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 Josh Lambert

Reference P/2024/1610

Decision Date 13/01/2025

Town and Country Planning Act, 1990

Section 73

Location of Application

LAND ADJACENT TO LITTLE LLWYN ONN, CEFN ROAD, ABENBURY, WREXHAM, LL13 0NY

Description of Application

AMRYWIO AMOD CANIATÂD CYNLLUNIO P/2022/0541 I DIWYGIO GEIRIAD AMOD
VARIATION OF CONDITION 3 OF PLANNING PERMISSION P/2022/0541 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

Wrexham Local Development 2013 – 2028:

DM1 - Development Management Considerations
NE1 - International and National Nature Conservation Designations
RE1 - Development and Renewable Energy/Low Carbon Technology
RE2 - Renewable Energy Schemes
SP14 - Natural Environment
SP16 - Minerals Supply and Safeguarding
SP18 - Climate Change
SP2 - Location of Development
T1 - Managing Transport Impacts

Revision	Date	Description of Decision
0	13/01/2025	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.

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2. The development hereby permitted shall only be carried out in strict accordance with the following plans and documents:
- Location Plan titled 'Redline boundary plan' (ref: CE/321/13), dated 28 October 2021;
- Stage 3: Detail Layout (ref: CE/321/4 Rev.M)
- Corylus Planning & Environmental Ltd 'Flood Consequences Assessment' (ref: 321/SP10 - v1), dated October 2021;
- Battery Store Details: Battery System (8x Battery Containers, 2 x Inverter Skid), (ref: CE-321-12-5), dated 22 October 2021;
- DNO/Customer Substation (ref: CE-321-12-6 - Rev.A), dated 05 November 2021);
- Spares Container Store (ref: CE-321-12-7), dated 22 October 2021;
- Indicative Transformer (ref: CE-321-12-8), dated 22 October 2021;
- 33kV/11kV Transformer (ref: CE-321-12-9), dated 22 October 2021;
- PV Panel Details (ref: CE-321-12-1), dated 22 October 2021;
- CCTV & Fence Details (ref: CE-321-12-2), dated 22 October 2021;
- Battery Store Details: Palisade Fence (ref: CE-321-12-3), dated 22 October 2021;
- Etive Ecology Ltd 'Great Crested Newt Mitigation Strategy' (report version 2.0), dated October 2022;
- Etive Ecology Ltd 'Ecological Impact Assessment', dated October 2022;
- Etive Ecology Ltd 'Ecology Addendum' dated 21 December 2022
- Corylus Planning & Environmental Ltd 'Surface Water Management Plan' (ref: 321/SP11 - v.1), dated October 2021;
- TPA 'Construction Traffic Management Plan' (ref. version 01), dated 01 July 2022;
- Cheshire Woodlands 'Arboricultural Statement' (ref: CW/10495-AS), dated August 2021;
- Tree Protection Plan (ref: CW/10495-P-TP), dated 25 August 2021;
- Wessexarchaeology 'Historic Environment Desk-based Assessment' (ref: 247430.01) Rev 2, dated April 2022;
- Wessexarchaeology 'Written Scheme of Investigation for Archaeological Evaluation (ref: 247430.03) Rev 2, dated December 2021;
- Wessexarchaeology 'Written Scheme of Investigation for an Archaeological Geophysical Survey (ref: 247430.02) Rev 1 dated October 2021;
- Wessexarchaeology 'Detailed Gradiometer Survey Report' (ref: 247431.04) Rev1, dated November 2021;
- Wessexarchaeology 'Archaeological Evaluation' (ref: 257630.2) Rev 1 dated March 2022;
- Corylus Planning & Environmental Ltd 'Landscape and Visual Assessment (ref: 321/04/22/LVA/3), dated April 2022;

- Ne Environmental 'Glint and Glare Assessment', dated 22 October 2021;
- Cefn Solar Farm Residential Based Receptors - Figure 1 Plan (ref: NEO00941/001I/A), dated 04 October 2021;
- Cefn Solar Farm Road Based Receptors - Figure 2 (ref: NE900941/002I/A), dated 04 October 2021;
- NE Environmental - Appendix H: Visibility Assessment Evidence;
- Sunpower Corporation 'Solar Module Glare and Reflectance Technical Memo (ref: Appendix I), dated July 2021.

