Report of the Chief Officer Economy and Planning

Application Reference
P/2025/0430

Applicant
Mr Boris Byrne

Agent
Mr Richard Purser

Site Address
LAND AT, OAK ROAD, WREXHAM INDUSTRIAL ESTATE, WREXHAM, LL13 9RG

Description of Development
UNED GYFLOGAETH ARFAETHEDIG A MYNEDIAD NEWYDD I GERBYDAU, PARCIO AR GYFER CEIR A CHERBYDAU NWYDDAU TRWM, ARDAL WASANAETHU A STORIO, TIRLUNIO A GWAITH DATBLYGU ATEGOL / PROPOSED EMPLOYMENT UNIT AND NEW VEHICULAR ACCESS, CAR AND HGV PARKING, SERVICING AND STORAGE AREA,LANDSCAPING AND ANCILLARY DEVELOPMENT

Ward
Holt/Holt

Community
Isycoed/Is-y-coed

Recommendation

Recommendation A
That planning permission is granted subject to the completion of a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure the long term management and maintenance of the habitat mitigation area and that that the Interim Chief Officer Economy & Planning be given delegated authority to approve the final form and content of the Planning Obligation.

Recommendation B
That if the Planning Obligation pursuant to Section 106 of the Town and Country Planning Act, 1990 is not completed within six months of the date of the Committee resolution, the Chief Officer Economy & Planning be given delegated authority to REFUSE the application on the following grounds:

1. The development makes inadequate provision for the long term management and maintenance of the proposed habitat mitigation measures and therefore conflicts with Policies PS11 and EC6 of the Wrexham Unitary Development Plan.

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Officer Report

Site Description

The application site is 21.6 hectares in area. It is situated on the south side of Oak Road on the southern edge of the Wrexham Industrial Estate.



Proposal

The application seeks planning permission for the erection of an employment unit with new vehicular access, car and HGV parking, servicing and storage area, landscaping and ancillary development an ecological and heritage zone.

Site History

CB/2691 - Industrial Development. Refused 12th April 1999

P/2000/0019 - Outline for Industrial Development. Granted 10th July 2000

P/2019/0877 - Outline application with some matters reserved for proposed development of land for B1 light industrial and B2/B8 industrial units including means of access and layout, illustrative strategic landscaping with ecological heritage and amenity mitigation zones. Refused 16th October 2020.

P/2021 /0471 - Outline application - erection of class B1 and B8 industrial units. Withdrawn

Development Plan

Unitary Development Plan
UDP PS1 - The Broad Location Of Development
UDP PS2 - The Broad Location of Development
UDP PS3 - The Broad Location of Development
UDP PS4 - The Broad Location of Development
UDP Policy PS6 - Employment
UDP Policy PS11 - Biodiversity
UDP Policy GDP1 - Development Objectives
UDP Policy EC6 - Biodiversity Conservation
UDP Policy EC11 - Archaeology
UDP Policy EC12 - Development and Flood Risk
UDP Policy EC14 - Protection of Controlled Waters
UDP Policy E4 - Employment Development (of Unannotated Land) within Settlements
UDP Policy T8 - Parking

Local Planning Guidance Notes (LPGN's)
LPG7 Landscape and Development
LPG16 Parking Standards
LPG17 Trees and Development
LPG26 Landscape and Industrial Development
LPG29 Employment Development and Nature Conservation
LPG32 Biodiversity and Development
LPG35 Great Crested Newt Mitigation Requirements

Relevant National Policy

Planning Policy Wales 2024 Edition 12 (PPW)
Future Wales - The National Plan

Technical Advice Notes (TAN's)
TAN5 Nature Conservation and Planning
TAN11 Noise
TAN12 Design
TAN 15 Flood Risk
TAN18 Transport
TAN23 Economic Development

Consultation Responses

Community Council:
No comment

Local Member:
No comments received.

Natural Resources Wales:
Have concerns with the application as submitted however are satisfied that these concerns can be overcome by the imposition of appropriate conditions relating to

Protected Species and Breeding Birds. Further advice is given in relation to drainage and Protected Sites and contaminated land.

Dwr Cymru Welsh Water:
The proposed development site is located in the catchment of a public sewerage system which drains to Five Fords Wastewater Treatment Works (WwTW) and ultimately discharges to a river Special Area of Conservation (SAC). DC/WW advise that this WwTW has a phosphorus consent limit and is currently seeking to comply with the 95% quartile for its flow passed forward (FPF) performance, at the time of this consultation. In addition, have considered the impact of foul flows generated by the proposed development and concluded that flows can be accommodated within the immediate public sewerage system

HENEB:
No objection subject to the inclusion of a condition requiring Archaeological monitoring and recording.

