

Sarah Hill

From: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>
Sent: 16 February 2023 15:11
To: Sarah Hill
Subject: RE: FAO Rhys Jones CAS-200055-V3S2 (Planning ref: P/2022/0798 - Riverside Stud)
NRW:07742244

Importance: High

Good afternoon

Thank you for the further information regarding this application. We maintain our concerns, and still advise that further information should be submitted:

With regards to the historic landfill, the information set out in Mr Mennel's email (01/02/23) will need to be provided for us to be able to assess it in line with the application (i.e. the historic maps and plans mentioned). With regards to the well, if this is a borehole, we'll need confirmation (ideally with evidence of records) that it has been decommissioned and capped so as not to present a pathway to groundwater. This requirement is dependent upon the drainage details and how close the discharge(s) may be to the well. We also note that no further information with regards to drainage has been provided to demonstrate there will be no risk to controlled waters associated with the historic landfill.

Many thanks
Rhys Jones

Tîm Cynllunio Datblygu / Development Planning Team
Cyfoeth Naturiol Cymru / Natural Resources Wales
Ffôn / Tel: 03000 653002

www.cyfoethnaturiolcymru.gov.uk / www.naturalresourceswales.gov.uk

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Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi / Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.

----- Original Message -----

From: Sarah Hill <sarah.hill@wrexham.gov.uk>;
Received: Fri Feb 03 2023 07:40:42 GMT+0000 (Greenwich Mean Time)
To: North planning <northplanning@cyfoethnaturiolcymru.gov.uk>; North Planning Mailbox Queue <northplanning@cyfoethnaturiolcymru.gov.uk>; North Planning <northplanning@cyfoethnaturiolcymru.gov.uk>;
Subject: FAO Rhys Jones CAS-200055-V3S2 (Planning ref: P/2022/0798 - Riverside Stud)

Hi Rhys

The attached information and comments below have been submitted in respect of this application. Some of it relates to comments previously made by yourself and also includes further ecological information.

Please can you provide further comments based on this information.

Many thanks

Sarah.

Sarah Hill

Swyddog Cynllunio/Planning Officer
Economi a Chynllunio/Economy and Planning

Oriau gwaith/Working hours:

Dydd Llun/Monday: 08:00am to 15:00pm

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From: trevor@tmplanning.co.uk <trevor@tmplanning.co.uk>

Sent: 01 February 2023 10:15

To: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Subject: RE: P/2022/0798 - Riverside Stud

Importance: High

Hi Sarah

Please find attached the revised Habitat and Species Assessment for the above site.

I am also advised by Camlad Ecology Ltd that the site is not located over historic landfill as commented by NRW. In fact, historic maps show the landfill stopped approximately 30m short from my client's ownership boundary. He informs me there is also a geological boundary between the wider site and the landfill site.

Also, he is concerned with the Council's Ecologists view that there is no overlap between the old ecological survey of the original site and my client's new site as the new location is not over 250m from the properties previous location as stated.

With reference to the well on site, I can confirm from Mr Sheady that it has not been in use for many years.

The Council's Tree Officers concern with reference to paving has also been addressed by reducing the paving around the building and replacing it with grass as requested (refer Drawing No: 71207R:1003RevA).

My client is also happy to adhere to the Contamination Conditions recommended by the Contaminated Land Officer within the memorandum dated 30th September 2022.

I am currently working through the comments of the Policy team and will forward these within the next few days.

Kind Regards

Trevor Mennell
Trevor Mennell Planning

Tel: 01743 874662
Mobile: 07968 874662

Please note: as from 11th August 2021 my email address has changed to trevor@tmplanning.co.uk

From: Sarah Hill <Sarah.Hill@wrexham.gov.uk>
Sent: 15 January 2023 20:26
To: trevor@tmplanning.co.uk
Subject: RE: P/2022/0798 - Riverside Stud

Hi Trevor,

I have received comments back from the Council's Tree Officer with regards to this application. His comments are as follows:

The existing vegetation to the east of the proposal has value low in amenity but high in functionality both as 'green connectivity' to the wider landscape and for the provision of wildlife habitat. With this in mind it is important to avoid risk of direct damage to both the relevant trees and their respective root systems and any disturbances to their associated soils.

The extensive paving proposed between the building the eastern boundary should be significantly reduced in area to provide side pedestrian access only with the remainder of the ground layed to seed or turf. Avoidance of damage to all trees within influencing distance of the proposal and their respective soils in particular will be reduced to an acceptable minimum through the submission of and adherence to an approved arboricultural method statement (AMS) which will be subject to planning condition.

I would be grateful to receive an amended plan which takes into account the comments regarding the paved area.

Regards

Sarah.

Sarah Hill
Swyddog Cynllunio/Planning Officer
Economi a Chynllunio/Economy and Planning

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From: trevor@tmplanning.co.uk <trevor@tmplanning.co.uk>

Sent: 22 November 2022 18:46

To: Sarah Hill <Sarah.Hill@wrexham.gov.uk>

Subject: RE: P/2022/0798 - Riverside Stud

Importance: High

Hi Sarah,

Further to your email dated 27th October 2022 with reference to the comments from the Policy Team, I am disappointed following the in-depth previous response submitted to include:-

- i. Supporting Documents and Statement
- ii. Business Case and Financial Test

Both documents are attached.

I have again been through TAN6 and each relevant section to include 4.8, 4.9, 4.10, 4.11 and am surprised at the comments following the in-depth Statement and Tests attached with the planning application and therefore comment as follows:-

Functional Test

It has been fully established following the high value and sensitivity of the horses and in particular those mares in the ownership of clients it is essential for the proper functioning of the enterprise for one or more groom's to be readily available at all times. In particular, to unexpected situations that may occur, all of which have been explained in the *"Supporting Documents and Statement"*. I am not aware of any **equine establishments** that **do not** have accommodation for operatives on site. This is essential for television monitoring of multiple stables, as in this case, when mares are about to foal or under supervision of a vet. Riverside Stud needs to expand its facilities following client demand. Unless permanent accommodation on site cannot be provided it will affect the economic wellbeing, stability, security and expansion of the business need throughout the industry.

Time Test

As previously explained within the Design and Access Statement that the stables at Riverside Stud are the nucleus for Breeding Mares along with grazing at Chirk, Ruabon, Bangor and Malpas. This is an established Equine Business fully in operation since 2005 for private and racing stables, verified by supporting letters and a Business Case Study. The business is run by four members of the family to which full justification has been supplied within the documents previously submitted.

Financial Test

Following the previously submitted Private and Confidential accounts, I have attached further Financial Statement to substantiate profit and sustainability where it is interesting to note the £11,500 spend in 2021 on veterinary fees alone. A further example as to why it is important to be on site to monitor mares foaling in particular. Should you wish further information you have authority to contact Swift Accountants.

Alternative Dwelling Test

Alternative houses in the location will not assist in the viability of the running of the business and its security as detailed with the Design and Access Statement and supporting documents.

Kind Regards

Trevor Mennell
Trevor Mennell Planning

Tel: 01743 874662
Mobile: 07968 874662

Please note: as from 11th August 2021 my email address has changed to trevor@tmplanning.co.uk

From: Sarah Hill <Sarah.Hill@wrexham.gov.uk>
Sent: 27 October 2022 16:44
To: trevor@tmplanning.co.uk
Subject: P/2022/0798 - Riverside Stud

Hi Trevor,

Further to my previous emails regarding this site, I have received comments from our Policy team regarding the tests to be met for an agricultural/rural enterprise dwelling. These comments are as follows:

Functional Test (section 4.8 TAN 6) - While a letter from a vet argues superior care is provided by living on site, there is no evidence to suggest care has to be provided on site. Essentially the application needs to evidence that the consequences of not living on the site threaten the stability and economic wellbeing of the business. It is not clear that the functional issues raised are rarely occurring or short term seasonal 'need' that can be met through alternative arrangements than on site living.

Time Test (section 4.9 TAN 6) – no robust evidence using an established methodology and calculation of standard man days has been presented to demonstrate a need for a full time worker.

Financial Test (UDP Policy H5 and Section 4.10 TAN6) – The rural enterprise should be financially sound and should have good prospects of remaining sustainable for a reasonable period of time, usually five years. However, no evidence has been presented to demonstrate the business is profitable and sustainable, accounts for the last three consecutive years (at least) should be submitted. Financial records are sensitive and what enters the public domain will be handled with care but verifiable records are required, key data is required for enterprise income, costs of production, net profit and the balance between assets and liabilities.

Alternative Dwelling Test (Section 4.11 TAN6) – No evidence has been submitted to demonstrate why houses in the

locality are unsuitable or unavailable, especially as the site is adjacent to Acrefair, Cefn Mawr and Rhosymedre.

Taking into account the above, the Council does not believe that a sufficient case has been made to support the application and this adds a further issue with the proposal that cannot likely be overcome. This is in addition to those concerns already raised in relation to land contamination, foul drainage and ecology.

As a result of this recent information, the application would not be held in abeyance and would need to be withdrawn or determined. If your client chooses for the application to be determined it would be refused planning permission.

While the application deadline is tomorrow (28th October) I would like to request your agreement an extension of time until 2nd November to give your client the opportunity to consider the options given. I would be grateful to receive a decision regarding how your client wishes to process no later than 4pm on 1st November.

Please can you confirm by email your agreement to the proposed extension of time.

Regards

Sarah.

Sarah Hill

Swyddog Cynllunio/Planning Officer
Cynllunio a Rheoleiddio/Planning and Regulatory

Oriau gwaith/Working hours:

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