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

wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

Applicant JF and AA Owen

Reference P/2024/1098

Agent Mr Richard Corbett
Roger Parry &
Partners, The Estates
Office, 20 Salop Road,
Oswestry, United
Kingdom, SY11 2NU

Date Received 13/06/2024

Decision Date 24/09/2024

Town and Country Planning Act, 1990

Location of Application

CARREG Y FFRANC, BANGOR ROAD, OVERTON, WREXHAM, LL13 0HL

Description of Application

CODI TŴR SLYRI AR GYFER TREULIO ANAEROBIG A CHWT NEWYDD
REPLACEMENT (ANAEROBIC DIGESTION) SLURRY TOWER AND SHED

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

National Policies and Technical Advice Notes (TAN):

TAN 12 : Design
TAN 6 : Planning for Sustainable Rural Communities

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations
NE1 - International and National Nature Conservation Designations
NE2 - Local Designations for Nature Conservation and Geological Importance
NE3 - Trees, Woodlands and Hedgerows
NE6 - Waste Water Treatment and River Water Quality
SP14 - Natural Environment
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	24/09/2024	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):
79185/RJC/100
79185/RJC/101
79185/RJC/003
79185/RJC/004
79185/RJC/005

3. The external surfaces of the building(s) shall be constructed of the materials specified on plan reference nos: 79185/RJC/100 and 79185/RJC/101. The proposed metal sheeting material shall only be coloured dark green or grey and shall be retained as such thereafter.

4. Within one month of the first beneficial use of this development, the tower constructed under planning permission reference P/2016/0443 shall be permanently removed from the site and the land remediated to its previous condition.

5. The anaerobic digester and associated shed shall only be used to receive, process, digest and store cow slurry, farm yard manure / muck and arable waste that is generated by Carreg Y Ffranc Farm.

6. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) shown on plan reference: 79185/RJC/004 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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Reason(s)

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

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

3 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.

4 To ensure the works reflect the character and appearance of the area in accordance with Policies SP14 and DM1 of the Wrexham Local Development Plan.

5 In the interests of highway safety in accordance with policies DM1 and T1 of the Local Development Plan.

6 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

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.

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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.

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.

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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.



David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wrecsam
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