CADW:
Concludes that the development would not have a significant impact on the setting of the preserved historical structures

North Wales Wildlife Trust:
Do not object to the proposal and are satisfied that the development will ensure a net gain to biodiversity.

Highway Officer:
Raises no objection to the proposal subject to the imposition of conditions requiring an updated Construction Traffic Management Plan, Car Park Management Plan and final Travel Plan.

Contaminated Land Officer:
Recommends the inclusion of conditions requiring the submission and approval of a Phased Investigation and Verification Report.

Public Protection Officer:
Raise no objection to the submitted Air Quality Assessment and recommend the mitigation measures set out in the AQA be conditioned. The findings of the Noise Impact Assessment are accepted, and it is recommended that the noise limits be imposed via condition. Standard advisory notes recommended in relation to construction noise and dust management.

Arboricultural Officer:
Raises no objection to the proposed development subject to it being carried out in accordance with the submitted Arboricultural Method Statement and securing a scheme of arboricultural supervision for tree protection measures.

Ecology Officer:
No response received

Flood & Water Management Officer:
No response received

Publicity Undertaken:
Press Notice
Site Notice
Notification Letters

Responses to Publicity:

4 representations from 3 households received raising concerns:

- Increased HGV movements impacting upon existing network,
- Increased traffic in general
- Increase Noise Impact
- Impact of surface water run off
- Impact on Ecology

Background

The development is proposed to meet the needs of a specific end user. HIAB, the proposed tenant, is a world leader in on-road load handling equipment, with a global presence and over 4,000 employees. The company pioneered the world's first hydraulic truck-mounted crane in 1947 and has since grown, now operating in over 10 countries with 4,000 employees across 15 sites. In the UK, HIAB employs 218 staff across operational centres. The company headquarters are currently in Ellesmere, Shropshire.

HIAB requires a new headquarters to safeguard and support its long-term growth ambitions. The proposed development would serve as HIAB's UK headquarters, providing state-of-the-art customer service, installation, and training facilities, and supporting a larger employee base to meet future business growth targets.

Key issues driving the need to relocate include:

- Outdated and inflexible existing accommodation that cannot be expanded and is constraining growth;
- Lack of modern office and production facilities;
- Security concerns due to the shared nature of their existing site;
- Desire for a market-leading, customer-focused headquarters with the ability to showcase products, deliver training, and foster customer relationships.

Principle of Development

Wrexham lies within the Wrexham and Deeside National Growth Area as defined in Policy 20 Future Wales: The National Plan 2040. The Future Wales spatial strategy focuses growth within the Wrexham and Deeside Growth Area, including the Wrexham Industrial Estate. The proposed development therefore accords with the Future Wales spatial strategy.

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Future Wales provides a strategic framework for both the preparation of Strategic and Local Development Plans as well as individual development management decisions. It does not identify the exact location for new development or the scale of growth in individual locations.

Having regard to the above, although it accords with the Future Wales's overall spatial strategy, Future Wales offers no specific support for the proposed development. Setting detailed employment land supply requirements is a matter for the Strategic Development Plans (SDP) and LDP.

Policy PS1 directs new employment development to sites within defined settlement limits and employment areas. The application site includes land that lies within and outside of the settlement limit of the Wrexham Industrial Estate, as defined in the UDP. However, the proposed development would take place on land that is entirely within the settlement limit. The areas of the site that lie within the defined settlement limit are not specifically allocated for employment development. Policy E4 permits employment development on unallocated sites within defined settlement limits, subject to compliance with policy GDP1.

Although the UDP is the adopted development plan and is therefore a starting point for the consideration of application, it was adopted in 2005 and the plan period expired in 2011. Crucially, the UDP is based on outdated national planning guidance and underpinned by an evidence base that is now outdated, being well over 20 years old.

As part of the preparation of the now withdrawn LDP a review of the supply, need and demand for employment land was undertaken. The Wrexham and Flintshire Joint Employment Land Review, 2015 assessed a total of 44 sites in Wrexham against 10 criteria:

- strategic highway proximity;
- A483/A5 proximity;
- prominence;
- public transport;
- planning status;
- services availability;
- constraints;
- environmental setting;
- flexibility; and
- availability.

The application site was the worst performing site, with ecology constraints being a key factor in the overall low score. The whole of the application site forms part of Local Wildlife Site no.337: Wrexham Industrial Estate in recognition of its ecological value. Due to these constraints, the Employment Land Review recommended that the site be excluded from the realistic supply of deliverable employment sites.

Taking into account the findings of the Employment Land Review, the now withdrawn LDP excluded the area where built development is now proposed from the settlement boundary of the Wrexham Industrial Estate.

