

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

|                  |                                                                                                    |                      |                 |
|------------------|----------------------------------------------------------------------------------------------------|----------------------|-----------------|
| <b>Applicant</b> | MS EMMA GREENHALGH<br>FCC ENVIRONMENT                                                              | <b>Code Number</b>   | CHI P/2023/0380 |
| <b>Agent</b>     | MS EMMA GREENHALGH<br>FCC ENVIRONMENT<br>3 SIDINGS COURT<br>WHITE ROSE WAY<br>DONCASTER<br>DN4 5NU | <b>Date Received</b> | 24/05/2023      |
|                  |                                                                                                    | <b>Decision Date</b> | 30/01/2024      |

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### **Town and Country Planning Act, 1990**

#### **Location of application**

PEN Y BONT WORKS, LANDFILL SITE, PENTRE, CHIRK, WREXHAM, LL14 5AW

#### **Description of application**

GOSOD TANC NEWYDD / INSTALLATION OF REPLACEMENT TANK

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

|      |                                                             |
|------|-------------------------------------------------------------|
| BE1  | Pontcysyllte Aqueduct and Canal World Heritage Site         |
| DM1  | Development Management Considerations                       |
| FW   | Future Wales: The National Plan 2040                        |
| MW1  | Minerals Safeguarding                                       |
| NE1  | International and National Nature Conservation Designations |
| NE4  | Area of Outstanding Natural Beauty                          |
| PPW  | Planning Policy Wales (Edition 11)                          |
| SP14 | Natural Environment                                         |
| SP15 | Historic and Cultural Environment                           |
| SP16 | Minerals Supply and Safeguarding                            |
| SP2  | Location of Development                                     |
| T1   | Managing Transport Impacts                                  |

| Revision | Date       | Description of Decision    |
|----------|------------|----------------------------|
| 0        | 30/01/2024 | Planning permission issued |

**Particulars of decision that permission be 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 hereby approved shall be carried out in accordance with the following plans/documents:  
Application Form [Dated: 24/05/2023]  
Dwg No: 466A285 PLAN 1 - Site Location Plan  
Dwg No: 466A287 PLAN 1 - Application Area Plan  
Dwg No: 466A286 PLAN 1 - Leachate Tank Plan  
Cover Letter [Undated]
3. No development shall commence until a detailed Net Biodiversity Benefit Plan has been submitted to and approved in writing by the Local Planning Authority. The measures shall be fully implemented as approved prior to the first beneficial use of the tank and shall be retained as such for the lifetime of the development.
4. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
5. The rating level of any noise generated by reason of this development shall not exceed the pre-existing background level at any time. The noise levels shall be determined at nearby noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound.

#### **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 the development delivers net benefit to biodiversity in accordance with Paragraph 6.4.5 of Planning Policy Wales (Edition 11).

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

### **Note(s) to applicant**

\*This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as ""conditions precedent"". You should be aware that it is important that you comply with any ""conditions precedent"". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

\*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](mailto:healthandhousing@wrexham.gov.uk) or 01978 292040 for further advice and information.

\*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

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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](mailto:healthandhousing@wrexham.gov.uk) or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

\*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: <https://www.gov.uk/government/organisations/the-coal-authority>.

\*Dwr Cymru Welsh Water:

The applicant is advised that some public sewers and lateral drains may not be recorded on our maps; some sewers were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The applicant may also need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com).

In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in

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considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

\*Natural Resources Wales:

We advise the developer that as landfill infrastructure, the works would be required to follow the CQA process.



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](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm).