

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	MR ALUN FAULKNER	Code Number	OVE P/2023/0716
Agent	MR ANDREW GOUGH WOODSYDE DEVELOPMENT LTD THE POPPIES LOWER ROAD HARMER HILL SHREWSBURY SY4 3QX	Date Received	10/11/2023
		Decision Date	10/01/2024

Town and Country Planning Act, 1990

Location of application

TY NEWYDD, KNOLTON, OVERTON, WREXHAM, LL13 0LE

Description of application

ADEILADU ADEILAD AMAETHYDDOL / ERECTION OF AGRICULTURAL BUILDING

In reaching this decision the Council has had regard to the relevant policies in the Wrexham Local Development Plan which are as follows:-

DM1	Development Management Considerations
NE1	International and National Nature Conservation Designations
NE5	Special Landscape Areas
SP14	Natural Environment
SP2	Location of Development

Revision	Date	Description of Decision
0	10/01/2024	Planning permission issued

Particulars of decision that permission be 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.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered TN-SP-500, TN-SP-502 and as contained within the application documentation.

Applicant	MR ALUN FAULKNER	Code	OVE P/2023/0716
Agent	MR ANDREW GOUGH WOODSYDE DEVELOPMENT LTD THE POPPIES LOWER ROAD HARMER HILL SHREWSBURY SY4 3QX	Number Date Received	10/11/2023
		Decision Date	10/01/2024

3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
4. The agricultural building hereby approved shall only be used for the storage of Haylage as described in the application documentation and for no other purpose.
5. No part of the development shall commence until a plan to provide net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped has been submitted to, and approved in writing by, the Local Planning Authority. The measures shall be implemented in full, prior to first use of the development, and shall be thereafter maintained for the lifetime of the development.
6. No part of the development shall commence until details of the proposed Reasonable Avoidance Measures (RAMs) have been submitted to and approved in writing by the Local Planning Authority. The details shall include the following:
 - a) Details of a tool box talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project;
 - b) Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);
 - c) Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;
 - d) Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery.
 - e) Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked each morning for any amphibians. Any amphibians located are to be moved to the artificial hibernacula. The development shall be carried out in strict accordance with the RAMs as are approved.

Applicant	MR ALUN FAULKNER	Code	OVE P/2023/0716
Agent	MR ANDREW GOUGH WOODSYDE DEVELOPMENT LTD THE POPPIES LOWER ROAD HARMER HILL SHREWSBURY SY4 3QX	Number Date Received	10/11/2023
		Decision Date	10/01/2024

7. Notwithstanding the details contained within the Design and Access Statement and approved plans , no surface water shall be allowed to drain to the pond as described in this document. Before the building is erected, details about how surface water from the roof of the building will be dealt with shall be submitted for further approval by the Local Planning Authority. The building shall only be constructed in accordance with the details as approved and shall thereafter be permanently retained.
8. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

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. 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 of the Wrexham Local Development Plan.
4. In the interests of residential amenity of the owner/occupiers of nearby residential properties.
5. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 11.
6. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and NE1 of the Wrexham Local Development Plan.
7. To prevent pollution of the water environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
8. To protect hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

Applicant	MR ALUN FAULKNER	Code	OVE P/2023/0716
Agent	MR ANDREW GOUGH WOODSYDE DEVELOPMENT LTD THE POPPIES LOWER ROAD HARMER HILL SHREWSBURY SY4 3QX	Number Date Received	10/11/2023
		Decision Date	10/01/2024

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

Applicant	MR ALUN FAULKNER	Code	OVE P/2023/0716
Agent	MR ANDREW GOUGH WOODSYDE DEVELOPMENT LTD THE POPPIES LOWER ROAD HARMER HILL SHREWSBURY SY4 3QX	Number Date Received	10/11/2023
		Decision Date	10/01/2024

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 applicant is advised to follow the Code of Good Agricultural Practice guidance. Any manure produced must be managed (storage and application to land) in line with The Code of Good Agricultural Practice (CoGAP) for the Protection of Water, Soil and Air for Wales.

The applicant should ensure they secure all other permits/consents/licences relevant to their development and is advised to refer to Natural Resources Wales' website for further details.

The proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore may require approval of Sustainable Drainage Systems (SuDS) features, in accordance with national standards, and is strongly recommended that the developer engage in pre-application consultation with the Local Authority, as the relevant SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

Applicant	MR ALUN FAULKNER	Code	OVE P/2023/0716
Agent	MR ANDREW GOUGH WOODSYDE DEVELOPMENT LTD THE POPPIES LOWER ROAD HARMER HILL SHREWSBURY SY4 3QX	Number Date Received	10/11/2023
		Decision Date	10/01/2024

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

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority



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