

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



Applicant	MR RICHARD GASKIN	Reference	P/2024/0052
Agent	MISS ANNA GOLDIE HARVEY HUGHES HARVEY HUGHES 43 CASTLE STREET NORTHWICH CW8 1EY NORTHWICH	Date Received	18/01/2024
		Decision Date	10/10/2024

Town and Country Planning Act, 1990

Location of Application

PEN Y PARC FARM BLACK PARK CHIRK WREXHAM LL14 5AX

Description of Application

CODI ADEILAD AMAETHYDDOL I STORIO CYNNYRCH A PHEIRIANNAU AC YMESTYN CLADDFA SILWAIR PRESENNOL

ERECTION OF AGRICULTURAL BUILDING FOR STORAGE OF PRODUCE AND MACHINERY AND EXTENSION OF EXISTING SILAGE CLAMP

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 5 : Nature Conservation and Planning

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

NE6 - Waste Water Treatment and River Water Quality

SP12 - Design Principles & Masterplanning Framework

SP14 - Natural Environment

SP19 - Green Infrastructure

SP2 - Location of Development

Revision	Date	Description of Decision
0	10/10/2024	Planning permission issued

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Particulars of decision : 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.
2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
 - Drawing PYP001;
 - Drawing PYP002;
 - Drawing PYP003;
 - Drawing PYP004;
 - Drawing PYP005;
 - Ecological Assessment by Harvey Hughes Independent Rural Consultants dated June 2024;
 - Marsh Silage Tank detail sheet.
3. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecological Assessment by Harvey Hughes Independent Rural Consultants dated June 2024. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.
4. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) outlined in the Ecological Assessment by Harvey Hughes Independent Rural Consultants dated June 2024 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.
5. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

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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 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
- 4 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
- 5 To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policy DM1 of the Wrexham Local Development Plan.

Note(s) to applicant

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

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All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60 Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If, however, there are urgent or unavoidable circumstances requiring work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & Housing Standards at healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

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.

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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.

David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wreccsam
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](#)