In pursuance of its powers under the Acts an Orders referred to below, the County Borough Council as Local Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application

Applicant	NOVUS RENEWABLE SERVICES LTD	**Code Number**	SES P/2021/0676
Agent	MISS HELEN DONNELLY CORYLUS PLANNING AND ENVIRONMENTAL LTD UNIT 3 THE OLD DAIRY YANWORTH CHELTENHAM GL54 3LQ	**Date Received**	17/05/2021
		Decision Date	07/11/2022

Town and Country Planning Act, 1990

Location of application

LAND NORTH EAST OF MAELOR WORKS, CROSS LANES, WREXHAM. LL13 0UW

Description of application

CODI FFERM SOLAR A CHYFLEUSTER STORIO BATRIS / ERECTION OF SOLAR FARM AND BATTERY STORAGE FACILITY

In reaching this decision the Council has had regard to the relevant policies in the Wrexham Unitary Development Plan which are as follows:-

EC12	Development and flood risk
EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
PS12	Renewable energy
PS2	Development and the environment

Revision	Date	Description of Decision
0	07/11/2022	Planning permission issued

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

Condition(s)

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

Applicant	NOVUS RENEWABLE SERVICES LTD	**Code Number**	SES P/2021/0676
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2. The development shall only be carried out in strict accordance with the following plans and documents:
   i. WR-EX-258-02B Site Plan
   ii. WR-EX-258-06-1Q Site Layout
   iii. WR-EX-258-15-1A PV panel details
   iv. WR-EX-258-15-2 CCTV and fence details
   v. WR-EX-258-15-3 Battery store palisade fence
   vi. WR-EX-258-15-4 Battery store auxiliary transformer
   vii. WR-EX-258-15-5 Battery system details
   viii. WR-EX-258-15-6 Switch gear/control room
   ix. WR-EX-258-15-7 ISO Storage container
   x. WR-EX-258-15-8 Transformer
   xi. WR-EX-258-15-20A Enhancements, Management & Monitoring
   xii. Construction and Environmental Management Plan (CEMP)
   xiii. Flood Consequences Assessment (FCA) reference 258/FCA/v2 May 2021, Corylus Ltd.
   xiv. Appendix D (Construction and Environment Management Plan) of the Surface Water Management Plan, reference 258/SP12 (v3) April 2021, Corylus
   xv. Aboricultural Report Corylus Feb 2021 Rev 1
   xvi. Construction Traffic Management Plan Acstro Feb 2021 Rev 5
3. The development hereby permitted shall be removed and the land restored within 40 years of the date of this permission or within 6 months of the cessation of the use of the development for the generation of electricity, whichever is the sooner. All plant, equipment machinery and/or materials forming part of or connected with that use shall be removed not later than one month after that date.
4. A Decommissioning Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first beneficial use of the development for the generation of electricity. The Decommissioning Plan shall include details of the works necessary to revert the site to its original condition, including the method for the removal of all the solar panels, sub-stations, inverter stations, structures, enclosures, equipment and all other apparatus above and below ground level from the site, details of their destination in terms of waste/recycling, and details as to how the site is to be restored to its original condition. The Decommissioning Plan shall also include a timeframe for such works which will address both time limits set out in Condition 3.

Applicant	NOVUS RENEWABLE SERVICES LTD	**Code Number**	SES P/2021/0676
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5. The development shall be carried out in accordance with the Construction Traffic Management Plan dated February 2022 Rev 5, and provision shall be made within the site for contractor parking. The Plan as is approved shall be fully implemented.
6. No development shall commence until a GCN Conservation Plan has been submitted to and approved in writing by the Local Planning Authority.
The GCN Conservation Plan should include but not necessarily be limited to:
i. Submission of details and associated plans concerning GCN avoidance and mitigation measures including, but not limited to: 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;
ii. Submission of a long term site management plan (not less than 25 years) that includes defined aims and objectives together with current and favourable conservation status of the local population of GCN; habitat management prescriptions; contingency measures if fish or invasive non-native species (INNS) are detected; proposals that are capable of being implemented in the event of failure to undertake or to appropriately undertake identified or contingency actions;
iii. Site liaison and wardening, licensing requirements for undertaking habitat management and surveillance;
iv. Current and any proposed changes to tenure of the dedicated ecology area to the satisfaction of the LPA (we advise tenure to accord with the definition of ""'responsible"" body under Section 7 of the Environment Act 2021'); persons or bodies responsible for undertaking management and surveillance together with required skills and competencies; reporting requirements; and proposed dates for updating or revising the management plan;
v. Detail of the skills and competencies required by those undertaking management and maintenance works, surveillance or activities. The detail shall also specify requirements for European Protected Species licenses for each of the specified activities;
vi. Provision for periodic review mechanism for the Conservation Management Plan;