The effect of withdrawal means that the LDP ceases to exist. This means that the policies within the LDP are now excluded from consideration in the determination of planning applications. Nevertheless, the evidence base that underpinned the LDP, or elements of it, may still be a material consideration. In the case of this application, the findings of the Employment Land Review remain a relevant material consideration given that the significant ecological constraints discussed above remain.

Technical Advice Note (TAN) 23 states in paragraph 2.1.5 that where a planning authority is considering a planning application that could cause harm to the environment, it will be necessary to assess whether there are any alternatives to the proposal, the number of jobs accommodated on the site and whether the development would make any special contribution to policy objectives.

Alternatives: if the land is not made available (application is refused), is it likely that the demand could be met on a site where development would cause less harm, and if so where?

The Planning Statement supporting the application considered a number of sites within WIE and elsewhere in line with TAN23 advice, including 3 sites owned by the applicants. Officers have sought a focus on five sites in WIE.

Alternatives: if the land is not made available (application is refused), is it likely that the demand could be met on a site where development would cause less harm, and if so where?

The Planning Statement supporting the application considered a number of sites within WIE and elsewhere in line with TAN23 advice, including 3 sites owned by the applicants. These sites have been discounted as suitable, as discussed below:

Land at Clywedog Road South**:** The site is in the ownership and control of the applicant and benefits from planning permission for warehouse and distribution (Class B8 Use), reference P/2022/0668. The permission has been implemented and the developer is actively planning to bring forward the site for warehouse units.

The proposed development, being Class B2 use, would be for a different use that the extant planning permission permits. The shape of the size and shape of the site would not accommodate HIAB's requirements, which include a cross docked facility, whereby incoming delivers serve one side of a building and outgoing the opposite side. Finally, the proximity of the site to Pentre Maelor would likely give rise to concerns regarding noise nuisance, particularly as 24 hour operations are required.

Kingmoor site, Land off Bryn Lane**:** This site is in the ownership of the applicants and from a part outline, part full planning permission (Ref: P/2023/0280) for up to 3 warehouses and distribution units (Class B8 Use) P/2023/0280. Enabling works including the formation of an ecology zone translocation of newts and other amphibians and site clearance is underway on site. Reserved matters for future buildings have yet to be submitted yet. However, the applicant is in advanced talks with potential tenants.

The proposed development, being Class B2 use, would be for a different use that the extant planning permission permits

The developable site area can accommodate up to 93,010 sqm of floorspace, more than sufficient to accommodate the HIAB proposals. However, the floorspace of the smallest planned unit on site is over double HIAB's requirements. The site layout would require extensive re-planning to accommodate HIAB's requirements, requiring planning permission for an alternative development to be sought. This would give rise to considerable delay for both HIAB, as well as other potential users for the site.

The site has a 5 megawatt power connection, which is appropriate to meet the needs to the consented warehouse development. The power needs of HIAB alone would be 3 megawatts. This would be 60% of the power available to the whole site and would therefore prejudice the development of the wider site for other prospective tenants. In turn, this would significantly reduce the economic benefit and jobs the site has the potential to deliver.

Bridgeway Centre Bridge Road: This site is also in the ownership of the applicant. There is a pending planning application (Ref: P/2022/006) for the redevelopment of the site for units of a mix of sizes for Classes B1, B2 and B8 use.

At 3.4 ha in area the site is potentially large enough to accommodate the HIAB proposal. However the dimensions of the site would not allow the cross-docked facility and HGV parking required by HIAB to be developed.

Land North of Bryn Lane**:** The site is not owned by the applicants.

In the now withdrawn Local Development Plan the site was identified as the Key Strategic site 3 (KSS3) allocation for employment development. The site is a significant departure from the UDP, lying outside of the settlement limit for the Wrexham Industrial Estate.

The site is subject of a live planning application (Ref: P/2023/0497). This seeks outline planning permission for part of the site and full planning permission for part of the site. The proposed development is for Class B1, B2 and B8 development as well as Class A1 (Retail), Class A3 (Food and Drink), a petrol station and a hotel uses.

The planning application was submitted 2023 and is still pending determination. The site area is 37.2 ha and a masterplan provides for industrial units of varying

sizes. However, the area of the site where full planning permission is sought would require extensive redesign to accommodate HIAB's requirements.

HIAB could be potentially accommodated within the areas of the site where outline planning permission is sought. However, this would be subject to the pending application being granted, the submission and approval of reserved matters and the subsequent discharge of any pre-commencement conditions. The site is also likely to require significant enabling works, such as site clearance, construction of vehicular access and other key infrastructure and implementation of ecological mitigation measures

All of the above presents a significant constraint on timescale and delivery for HIAB which would fail to meet its business needs and would mean it would not be possible to deliver the HIAB scheme at KSS3 within a timescale that align with the needs of the business to relocate from Ellesmere, incurring both significant cost and delay.

Land East of Bryn Road**:** The site is not owned by the applicants.

The site is subject to a pending current planning application P/2023/0230 for erection of 2 industrial buildings.

The site is 2.8 ha in area, compared to proposed development area of 3.8 ha at Oak Road. The proposed site plan envisages two units that could be merged to deliver a unit that meets HIAB requirements in floorspace. However, the site is too small to provide adequate HGV parking or cross-docking facilities.

Jobs accommodated – how many direct jobs will be based at the site?

This is not a speculative development. There is an identified end user, HIAB. The application is accompanied by an Economic Impact Assessment. The indicates that the proposed development would deliver £175m of local economic benefit over a 30 year period. There would be 96 jobs created on the site itself. The development would also indirectly support a further 114 jobs linked to construction and supply chains.

HIAB are proposing to relocate its UK headquarters to Wrexham Industrial Estate from its current location in Ellesmere, bringing a range of employment in management, engineering, design, logistics controllers, sales and accounts, health & safety, HR and IT sectors. There would be opportunities for skilled apprenticeships in workshop engineering, field service engineering and application engineering.

Location at WIE complements other engineering and manufacturing firms such as JCB and Dhollandia and would support growth in a stable, high-skilled workforce.

Having regard to the above, the proposed development would deliver significant economic benefits.

Special Merit – would the development contribute towards any special policy objectives?

Policy 20 of Future Wales identifies Wrexham and Deeside as the focus for strategic economic growth, including developments for advanced manufacturing. The HIAB development would constitute advanced manufacturing.
Built elements of the development would occupy just 18% of the overall site area, concentrated to the far west of the site adjacent to existing built development and within the UDP settlement limit. The remaining 82% of the application site that is would be retained as an ecological and heritage Park.

The Local Wildlife Site is strategically important to wider Wrexham Industrial Estate, forming part of a network of ecology sites. However, the Ecology Reports that accompany the application demonstrate that the Local Wildlife Site has not been managed and therefore the quality of the habitat has declined over time. For example, the habitat has increasingly turned to scrub vegetation unsuitable for supporting key species which led to its designation as Local Wildlife Site, such as the Dingy Skipper and Grizzled Skipper butterflies.

The proposed development provides an opportunity to secure the long-term management and ecological enhancement of areas of the site that would remain undeveloped. Key enhancement measures to benefit the site include scrub removal, invasive species eradication, pond creation and restoration and species-rich grassland creation and restoration. The site can also be enhanced though the installation of a suite of other measures including bat and bird boxes and the creation of habitat for amphibians and small mammals.

The site also contains the remnants of the Royal Ordnance Factory. All of the remaining structures are considered to be national importance. With the exception of two pill boxes, the development would retain these structures.

Having regard to all of the above, the proposed development accords with TAN23. It has also been demonstrated that the development would deliver significant economic and ecological benefits and would preserve national important historic structures. These considerations outweigh the harm that would arise from the development of a relatively small part of the Local Wildlife Site. The principle of development is therefore acceptable.

Design

The proposed building would be 13.5m high, having a floor area of 7,340 sqm over 2 floors, which is comparable to the size of other buildings in the vicinity. The layout, scale and appearance of the development would also be broadly reflective of industrial units in the locality and therefore in keeping with the character of the area.

Having regard to the above, the development accords with policy GDP1 of the UDP.

Impact on Neighbouring Amenity

One dwelling adjoins the boundary of the site but is approximately 200m to the east of the proposed building. Given the intervening distance, the proposed development would not harm the living conditions of the occupiers of the property by way of privacy, loss of light or visual over dominance.

A Noise Impact Assessment (NIA) accompanies the planning application. It identified road noise as the main noise source with some industrial noise. Details of the plant to be installed at the site has yet to be finalised, therefore the NIA recommends a noise limit would be necessary to the amenity of the occupants of the nearest dwelling. The Council's Public Protection Officer raises no objections subject to a suitably worded condition to set noise level limits.

Having regard to the above the proposal accords with UDP policy GDP1.

Highway Considerations

Access

The proposed development would be served by from Oak Road. The eastern access would be used by inbound movements only, whilst all outbound movements would be from the be western access. Signage would be provided so that it is clear to drivers unfamiliar which access is for entry, which is for exit. Adequate visibility from the accesses can be achieved and the submitted plans demonstrate that larger vehicles can enter and leave the site safely, as well as turn within it.

A 3m shared is footway/cycleway is proposed along the site frontage, therefore supporting non-car access to the development.

Parking Provision

The development would have 124 car parking spaces. This compares to the maximum parking provision set out in LPGN16 guidance of 147 spaces. Although on-site parking is below the maximum, the Transport Assessment accompanying the application demonstrates that this would be adequate based on the numbers of staff that will be based at the site. 13 of the parking spaces would be to mobility standard, which accords with LPGN16 guidance.

A pedestrian footway and crossing point would be provided enabling pedestrians to safely move within the site.

The Highways Officer raises no objection to the proposed parking provision subject to suitably worded conditions requiring the implementation of a Travel Plan and a Car Park Management Plan to encourage the use of non-car modes of transport to/from the site, as well as the introduction of parking restrictions along Oak Road.

Details of cycle parking could be secured via an suitably worded condition. However, there is adequate space within the site to provide cycle parking areas.

Traffic Impact

The Traffic Impact Assessments that accompany the development indicate that the development would generate 50 additional two-way trips in the morning peak period and 37 additional two-way trips in the evening peak period and a total of 314 of two-way trips daily. HGV traffic would be up to 1 arrival and one departure during peak times and 21 two way trips per day. This is unlikely to have a significant impact upon the wider highway network, representing an increase in traffic of no more than 5%.

Construction Traffic Management Plan

The application is accompanied by an outline Construction Traffic Management Plan (CTMP) has been submitted. However, a final CTMP would be need to set out how construction traffic would be managed. This could be secured by a suitably worded planning condition.

Overall Highway Conclusions

Subject to the conditions discussed above, the Council's Highway Officer raises no objections. The proposed development is therefore unlikely to give rise to highway safety concerns and accords with UDP policies GDP1 and T8 as well as guidance in TAN18.

Historic Environment

Monument of National Importance - Royal Ordnance Factory (ROF) Marchwiel

The application is accompanied by a Heritage Statement. The application site forms part of the former Second World War Royal Ordnance Factory. There are well preserved remains of buildings and other structures within the wider site formerly used for the production of nitroglycerin. These are considered to be of national importance. However, no such structures remain within the area where the proposed development would take place.

The surviving buildings and structures of the former Second World War Royal Ordnance Factory would continue to be viewed an industrial context, similar in character to the historic use of the site. The proposed development would therefore not have a detrimental impact on setting of the setting of these historic buildings and structures. CADW and HENEB raise no objections

The proposal is in accordance with UDP policy EC11.

Natural Environment

The site is of high ecological value. As noted above, the whole of the application forms part of Local Wildlife Site no.337: Wrexham Industrial Estate. The Ecology Reports accompanying the application confirm the presence of Great Created Newts. Invertebrate species including Dingy Skipper and Grizzled Skipper butterflies, both species are identified under the Environment (Wales) Act 2016 as a Priority Species. The site also provides habitat for bats and breeding birds, including Cetti's warbler and kingfisher. However, as already noted above, the site

is subject to no on-going management, and the proposals would bring management of the site and ensure these habitats are enhanced and maintained.

Great Crested Newts

In respect of Great Crested Newts under the Conservation of Habitats and Species Regulations 2017 (as amended) the development may only be permitted where the following tests have been met:

i. The development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment;
ii. There is no satisfactory alternative; and
iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

As is discussed in the Principle of Development section above, the development would bring substantial economic and employment benefit whilst securing long - term management of a currently unmanaged designated Local Wildlife Site. Alternative sites have been considered and ruled out for the reasons described. As such, it is considered that i) and ii) above are satisfied.

The application is accompanied by an Amphibian Conservation Plan, which provides the mitigation within the wider site, including the creation of 5 new ponds, and a Landscape and Ecological Management Plan (LEMP), which sets out a comprehensive framework for the creation, enhancement, and long term ongoing management of habitats across site.

NRW raise no objection to the application subject to the implementation of the measures set out in both the Amphibian Conservation Plan and the LEMP and a Planning Obligation to secure the long term management and monitoring of the land within the site that would not be developed. These measures would ensure that the proposed development is not detrimental to the maintenance of Great Crest Newts at a favourable conservation status in its natural range. Test iii. above is therefore also satisfied.

Invertebrates

A Butterfly Survey accompanies the application. It demonstrates that there would be no direct habitat loss for Dingy Skipper and Grizzled Skipper and therefore no mitigation or compensation measures are required. Despite this, areas of existing grassland would be retained. The habitat available for both species would also be increased, enhanced and managed through appropriate landscaping. This could be secured by a suitably worded condition.

Bats

The application is accompanied by a Bat Conservation Plan. This outlines measures to create and enhance the habitat available for bats within the undeveloped areas of the site. The measures include:

- Installation of five new bat boxes upon trees across the site.
- Installation of eight new bat boxes within retained buildings.

- Retention of roosts identified in existing structures.

NRW have raised no objection to the development on the basis of the above, subject to the long term management and maintenance of the undeveloped areas of the site being secured. This could be secured via a Planning Obligation. A scheme of lighting would also be required to ensure that any external lighting is designed to minimise its impact on bats. This could be secured by a suitably worded condition.

Breeding Birds
The application is accompanied by a Breeding Bird Survey. However mitigation and compensation measures are required. These could be secured by a suitably worded planning condition.

Water Voles and Otters
The application is accompanied by a Water Vole and Otter Survey. This concludes that the neither species is likely to be present on the site. NRW have confirmed agreement to the Survey conclusion.

Trees
A total of 24 individual trees would be removed to facilitate the main development works. Areas of scrub would be removed to facilitate both the development and the habitat creation/restoration works. Two groups of trees would be partially removed for the habitat restoration works. Of the trees to be removed, there are nine Category B (Moderate Quality) trees and 15 Category C (Low Quality) trees.

PPW12 paragraph 6.4.42 states that the removal of trees and hedgerow should only be permitted where there is significant public benefits. The economic benefits outlined above, together with securing the long-term management of the Local Wildlife Site outside of the areas site that would be developed are both considered to be significant public benefits. There is also sufficient space within the wider site to secure replacement tree planting at a ratio of 3:1 in accordance with PPW12 paragraph 6.4.42

The Council's Arboricultual Officer raises no objection to the proposed development subject to it being carried out in accordance with the submitted Arboricultural Method Statement and securing a scheme of arboricultural supervision for tree protection measures. These, together with the submission and implementation of a replacement planting scheme could be secured by suitably worded conditions.

Pollution
The application site is adjacent to the Redwither Brook which discharges into the River Clywedog. The River Clywedog in turn discharges to the River Dee approximately 2.6km away. The application is accompanied by a Construction Environment Management plan (CEMP), which includes measures to ensure construction works do give rise to pollution that adversely impacts the River Dee, a designated Site of Special Scientific Interests and Special Area of Conservation. NRW have confirmed that they are satisfied with the measures

proposed. The implementation of the CEMP could be secured by a suitably worded condition.

Foul Drainage

Foul water discharged from the site has the potential to increase the volume of phosphorous entering the River Dee and Bala Lake SAC via the Five Fords wastewater treatment works. The majority of the River Dee catchment is currently failing to meet water quality targets for phosphorus, therefore without appropriate mitigation, the proposed development has the potential to have a significant effect on the SAC.

The application in accompanied by a Nutrient Neutral Strategy. The outlines the following measures that would reduce phosphorous entering the SAC:

1) The provision of on-site green space, wetland and vegetation cover to minimise hard surfaced areas. This would contribute to a reduction on phosphorous entering the SAC from the site;
2) Sustainable urban drainage systems to control surface water run-off and improve water quality, including reducing phosphorous content;
3) The installation of a storage taken that would reduce surcharges of the wider sewer network and prevent untreated foul water entering the Redwither Brook during extreme storm events, and in turn reducing the volume and concentration of phosphorus entering the SAC.

The measures above would ensure that the proposed development would not increase the volume or concentration of phosphorous entering the River Dee and Bala Lake SAC and in turn it is therefore unlikely to have a significant effect on the SAC.

Overall Natural Environment Conclusion

Subject to suitably worded planning conditions to secure the implementation and long term management and maintenance of landscaping and habitat compensation and enhancement measures, the proposed development accords with policies PS11, EC4, EC6 of the UDP and PPW12 paragraphs 6.4.5 and 6.4.42 of PPW12 and TAN5.

Flood Risk

The application site lies partially within Flood Zones 2 and 3 (Rivers) as defined in Flood Map for Planning. However none of the built development would lie within either of those zones. The application is accompanied by a Flood Consequences Assessment. NRW advise that the Flood Consequences Assessment demonstrates that the risks and consequences of flooding are manageable to an acceptable level. The proposed development would therefore not be at an unacceptable risk of flooding nor would unacceptably increase the risk of flooding off-site. It therefore accords with UDP Policy EC12.

Air Quality

The application is accompanied by an Air Quality Assessment (AQA). The Council's Public Protection Officers accepts its findings. The AQA outlines measures to minimise dust impacts during construction. These could be secured by a suitably worded condition. Subject to the implementation of these

measures, the proposed development would harm local air quality and therefore accords with UDP policy GDP1.

Other Considerations

Contaminated Land

The application site is located on a Principal Aquifer and close to a drinking water supply. Redwither Brook also adjoins the site boundary. Due to the historic uses NRW consider that further site investigations are required to establish the potential risk and remediation required to avoid these being polluted. NRW have advised that these could be secured by a suitably worded condition. This would ensure the development would not have an unacceptable impact upon controlled waters and therefore accords with UDP policy EC14.

Conclusion

The development is considered to be acceptable principle and would not give rise to design, residential amenity, highway safety, ecology, historic environment or flood risk concerns. It therefore accords with the relevant policies in Future Wales, the UDP as well as PPW12 and relevant TANs.

