

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 HAZEL AVIAGEN TURKEYS LTD	Code Number	LLA P/2016/0590
Agent	PLATT WHITE PARTNERSHIP MR DAVID LAMB 94 BROUGHTON CHESTER CH3 5AQ	Date Received	22/06/2016
		Decision Date	25/04/2017

Town and Country Planning Act, 1990

Location of application

ADJACENT TO RACKERY COTTAGE, LAND OFF RACKERY LANE, LLAY, WREXHAM, LL12 0PB

Description of application

CONSTRUCTION OF 6 TURKEY REARING SHEDS, UTILITY BUILDINGS, ASSOCIATED ACCESS ROADS, FENCING, LANDSCAPING AND DRAINAGE WORKS

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

EC13	Surface water run-off
EC3	Agricultural Buildings
EC4	Hedgerows, Trees and Woodland
GDP1	Development objectives
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	25/04/2017	Planning permission issued
1	12/09/2017	Approval of condition nos. 3, 7, 8, 9, 11, 12, 13 and 14
2	1/12/2023	Approval of Condition 4, reference P/2023/0433

Particulars of decision that permission be GRANTED
Subject to the following:-

Condition(s)

Applicant	MR HAZEL AVIAGEN TURKEYS LTD	Code Number	LLA P/2016/0590
Agent	PLATT WHITE PARTNERSHIP MR DAVID LAMB 94 BROUGHTON CHESTER CH3 5AQ	Date Received	22/06/2016
		Decision Date	25/04/2017

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 1106/01 - Location Plan, 9215/04 - Section & Site Plan, 1106/02 - Typical Elevations, 1106/03 - Floor Plans and Willow and Reed Bed Drainage Plan dated 22 June 2016 and contained within the application documentation.
3. No part of the development shall commence until a Construction Traffic Management Plan including provisions for contractor parking has been submitted to and approved in writing by the Local Planning Authority and the Plan as is approved has been fully implemented.

Details Approved: 12/09/2017 **Reference Number:** P/2017/0525

By: Wrexham County Borough Council

Approved Details: Construction Method Phase Plan and Traffic Management Plan dated 10/06/2017

4. No part of the development shall commence until further details of the proposed vehicular parking and turning facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained prior to first use of the development, and shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of motor vehicles at all times.

Details Approved: 1/12/2023 **Reference Number:** P/2023/0433

By: Wrexham County Borough Council

Approved Details: Parking Plan 1106-C4 dated June 2023

5. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and

Applicant	MR HAZEL AVIAGEN TURKEYS LTD	Code Number	LLA P/2016/0590
Agent	PLATT WHITE PARTNERSHIP MR DAVID LAMB 94 BROUGHTON CHESTER CH3 5AQ	Date Received	22/06/2016
		Decision Date	25/04/2017

approved in writing by the local planning authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.

6. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 5 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

7. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:

- a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
- b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
- c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
- d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
- e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;
- f) Method for protecting retained trees during demolition works;
- g) Details of all proposed tree works, including felling and pruning.

Details Approved: 12/09/2017 **Reference Number:** P/2017/0525

By: Wrexham County Borough Council

Approved Details: Tree Protection Plan ALLP15.04

8. No part of the development shall commence until full details for the arboricultural supervision of tree protection measures and any ground works within retained tree(s) Root Protection Areas, as specified by BS5837:2012 or as shown on a Tree Protection Plan have been submitted to and approved in writing by the Local Planning Authority. The supervisory works shall be carried out in strict accordance with the details as approved.

Applicant	MR HAZEL AVIAGEN TURKEYS LTD	Code Number	LLA P/2016/0590
Agent	PLATT WHITE PARTNERSHIP MR DAVID LAMB 94 BROUGHTON CHESTER CH3 5AQ	Date Received	22/06/2016
		Decision Date	25/04/2017

Details Approved: 12/09/2017 **Reference Number:** P/2017/0525

By: Wrexham County Borough Council

Approved Details: Tree Protection Plan ALLP15.04

9. No part of the development shall commence until full details of both hard and soft landscape works, to include native planting and all boundary enclosures has been submitted to and approved in writing by the Local Planning Authority. The plan shall include a timescale for the implementation of works, and shall provide for ecological improvement / habitat creation and enhancement in the soft landscape areas for the benefit of biodiversity conservation specifically tailored to the landscape features.

Details Approved: 12/09/2017 **Reference Number:** P/2017/0525

By: Wrexham County Borough Council

Approved Details: Plan ALLP15.02 Rev -04 and ALLP15.03 Rev1

10. The landscaping scheme as carried out in connection with condition no. 9 shall be permanently retained. Any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

11. No development shall commence until a detailed scheme of habitat enhancement measures in relation to great crested newts to include one new pond has been submitted to and approved in writing by the local planning authority. The scheme as approved shall be implemented in accordance with a timescale to be included as part of the scheme.

Details Approved: 12/09/2017 **Reference Number:** P/2017/0525

By: Wrexham County Borough Council

Approved Details: Plans as follows:

E.2.1 HABITAT CREATION AND MANAGEMENT PROPOSALS

FIGURE F1 HABITAT MANAGEMENT DESCRIPTIONS

B2 – DEVELOPMENT PROPOSALS DATED 30/05/2017

D1 – IMPACTS DATED 30/05/2017

CONTENT OF NATURAL RESOURCES WALES GREAT CRESTED NEWT
DEVELOPMENT LICENCE APPLICATION.