3. The development hereby granted planning permission shall be removed and the land restored within 40 years from the date when electrical power is first exported (‘first export date’) to the electricity grid network, excluding electricity exported during initial testing and commissioning. Written confirmation of the first export date shall be provided to the Local Planning Authority no later than one calendar month after the event. Should the export of energy cease sooner, within 6 months of the cessation of the use of the development for the generation of electricity, whichever is sooner. All plant, equipment, hardstanding, machinery and/or materials forming part of or connected with that use shall be removed not later than one month after that date.

4. A Decommissioning Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first 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 of the solar panels, sub-stations, inverter stations, structures, hardstanding, enclosures, equipment and all other apparatus above and below ground level from the site. The Decommissioning Plan shall also include a timeframe for such works which will address both time limits set out in Condition 3 of this permission

5. Within one month of the commissioning of the solar PV installation hereby approved, the Local Planning Authority shall be notified of the commissioning date in writing

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6. The development shall be carried out in accordance with the TPA 'Construction Traffic Management Plan' (ref: version 01) dated 01 July 2022

7. The development shall be carried out in strict accordance with the approved Landscape Ecological Management Plan Ref titled : Little Llwyn Onn, Cefn Road, Wrexham: Solar Farm and Battery Storage (P/2022/0541 – Conservation Plan) by Etive Ecology

8. Hard and soft landscaping shall be carried out in strict accordance with approved Drawing no. DF/704/01 Planting Plan & Specification and drawing no. CE/704/02 Hard details & surfaces drawing.

9. Notwithstanding condition 8 above, all existing hedgerows shall be maintained at a minimum height of 3 metres at all times.

10. No external lighting shall be installed on any part of the site until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. External lighting shall thereafter only be installed in accordance with the scheme as approved.

11. The development not commence until a detailed scheme showing the scope and arrangement of the foundation design and all new groundwork, which may have an impact on important archaeological remains identified in prior archaeological assessments ('areas of archaeological interest') has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be undertaken at all times in accordance with the approved scheme

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12. No development shall take place within the application area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority. The archaeological programme of work will be undertaken and completed in accordance with the relevant Standards and Guidance laid down by the Chartered Institute for Archaeologists. A copy of theresulting report should be submitted to the Local Planning Authority and the Development Control Archaeologist, (Clwyd-Powys Archaeological Trust, The Offices, Coed y Dinas, Welshpool, SY21
8RP Email: mark.walters@cpat.org.uk). Thereafter, the development shall be undertaken in accordance with the approved programme of archaeological work

13. No construction works shall take place except between the hours of 07:30 to 18:00 hours Monday to Friday, 09:00 to 14:00 hours on Saturdays and a no time on Sundays and Bank Holidays.

14. No part of the development hereby approved shall be brought into use until the sustainable drainage scheme for the site has been completed in accordance with the approved details as set out in condition 2 of this decision. The sustainable drainage scheme shall be managed and maintained thereafter at all times throughout the duration and lifetime of this permission.

Reason(s)

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

2. To comply with section 71ZA (2) 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.

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

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4. 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

5. 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

6. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.

7. In order to protect wildlife interests, which are afforded special protection in accordance with Policies DM1 and sp14 of the Wrexham Local Development Plan

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 and SP12 of the Wrexham Local Development Plan

9. 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 and SP12 of the Wrexham Local Development Plan

10. 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 and SP12 of the Wrexham Local Development Plan

11. To ensure that important archaeological remains are not disturbed or damaged by foundations and other groundwork but are, where appropriate, preserved in situ by an agreed design, in accordance with Policies DM1 and SP15 of the Wrexham Local Development Plan

12. To secure preservation by record of all archaeological remains which will be impacted by the development in accordance with Policies DM1 and SP15 of the Wrexham Local Development Plan

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

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

Note(s) to applicant

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.

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.

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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.



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

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