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 and mitigation measures shown on the following plan(s) and document(s):
Additional parking plan dwg no. SK.02-00-001 REV SK4
Geo-Environmental Assessment ref: S1916-2
Drainage Layout Plan dwg no. TOS-BML-XX-XX-DR-C-0500 REV P04
Flood flow analysis dwg no. TOS-BML-XX-XX-DR-C-0250 REV P04
Noise Impact Assessment ref: R2433-REP01-JW
Proposed site plan dwg no. P.02-00-001 REV P14
Proposed ground floor plan dwg no. P.03-0G-001 REV P6
Proposed sections dwg no. P.04-001 REV P4
Proposed elevations dwg no. P.05-001 REV P4
Proposed roof plan dwg no. P.03-0R-001 REV P4
First floor plan dwg no. P.03-01-001 REV P5
Landscape & Ecological Management Plan, The Oaks, Wrexham Industrial Estate, reference UES03918/32 dated 14/02/2026, by United Environmental Services Ltd
Construction Environmental Management Plan: Biodiversity & Ecological Design Strategy, The Oaks, Wrexham Industrial Estate, reference UES03918/55 dated 17/12/2025, by United Environmental Services Ltd
Nutrient Neutrality Statement ref: 319585-REP-02 and letter of clarification dated 27/02/2026

3. Development shall be carried out in strict accordance with the approved Arboricultural Impact Assessment and Method Statement Report Ref: 311/R/200

4. The development shall be carried out in strict accordance with the findings and recommendations contained within: Bat Aerial Tree Assessment and Presence/Absence Surveys, The Oaks, Wrexham Industrial Estate, Reference UES03918/38 Version 2, dated 03/04/2025, by United Environmental Services Ltd Amphibian Conservation Plan, The Oaks, Wrexham Industrial Estate, reference UES03918/50 dated 13/02/2026, by United Environmental Services Ltd Bat Conservation Plan, The Oaks, Wrexham Industrial Estate, UES03918/52, dated 13/02/2026, by United Environmental Services Ltd. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

5. The development shall take place in accordance with the approved Dust Management Scheme Dated 25-07-25. The dust mitigation measures set out within the scheme shall be adhered to throughout the construction phase.

6. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the plan as is approved has been fully implemented.

7. No part of the development shall commence until full details for the arboricultural supervision of tree protection measures and any ground works within retained tree(s) Root Protection Areas, as specified by BS5837:2012 or as shown on a Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The supervisory works shall be carried out in strict accordance with the details as approved.

8. Development shall not commence until a scheme of archaeological monitoring and recording has been submitted to and approved in writing by the Local Planning Authority.

   The archaeological monitoring and recording must meet the standards laid down by the relevant Chartered Institute for Archaeologists Standard and Guidance and will be completed in accordance with a written scheme of investigation, which has been approved in advance by the Planning Authority.

Archaeological monitoring and recording shall be carried out in accordance with the approved scheme.

A copy of the resulting report should be submitted to the Planning Authority and the Planning Archaeologist, email: neil.bayliss@heneb.org.uk.

After approval by the Local Planning Authority project data must be submitted and approved for inclusion in the Heneb: Clwyd Powys Archaeology Historic Environment Record. The full digital archive must also be submitted and approved for inclusion within the National Monuments Record, RCAHMW.

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.

10. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 9 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.

11. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved

12. Prior to the occupation or operation of the development, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:
• Details of the methods and triggers for action to be undertaken
• Timescales for the long-term monitoring and curtailment mechanisms e.g. a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required.
• Timescales for submission of monitoring reports to the LPA e.g. annually
• Details of any necessary contingency and remedial actions and timescales for actions
• Details confirming that the contingency and remedial actions have been carried out.
The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

13. Notwithstanding the details contained in Landscape Masterplan ref: 311/LAND/L/110/Rev P02*, n*o part of the development shall commence until full details of both hard and soft landscape works, to include some native planting, and replacement tree planting at a ratio of 3:1 to those lost, has been submitted to and approved in writing by the Local Planning Authority. The plan shall include a timescale for the implementation of works, and shall provide for ecological improvement / habitat creation and enhancement in the soft landscape areas for the benefit of biodiversity conservation specifically tailored to the landscape features.

14. Within three months of commencement of development a timetable for the implementation of the measures set out in Section 3 of the Landscape & Ecological Management Plan, The Oaks, Wrexham Industrial Estate, reference UES03918/32 dated 14/02/2026, by United Environmental Services Ltd , and as set out in Section 16 of the Construction Environmental Management Plan, by FI Construction dated 13/02/2026 shall be submitted for the approval of the Local Planning Authority. The measures shall be implemented in strict accordance with the approved timetable and thereafter managed and maintained in accordance with the details set out in Section 3 of the Landscape & Ecological Management Plan, The Oaks, Wrexham Industrial Estate, reference UES03918/32 dated 14/02/2026, by United Environmental Services Ltd and Section 16 of the Construction Environmental Management Plan, by FI Construction dated 13/02/2026.

