

Applicant MR GARY OWEN

Reference P/2024/0344

Decision Date 04/07/2024

Town and Country Planning Act, 1990

Location of Application

CRYMBAL FARM, CRABTREE GREEN, WREXHAM, LL13 0YF

Description of Application

CODI CLADDFA SILWAIR YNGHYD Â THANC ELIFION SILWAIR CYSYLLTIEDIG
ERECTION OF SILAGE CLAMP WITH ASSOCIATED SILAGE EFFLUENT TANK

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

National Policies and Technical Advice Notes (TAN):

Future Wales: The National Plan 2040
Planning Policy Wales (Edition 12, 2024)
TAN 5: Nature Conservation & Planning
TAN 6: Planning for Sustainable Rural Communities
TAN 12: Design
TAN 18: Transport
TAN 23: Economic Development

Wrexham Local Development 2013 – 2028:

SP2 - Location of Development
DM1- Development Management Considerations
NE2 - Local Designations for Nature Conservation and Geological Importance

Revision	Date	Description of Decision
0	04/07/2024	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

Condition(s)

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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):
Block Plan Scale 1:200 April 2024
North and Southern Elevations Scale 1:200 April 2024
Eastern and Western Elevations Scale 1:200 April 2024
Explanatory Scale 1:500 April 2024
Access Statement 29th April 2024
3. The development hereby permitted shall not be put into use until measures to deliver net benefit for biodiversity (NBB) as contained in the emails dated 28th June 2024 and 1st July 2024 have been implemented in full. For clarification this includes planting a hedge along the proposed bund which shall comprise blackthorn *Prunus spinosa* (5%), hawthorn *Crataegus monogyna* (80%), dog rose *Rosa canina* (5%), field maple *Acer campestre* (5%), hazel *Corylus avellana* (5%) - British provenance 60-80cm bare rooted 1+1 transplants, with spiral rabbit guards. They shall be planted in 2 staggered rows, 45cm apart with plants at 30cm spacing. Species are to be planted in same species groups of 3 to 7 plants and the hedge will be protected with stock proof post and wire/netting erected 1m from planting, with planting on the public side of any boundary. Planting shall be watered to full ground capacity on completion, maintained weed free within the first 3 years, any dead dying or failing to thrive planting replaced annually within the first 5 years and fencing maintained for a minimum of ten years. The measures shall thereafter be maintained for the lifetime of the development.

Reason(s)

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

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- 2 To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- 3 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.

Note(s) to applicant

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.

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.

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

In pursuance of its powers under the Acts and 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



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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.

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

A handwritten signature in black ink, appearing to read 'David Fitzsimon'.

David Fitzsimon

Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wreccsam

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Chief Officer Economy and Planning, Wrexham County Borough Council

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-

[Planning and building control | Wrexham County Borough Council](#)