

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> | MR R G WILLIS                                                                   | <b>Code Number</b>   | ROS P/2023/0060 |
| <b>Agent</b>     | BROWNS OF WEM<br>MR BEN PERRY<br>FOUR LANE ENDS<br>WEM<br>SHROPSHIRE<br>SY4 5UQ | <b>Date Received</b> | 30/01/2023      |
|                  |                                                                                 | <b>Decision Date</b> | 28/03/2023      |

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

#### **Location of application**

BALLS HALL FARM, BURTON ROAD, BURTON, ROSSETT, WREXHAM, LL12 0HY

#### **Description of application**

ESTYNIAD OCHR GYDA FFRAM DDUR AR GYFER STORIO GRAWN / PORTAL STEEL FRAMED SIDE EXTENSION FOR GRAIN STORAGE

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

|      |                                                                |
|------|----------------------------------------------------------------|
| EC1  | Green Barriers                                                 |
| EC3  | Agricultural Buildings                                         |
| EC5  | Special Landscape Areas                                        |
| EC6  | Biodiversity Conservation                                      |
| EC9  | Listed buildings of special architectural or historic interest |
| GDP1 | Development objectives                                         |
| PS2  | Development and the environment                                |

| Revision | Date       | Description of Decision    |
|----------|------------|----------------------------|
| 0        | 28/03/2023 | 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.

|                  |                                                                                 |                      |                 |
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2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 37636 and 37637, and contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
4. Within six months of the first use of the development, trees and shrubs shall be planted on the site in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
5. The planting scheme implemented in connection with condition no. 4 shall be permanently retained. Any planting which becomes 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 within the next available planting season by trees or shrubs of similar size and species to those originally required to be planted.

### **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. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
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### **Note(s) to applicant**

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

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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 Environment and Planning Department on 01978 315300 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 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.

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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](https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm) or by contacting the SAB Team directly at [SAB@wrexham.gov.uk](mailto:SAB@wrexham.gov.uk)



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)