

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 GARY OWEN                                           | <b>Code Number</b>   | ERB P/2022/0443 |
| <b>Agent</b>     | MR GARY OWEN<br>15<br>CAE DAFYDD<br>MEIFOD<br>SY22 6HF | <b>Date Received</b> | 03/05/2022      |
|                  |                                                        | <b>Decision Date</b> | 04/07/2022      |

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

#### **Location of application**

CRYMBAL FARM, CRABTREE GREEN, , WREXHAM, , LL13 0YF

#### **Description of application**

CODI STORFA SLYRI UWCHBEN Y DDAEAR / ERECTION OF ABOVE GROUND SLURRY STORE

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          |
| EC6  | Biodiversity Conservation       |
| GDP1 | Development objectives          |
| PS2  | Development and the environment |

| Revision | Date       | Description of Decision    |
|----------|------------|----------------------------|
| 0        | 04/07/2022 | 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) received 18/5/2022, as amended by revised plans to avoid public right of way received 8/6/2022 and as 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.

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4. Within six months of first use of the development, the hedge planting scheme submitted and approved as part of this application shall be fully implemented in strict accordance with approved site layout drawing and the following specification:

The proposed hedge shall comprise blackthorn *Prunus spinosa* (5%), hawthorn *Crataegus monogyna* (80%), dog rose *Rosa canina* (5%), field maple *Acer campestre* (5%), hazel *Corylus avellana* (5%) - British provenance 60-80cm bare rooted 1+1 transplants, with spiral rabbit guards. They shall be planted in 2 staggered rows, 45cm apart with plants at 30cm spacing. Species are to be planted in same species groups of 3 to 7 plants and the hedge will be protected with stock proof post and wire/netting erected 1m from planting, with planting on the public side of any boundary. Planting shall be watered to full ground capacity on completion, maintained weed free within the first 3 years, any dead dying or failing to thrive planting replaced annually within the first 5 years and fencing maintained for a minimum of ten years.

### **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 Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

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

Detailed advice has been issued by Natural Resources Wales (NRW) which is available on the Council's planning applications website.

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the

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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 works outside of the specified times, permission to proceed may be sought by contacting the Council's Environmental Health and Housing Standards at: [healthandhousing@wrexham.gov.uk](mailto:healthandhousing@wrexham.gov.uk) or on 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 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 01978 292040 for further advice and information.

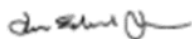
The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can

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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 01978 292040 for further advice and information.

The applicant is advised of the requirement to comply with the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991, in addition to the related Codes of Practice. These regulations are enforced by Natural Resources Wales who require 14 days written notification in advance of any plans to install a new silo or alter an existing facility.

The development is adjacent to a public right of way and the applicant should ensure that the footway is not interfered with. Further guidance can be obtained by contacting the Council's Rights of Way Officer on 01978 792761.



Ian Jones

Prif Swyddog Cynllunio a Rheoleiddio Dros Dro

Interim Chief Officer Planning & Regulatory

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)