Applicant	MR HAZEL AVIAGEN TURKEYS LTD	Code Number	LLA P/2016/0590
Agent	PLATT WHITE PARTNERSHIP MR DAVID LAMB 94 BROUGHTON CHESTER CH3 5AQ	Date Received	22/06/2016
		Decision Date	25/04/2017

12. No development shall commence until a long term management strategy for the ecological habitat enhancement measures required by condition no. 11 has been submitted to an approved in writing by the local planning authority. The strategy shall include:

- a) Focussed surveillance to land owned/occupied by the applicant;
- b) Include any new ponds constructed as part of the conservation scheme;
- c) Surveillance timescales so that it is capable of informing long term management;
- d) Utilisation of the ARC / Cofnod online reporting system.

The development shall be carried out in strict accordance with the strategy as may be approved.

Details Approved: 12/09/2017 **Reference Number:** P/2017/0525

By: Wrexham County Borough Council

Approved Details: Plans as follows:

E.2.1 HABITAT CREATION AND MANAGEMENT PROPOSALS

FIGURE F1 HABITAT MANAGEMENT DESCRIPTIONS

B2 – DEVELOPMENT PROPOSALS DATED 30/05/2017

D1 – IMPACTS DATED 30/05/2017

CONTENT OF NATURAL RESOURCES WALES GREAT CRESTED NEWT
DEVELOPMENT LICENCE APPLICATION.

13. No part of the development shall commence until samples of all external facing and roofing materials including the colour(s) have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Details Approved: 12/09/2017 **Reference Number:** P/2017/0525

By: Wrexham County Borough Council

Approved Details: Plans TYPICAL ELEVATIONS 1106/02

ROOF COLOUR – VAN DYKE BROWN AND WALL COLOUR – GOLDEN
BROWN (TIMBER)

14. A scheme for external lighting shall be submitted to and approved in writing by the local planning authority before the building and structures hereby permitted are brought into use. External lighting at the site shall

Applicant	MR HAZEL AVIAGEN TURKEYS LTD	Code Number	LLA P/2016/0590
Agent	PLATT WHITE PARTNERSHIP MR DAVID LAMB 94 BROUGHTON CHESTER CH3 5AQ	Date Received	22/06/2016
		Decision Date	25/04/2017

thereafter only be installed in accordance with the approved scheme and retained as such.

Details Approved: 12/09/2017 **Reference Number:** P/2017/0525
By: Wrexham County Borough Council
Approved Details: Plan 1106/PC

15. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) 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 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.

16. All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday unless the prior written approval of the Local Planning Authority has been obtained.

17. There shall be no gates or other means of enclosure across the vehicular access point within 15 metres of the highway boundary.

18. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 25 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

19. The building hereby permitted shall only be used as a Turkey rearing unit as described in the application documentation.

20. Subject to the exceptions detailed separately in this condition, all works in relation to the implementation of this permission, and deliveries to or from the site, shall be undertaken only between the hours of 07:30 and 18:00 Monday to Friday, and 08:00 to 14:00 on a Saturday and at no time on a Sunday, Bank or Public Holiday. Vehicles associated with the delivery or collection of the birds shall be allowed on the site from 06:30 hours with loading and unloading taking place from 07:00 hours. The removal of manure from the site shall not take place on Saturdays, Sundays, and Bank or Public Holidays.

Applicant	MR HAZEL AVIAGEN TURKEYS LTD	Code Number	LLA P/2016/0590
Agent	PLATT WHITE PARTNERSHIP MR DAVID LAMB 94 BROUGHTON CHESTER CH3 5AQ	Date Received	22/06/2016
		Decision Date	25/04/2017

21. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating how foul water, surface water and land drainage will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in accordance with a timescale to be agreed as part of the submitted details and maintained thereafter.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure that the development fully complies with the appropriate policies and standards.
3. In the interests of highway safety.
4. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
5. In the interests of the amenities of the future occupants of the buildings
6. In the interests of the amenities of the future occupants of the buildings.
7. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
8. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
10. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
11. In order to protect species which may otherwise be harmed by the implementation and operation of the development hereby permitted.
12. In order to protect species which may otherwise be harmed by the implementation and operation of the development hereby permitted.
13. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
15. To protect the amenities of the occupiers of nearby properties.
16. To protect the amenities of the occupiers of nearby properties.

Applicant	MR HAZEL AVIAGEN TURKEYS LTD	Code Number	LLA P/2016/0590
Agent	PLATT WHITE PARTNERSHIP MR DAVID LAMB 94 BROUGHTON CHESTER CH3 5AQ	Date Received	22/06/2016
		Decision Date	25/04/2017

17. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access.
18. To ensure that adequate visibility is provided at the proposed point of access to the highway.
19. In order to define the terms of the planning permission and in the interests of the amenity of the locality.
20. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
21. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.



**Officer Appointed for this purpose
Head of Environment 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