

• habitat management prescriptions for aquatic and terrestrial habitats.

• appropriate amphibian reasonable avoidance measures.

• contingency prescriptions if fish and/or invasive non-native species (INNS) are detected.

• site liaison, wardening, incident reporting and response arrangements.

• detail of the skills and competencies required by those undertaking the management, surveillance or other works or activities including whether they require European Protected Species licenses for the activities proposed.

• Biennial surveillance and monitoring, with results uploaded into the Wales GCN Monitoring Scheme.

• Five-year reporting requirements associated with ecological surveillance and habitat management; and

• Periodic review mechanism for the Management Plan.

(iv) Timetable for implementation demonstrating that works are aligned with the proposed development

(v) Ecological Compliance Audit, including defined key performance indicators for each identified ecological feature to evidence compliant implementation of specified ecology proposals

(vi) Persons responsible for implementing the works

8. Prior to the commencement of development, a Biosecurity Risk Assessment to include: (i) appropriate measures to control any INNS on site; and (ii) measures or actions that aim to prevent INNS being introduced to the site for the duration of construction and operational phases of the scheme shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved Biosecurity Risk Assessment.

9.

Prior to first use of the development on-site bicycle parking facilities shall be provided in strict accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority. The facilities shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of bicycles.

10. No development shall commence, including any works of demolition, until a Construction Traffic Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period.

11. The development shall not be occupied until a Service and Delivery Management Plan has been submitted to and approved in writing by the Local Planning Authority. Servicing and deliveries to the development shall take place in accordance with the approved Service and Delivery Management Plan and outside of the development's operational hours.

12. Prior to the development hereby permitted being brought into first use, a protective barrier shall be installed at the interface between the proposed footpath and ditch in accordance with a scheme that shall first be submitted to and approved in writing by the Local Planning Authority. The protective barrier shall be installed in strict accordance with the approved detail and remain in situ throughout the lifetime of the development.

13. The development shall not be used for the purposes hereby granted permission until a Car Parking Management plan has been submitted to and approved in writing by the Local Planning Authority. Operation of the development shall take place in accordance with the approved Car Parking Management Plan.

14. The development hereby permitted shall not be brought into use until the measures to deliver net benefit for biodiversity (NBB) shown at section 5 of the approved Green Infrastructure Statement have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

15. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 10 metres behind the adjoining highway.

16. Prior to first use of the development, the proposed vehicular access shall be laid out in strict accordance with approved plan no 3034-01-D02 REV H. The visibility splays shall thereafter be permanently retained free of all obstruction in excess of 1 metre in height.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected, constructed or placed across the access within 10 metres of the highway boundary.

18. Customers are not permitted on the premises outside of the hours of 9:00 hours - 16:00 hours from 1st November to January 31st, and 9:00 hours - 18:00 hours from 1st February to 0ctober 31st.

Reason(s)

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

2. To comply with Section 71ZA(2) of the Town and Country Planning Act, 1990.

3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

4. 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.

5. In order to protect wildlife interests in accordance with Policy EC6 of the Wrexham Unitary Development Plan.

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

7. In order to protect wildlife interests in accordance with Policy EC6 of the Wrexham Unitary Development Plan.

8. To ensure methods are implemented to prevent the spread of invasive species in accordance with Policy EC6 of the Wrexham Unitary Development Plan.

9. To assist occupiers/users of the development to make sustainable transport choices in accordance with Policy GDP1 of the Wrexham Local Unitary Plan.

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

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

12. In the interests of pedestrian safety and visual amenity in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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

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

15. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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

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

18. In the interest of pedestrian safety and to protect the amenities of the occupiers of nearby properties 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

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.

The Applicant is advised that under the 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 Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

Lighting has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If lighting is found to be causing a nuisance than an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting.

Many trees / hedges contain wildlife such as bats and nesting birds that are protected by law. The consent / permission given by this notice does not override the protection afforded to these species and their habitats. The applicant is advised to take steps to ensure that the all works do not cause harm

to any protected species, and it would be advisable to contact Natural Resources Wales (NRW) prior to carrying out the work.

There should be no burning of manure and soiled reindeer bedding at the site.

Noise has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If noise is found to be causing a nuisance then an Abatement Notice may be served, and the applicant is advised to consider this when designing the site layout and any activities.

In line with the Welsh Government's decarbonisation targets, Welsh Government published the Electric Vehicle Charging Strategy, setting out its plans for charging electric cars and vans in Wales. In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, and to comply with the aims and objectives of the Electric Vehicle Charging Strategy, we encourage the provision of electric vehicle charge points and recommend the following minimum standard for numbers and power output:· One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of parking spaces;

· A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof;

· The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity;

· The installation must comply with all applicable electrical requirements in force at the time of installation.