

Applicant HOSELEY FARMS

Reference P/2024/0044

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

Date Received 17/01/2024

Decision Date 02/12/2024

Town and Country Planning Act, 1990

Location of Application

YEW TREE FARM, LLAY ROAD, ROSSETT, WREXHAM, LL12 0HT

Description of Application

ERECTION OF 2 AGRICULTURAL BUILDINGS FOR STORAGE OF STRAW AND MACHINERY AND ALL ASSOCIATED WORKS
CODI 2 ADEILAD AMAETHYDDOL AR GYFER CADW GWELLT A
PHEIRIANWAITH A'R HOLL WAITH CYSYLLTIEDIG

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 18 : Transport

TAN 24 : The Historic Environment

TAN 5 : Nature Conservation and Planning

TAN 6 : Planning for Sustainable Rural Communities

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations

EM4 - Employment Development Outside of Settlement Limits

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

SP12 - Design Principles & Masterplanning Framework

SP14 - Natural Environment

SP15 - Historic and Cultural Environment

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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SP18 - Climate Change

SP19 - Green Infrastructure

SP2 - Location of Development

Revision	Date	Description of Decision
0	02/12/2024	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

Condition(s)

1. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s): RJC-MZ760-02, RJC-MZ760-07, RJC-MZ760-06, RJC-MZ760-05, RJC-MZ760-04, RJC-MZ760-03 and RJC-MZ760-01 REV C
2. Within 1 month from the date of permission, the measures to deliver net benefit for biodiversity (NBB) shown on [RJC-MZ760-08] shall be implemented in full. The measures shall thereafter be maintained for the lifetime of the development.
3. Hedge planting scheme shall be undertaken in accordance with the details shown on drawing No. RJC-MZ760-08 in the first available planting season (November to March) following the date of this permission. Any hedgerow which thereafter dies, is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species
4. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.

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5. The building hereby permitted shall not be used for the accommodation of livestock, except in the circumstances described in paragraph D.3 of Part 6 of the Town and Country Planning (General Permitted Development) Order 1995 (or any equivalent provision in any order revoking and re-enacting that order with or without modification).

Reason(s)

- 1 To comply with Section 91(3) of the Town and Country Planning Act, 1990.
- 2 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
- 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 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.
- 5 To protect integrity of the River Dee and Bala Lake Special Area of Conservation Area in accordance with Policies NE1 and NE6 of the Wrexham Local Development Plan.

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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.

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.

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

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](#)