Applicant	NOVUS RENEWABLE SERVICES LTD	**Code Number**	SES P/2021/0676
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vii. Contingency measures that are capable of being implemented in the event of failure to undertake or appropriately implement identified management or surveillance prescriptions;
viii. Submission of details concerning the installation and maintenance of an amphibian friendly surface water management system that does not include gully pots;
ix. Details of timing, phasing and duration of construction activities and conservation measures;
x. Timetable for implementation demonstrating that works are aligned with the proposed development;
xi. Ecological Compliance Audit, including key performance indicators;
xii. Persons responsible for implementing the works;
xiii. Post construction monitoring plan. Monitoring plan to include:
- Methodology: The Wales Great Crested Newt Monitoring Scheme shall be used with surveys being carried out annually for the first 5 years thereafter on a biennial basis from year 6. However, monitoring shall be carried out on an annual basis if fish or invasive non-native species are detected;
- Duration: timescale to accord with operational and decommissioning phases of the proposal
- Surveys shall be abundance counts and habitat quality assessments using Habitat Suitability Index (HSI) scores;
- Identification of individuals/bodies being responsible for monitoring and reporting results;
- Each water body shall be individually numbered on site.
xiv. Submission of a biosecurity risk assessment.

7. No development shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.
1. A preliminary risk assessment which has identified:
• all previous uses
• potential contaminants associated with those uses
• a conceptual model of the site indicating sources, pathways and receptors
• potentially unacceptable risks arising from contamination at the site

Applicant	NOVUS RENEWABLE SERVICES LTD	**Code Number**	SES P/2021/0676
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2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

8. Prior to the operation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority.
The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

9. 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.

10. No infiltration of surface water drainage into the ground Site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to

Applicant	NOVUS RENEWABLE SERVICES LTD	**Code Number**	SES P/2021/0676
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controlled waters. The development shall be carried out in accordance with the approval details.

11. No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.
12. Hard and soft landscaping shall be carried out in accordance with the details shown on drawing no. WR-EX-258-15-20A. All soft landscaping shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first beneficial use of the development.
13. The landscaping scheme as carried out in connection with condition no. 12 shall be retained for a minimum of 10 years. Within this timescale, any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed shall be replaced with trees or shrubs of the same size and species to those originally required to be planted and within the next available planting season (November to March) or seeding season (April to September).
14. No part of the development shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the approved details as referred to in condition 2. The sustainable drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.
15. The rating level of any noise generated by reason of this development shall not exceed the pre-existing background level at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Method for rating and assessing industrial and commercial sound.

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.

Applicant	NOVUS RENEWABLE SERVICES LTD	**Code Number**	SES P/2021/0676
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3. In the interests of the visual amenity of the locality and to define the terms of the planning permission, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. In the interests of the visual amenity of the locality and to define the terms of the planning permission.
5. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. To ensure that an approved GCN Conservation Plan is implemented, which protects the species affected by the development in accordance with policy EC6 of the Wrexham Unitary Development Plan.
7. To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination
8. To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
9. To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks. A site investigation may not uncover all instances of contamination and this condition ensures that contamination encountered during the development phase is dealt with appropriately.
10. To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.
11. Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

Applicant	NOVUS RENEWABLE SERVICES LTD	**Code Number**	SES P/2021/0676
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12. 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 and PS2 of the Wrexham Unitary Development Plan.
13. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
14. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.
15. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Note(s) to applicant

Your attention is drawn to Highway Supplementary Notes - Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm

Further advice on compliance with condition no. 7 may be obtained by contacting the Council's Contaminated Land Officer on 01978 298771 or 298333, or contaminatedland@wrexham.gov.uk

Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Council's Contaminated Land Officer prior to commencement of works on site.

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.

You are advised that the planning permission hereby granted does not authorise any building over, diversion, connection or other interference with

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any sewer, public or private, which crosses the site. You are advised to contact Welsh Water, PO Box 10, Treharris, CF46 6XZ (Tel: 01443 331155) in this regard, prior to undertaking any groundwork in connection with the development. Should you be required to depart from the details hereby approved, you should contact the Council's planning department to seek further advice with regard to the submission of amended plans and / or a new planning application.

Detailed advice has been issued by Natural Resources Wales (NRW) which is available on the Council's planning applications website.
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/europeanprotected-species/?lang+en

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
All works relating to this development which are audible beyond the site

Applicant	NOVUS RENEWABLE SERVICES LTD	**Code Number**	SES P/2021/0676
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boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs 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 works outside of the specified times, permission to proceed may be sought by contacting the Council's Environmental Health and Housing Standards at: healthandhousing@wrexham.gov.uk or on 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

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

Applicant	NOVUS RENEWABLE SERVICES LTD	**Code Number**	SES P/2021/0676
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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 01978 292040 for further advice and information.

The Applicant is advised that under the Environmental Protection Act 1990, 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 01978 292040 for further advice and information.



David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio
Chief Officer Economy and Planning

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm