

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 HANMER FARMS

Reference P/2022/1050

Agent ROGER PARRY &
PARTNERS LLP MR
RICHARD CORBETT
The Estate Office
20 Salop Road
Oswestry
SY11 2NU

Date Received 21/11/2022

Decision Date 26/11/2024

Town and Country Planning Act, 1990

Location of Application

LAND AT MOSS LANE AROWRY HANMER WHITCHURCH SY13 3EH

Description of Application

GOSOD STORFA SLYRI
INSTALLATION OF SLURRY STORE

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

National Policies and Technical Advice Notes (TAN):

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
NE5 - Special Landscape Areas
NE6 - Waste Water Treatment and River Water Quality
SP14 - Natural Environment
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	26/11/2024	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): MZ-829-02 Rev A and MZ-829-03 Rev A.
3. The external surfaces of the lagoon shall be constructed of the materials specified on plan refs: MZ-829-02 Rev A and MZ-829-03 Rev A.
4. No part of the development shall commence until a report of investigations, carried out during the wettest time of the year, to determine the depth of the water table have been submitted to and approved in writing by the Local Planning Authority. The water table shall be below the base of the earth slurry lagoon to be constructed.
5. Within six months of the first use of the development, trees and shrubs shall be planted on the site in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
6. No external illumination within the site shall take place before a lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall be installed and operated in accordance with the approved details. No other lighting shall be used on any external part of the development.
7. The slurry should be applied to land in accordance with the submitted manure management plan referenced: Manure Management Plan and NVZ calculations, Hanmer farms, Dated 21/11/2022

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8. The wire mesh boundary fence shall only be coloured and recoloured dark green.
9. The structure shall be constructed to meet the standards set out in the Regulations and BS 5502 (Building and Structures for Agriculture Code of Practice for Design, Construction and Loading).

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 protect the controlled waters in accordance with LDP policies DM1 and SP14.
- 5 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and secure a net biodiversity benefit in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.
- 6 In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
- 7 To safeguard the environment and comply with LDP policies DM1 and SP14

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- 8 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.
- 9 To safeguard the environment and comply with LDP policies DM1, NE1, NE2, NE6 and SP14

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.

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.

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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.

The vehicular access shall not interfere with Footpath Hanmer 8 and no barriers should be placed across the path. If works are likely to interrupt safe passage of users whilst ongoing then a temporary Traffic Regulation Order (TRO) will be needed to ensure the safety of the public. Going forward the safety of users of the path should be taken into account when vehicles are accessing the slurry store.

Lighting has the potential for classification as a statutory nuisance under the Environment Protection Act 1990. If lighting is found to be causing a nuisance then an Abatement Notice may be served, and the applicant is advised to consider this when designing the installation of any lighting.

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A handwritten signature in black ink, appearing to be 'D Fitzsimon'.

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](#)