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 Mr Oscar Gallardo

Agent Mr Phillip Duncan
The Old Dairy,
Yanworth,
Cheltenham, GL54
3LQ

Reference P/2024/1200

Date Received 03/07/2024

Decision Date 17/10/2024

Town and Country Planning Act, 1990

Section 73

Location of Application

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

Description of Application

AMRYWIO AMOD 11 CANIATÂD CYNLLUNIO P/2021/0676 I DDIWYGIO GEIRIAD AMOD
VARIATION OF CONDITION 11 OF PLANNING PERMISSION P/2021/0676 TO AMEND WORDING OF CONDITION

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

National Policies and Technical Advice Notes (TAN):

Future Wales Policy 1 - Where Wales will grow
Future Wales Policy 17 - Renewable and Low Carbon Energy and Associated Infrastructure
Future Wales Policy 20 - National Growth Area - Wrexham and Deeside
Tan 15 : Development, flooding and coastal erosion
TAN 5 : Nature Conservation and Planning

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations
MW1 - Minerals Safeguarding
MW2 - Mineral Buffer Zones
NE1 - International and National Nature Conservation Designations
SP14 - Natural Environment
SP16 - Minerals Supply and Safeguarding

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SP17 - Sustainable Waste Management
SP19 - Green Infrastructure
SP2 - Location of Development
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	16/10/2024	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

Condition(s)

1. The development hereby permitted shall be commenced before 7 November 2027.

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2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
   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.

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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.

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. The development shall be carried out in accordance with Design Layout Drawing No. WR-EX-258-06-1 Rev Q and the GCN Conservation Plan by Etive Ecology approved on 19 December 2023 under reference no. P/2023/0448

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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
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.

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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 controlled waters. The development shall be carried out in accordance with the approval details.

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11. No development shall commence in the areas showing as Piling Zones on drawing no. WC01 Wrexham Piling Zones 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.

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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 the interests of the visual amenity of the locality and to define the terms of the planning permission, in accordance with Policy DM1 of the Wrexham Local Development Plan.

4 In the interests of the visual amenity of the locality in accordance with Policy DM1 of the Wrexham Local Development Plan and to define the terms of the planning permission.

5 In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local 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 NE1 of the Wrexham Local 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.

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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 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.

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.

12 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 and PS2 of the Wrexham Local Development Plan.

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13 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 and PS2 of the Wrexham Local Development Plan.

14 To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policy DM1 of the Wrexham Local Development Plan.

15 To protect the amenities of the occupiers of nearby properties in accordance with Policy DM1 of the Wrexham Local Development Plan.

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