15.

Landscaping shall be undertaken in accordance with the scheme submitted and approved in connection with condition 14. 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.

16. No development shall commence until an updated Breeding Bird Survey report has been submitted to and approved in writing by the Local Planning Authority. The survey report shall include details of compensation and mitigation measures and a timescale for their implementation. The development and the compensation and mitigation measures shall be carried out in accordance with the approved details and timescales.

17. The development shall not be brought into use until a Car Park Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Car Park Management Plan shall thereafter be implemented throughout the lifetime of the development.

18. Prior to first use of the development, the proposed vehicular access shall be laid out in strict accordance with approved plan no. P24012-001G. The visibility splays shall thereafter be permanently retained free of all obstruction in excess of 0.6m in height.

19. The development hereby permitted shall not be occupied until a Final Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include measures to encourage occupiers of the development to walk, cycle and to use local facilities and public transport. The Travel Plan shall be implemented as approved.

20. Prior to first use of the development on-site cycle parking facilities shall be provided in strict accordance with a scheme which has 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 cycles.

21. 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 approved access to intercept any such run off prior to first use of the development.

22. No extenal lighting shall be installed on any part of the site until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details that demonstrate how the lighting has been sited and designed so as to minimise the potential impact upon bat species. External lighting shall thereafter only be installed in accordance with the scheme as approved.

23. The noise limit from the development shall not exceed the following noise limits at the nearest noise sensitive receptor 'The Oaks':
Daytime (07:00 to 23:00hrs) to not exceed 38 dB LAeq, 15 min
Nighttime (23:00 to 07:00hrs) to not exceed 34 dB LAeq, 15 min

24. The development shall not be brought into use until a Nutrient Neutrality Scheme has been implemented in full in accordance with detailed that shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a long-term management plan. The measures implemented in accordance with the approved scheme shall thereafter be retained in an operational condition and maintained in accordance with the long term management plan.

25. The development hereby permitted shall not be occupied until parking restrictions along Oak Road have been implemented in accordance with a scheme that shall have first been submitted to and approved in writing by the Local Planning Authority.

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

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

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

6. In the interest of safety and the free flow of traffic on the adjoining highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan

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

8. The site may contain archaeological remains which should be recorded in accordance with Policies GDP1 and EC11 of the Wrexham Unitary Development Plan

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 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.

11. 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.

12. 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.

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

14. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

15. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area, and to ensure appropriate habitat enhancement in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

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

17. In the interest of safety and the free flow of traffic on the adjoining highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan

18. To ensure that adequate visibility is provided at the proposed point of access to the highway, in the interest of highways safety and in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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

20. To assist users of the development to make sustainable transport choices in accordance with Policy GDP1 of the Wrexham Unitary Development Plan

21. In the interest of safety and the free flow of traffic on the adjoining highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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

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

24. To protect the River Dee and Bala Lane Special Area of Conservation in accordance with policy EC6 of the Wrexham Unitary Development Plan.

25. In the interests of highway safety in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan.

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.

Flood Risk Activity Permit

The development proposes a surface water discharge into the adjacent Redwither Brook and unspecified works to the banks of the Redwither Brook and the Afon Clywedog to improve interaction with the wider Green Eco-Heritage Zone (Section 10.10 of the Planning Statement). Both the Redwither Brook and Afon Clywedog are designated “main rivers”. The Environmental Permitting Regulations (2016) require that the applicant obtains a bespoke Flood Risk Activity Permit for any works or structures located in, under, over or within 8 metres of the bank top of the Redwither Brook or Afon Clywedog “main rivers”.

Further advice and guidance is available on our website at: http://www.naturalresources.wales/permits-and-permissions/flood-risk-activities/flood-riskactivity-permits-information/?lang=en There must be no work in the main river channels of the Redwither Brook and Afon Clywedog and their associated floodplains unless agreed with the Local Planning Authority and approved by NRW under the Environmental Permitting Regulations.

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.

You are advised that this grant of planning permission was made following the completion of an Agreement under Section 106 of the Town and Country Planning Act. Before undertaking any work under this permission you are advised to obtain full details of the Agreement and ensure that you are able to comply with its terms.

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

Environmental Permits: In addition to the planning conditions, Environmental Permits from NRW may be required (during construction and operation) and we recommend early consultation with the relevant permitting teams to ensure all permits are in place prior to the commencement of development. The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit. Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed-on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage.

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

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang+en