

Applicant	BERSHAM (GLENSIDE) LTD	Code No	ESC P/2022/1034
Agent	BROWNSHORE MANAGEMENT MR JOE NUGENT TECHNOLOGY HOUSE HALESFIELD 7 TELFORD TF7 4NA	Date Received	05/12/2022
		Decision Date	27/04/2023

TOWN AND COUNTRY PLANNING ACT, 1990

Location of application

BERSHAM BANK COLLIERY TIP, PLAS GRONO ROAD, RHOSTYLLLEN, WREXHAM, LL14 4EG

Description of application

RHYDDHAU AMODAU 3, 4 A 5 (PRIFFYRDD), 6 (CYNLLUN GWEITHIO), 7 (HALOGIAD), 9 (LLWCH), 11 (CYFLEUSTER GOLCHI OLWYNION), 12 A 15 (LLWCH), 14 (SWN), 16 (ECOLEG), 17 (FFOTOGRAFFAU), 22 (DRAENIO), A 23 (DATGANIAD DULL) CANIATAD CYNLLUNIO P/2015/0337 / DISCHARGE OF CONDITIONS 3, 4 AND 5 (HIGHWAYS), 6 (WORKING PLAN), 7 (CONTAMINATION), 9 (DUST) 11 (WHEELWASH FACILITY), 12 AND 15 (DUST), 14 (NOISE), 16 (ECOLOGY), 17 (PHOTOGRAPHIC), 22 (DRAINAGE) AND 23 (METHOD STATEMENT) OF PLANNING PERMISSION P/2015/0337

DECISION

1. The details submitted in connection with the following conditions are hereby **APPROVED**.

CONDITION 3(HIGHWAY IMPROVEMENTS)
CONDITION 4(HIGHWAY IMPROVEMENTS)
CONDITION 5(HIGHWAY IMPROVEMENTS)
CONDITION 9 (DUST MANAGEMENT)
CONDITION 11 (WHEELWASH)
CONDITION 12 (DUST MANAGEMENT)
CONDITION 15 (DUST MANAGEMENT)
CONDITION 17 (PHOTOGRAPHIC)

2. The details submitted in connection with the following conditions are hereby **PARTIALLY APPROVED**.

CONDITION 7(CONTAMINATION)

The information submitted in connection with this condition is approved only in respect of Phase 1 of the development. No further works outside of Phase 1 shall commence until the necessary contamination investigation reports have been submitted in writing for further consideration.

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CONDITION 22 (DRAINAGE)

The information submitted in connection with this condition is approved only in respect of Phase 1 of the development. No further works outside of Phase 1 shall commence until a further drainage plans has been submitted in writing for further consideration.

3. The details submitted in connection with the following condition are hereby **REFUSED**.

CONDITION 6(WORKING PLAN)

Reason for Refusal – Insufficient information has been submitted to demonstrate how existing vegetation would be used for screening or how the completed earthworks will form an appropriate backdrop to the scheduled monument. The submitted documentation contains no information relating to the stability of the tips to provide a safeguard whilst working them, or a mechanism for review of working procedures (other than health and safety procedures) within the working plan. Furthermore, little information has been provided in the working plan in terms of methods for controlling excavation to manage the risk of spontaneous combustion. Finally, the proposed times for each phase for processing / removal of the material to be moved in each phase, has not been provided, nor has the proposed volumes of the material to be processed in each phase.

CONDITION 14 (NOISE)

Reason for Refusal – Insufficient information has been submitted to demonstrate consideration of working phases and methods which maximise the retention of the peripheral mounds and vegetation, to mitigate noise resulting from the site clearance works.

CONDITION 16 (ECOLOGY)

Reason for Refusal – The information submitted is outdated, does not consider more recent changes in legislation and policy, or the ecological make-up of the site. The works relating to all phases of development have the potential to adversely impact on statutorily protected species and habitats, and insufficient information has been submitted to justify the operations.

CONDITION 23 (AMS)

Reason for Refusal – The information submitted is not recognised as being undertaken in accordance with BS5837:2012 and does not relate to the requirements of this condition.



David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio
Chief Officer Economy and Planning

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm

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