

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> | WILLIAMS WYNN                                                                                           | <b>Code Number</b>   | RUA P/2021/0850 |
| <b>Agent</b>     | CHARLENE SUSSUMS LEWIS<br>CARTER JONAS LLP<br>CANNON COURT NORTH<br>ABBAY LAWN<br>SHREWSBURY<br>SY2 5DE | <b>Date Received</b> | 24/08/2021      |
|                  |                                                                                                         | <b>Decision Date</b> | 27/05/2022      |

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

#### **Location of application**

SCHOOL HOUSE FARM, OVERTON ROAD, RUABON, WREXHAM,  
LL14 6HN

#### **Description of application**

DATBLYGU CYFLEUSTERAU MARCHOGAETH GAN GYNNWYS  
STABLAU, MANEGE, PEIRIANT CERDDED I GEFFYLAU, TOMEN DAIL A  
LLAWR CALED / DEVELOPMENT OF EQUESTRIAN FACILITIES  
INCLUDING STABLES, MENAGE, HORSE WALKER, MUCK HEAP AND  
HARD STANDING

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

|      |                                                   |
|------|---------------------------------------------------|
| E5   | Employment in the countryside                     |
| E6   | Small farm-based or related employment operations |
| EC13 | Surface water run-off                             |
| EC3  | Agricultural Buildings                            |
| EC4  | Hedgerows, Trees and Woodland                     |
| EC6  | Biodiversity Conservation                         |
| GDP1 | Development objectives                            |
| PS2  | Development and the environment                   |
| T8   | Parking                                           |

| Revision | Date       | Description of Decision                           |
|----------|------------|---------------------------------------------------|
| 0        | 27/05/2022 | Planning permission issued                        |
| 1        | 05/09/2022 | Discharge of conditions 8 & 9. P/2022/0651 refers |

|                  |                                                                                                            |                                                 |                          |
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|                  |                                                                                                            | <b>Decision</b><br><b>Date</b>                  |                          |

**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) numbered:  
J1074423-21-02 Location Plan  
J1074423-21-04 Proposed block plan  
A01A proposed stable  
J0027991-21-01\_Issue01 Stable floor plan  
RD41b Horse walker plan  
RD41 Horse walker elevation  
Ecological Appraisal. School House, Cinders, Ruabon. Greenscape Environmental Ltd. Ref: PEA 21-07 240.4. 09/05/2022)  
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.
4. The vehicular parking area as shown on approved drawing numbers J1074423-21-04 shall be fully laid out, surfaced and drained prior to first use of the development. This parking area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.
5. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 10 metres behind the adjoining highway.
6. There shall be no gates or other means of enclosure across the vehicular access point within 10 metres of the highway boundary.
7. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.
8. No development shall commence until a GCN Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement should include, but not necessarily be limited to:
  - the submission of details and plans concerning GCN reasonable avoidance and mitigation measures including fence construction and maintenance;

|                  |                                                                                                            |                                                                                       |                                      |
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- details of timing, phasing and duration of construction activities and conservation measures;
  - a timetable for implementation demonstrating that works are aligned with the proposed phasing of the development;
  - persons responsible for implementing the works.
- The Method Statement shall be carried out in accordance with the approved details.

**App Ref No:** P/2022/0651 **Documents Approved:** Greenscape Environmental, Clearance of Environmental Conditions, Ref DC 21-07 240.2 Dated 26<sup>th</sup> August 2022 **Approved by:** Wrexham County Borough Council **Date:** 05/09/2022

9. No development, including site clearance, shall commence until a Biosecurity Risk Assessment, and Method Statement that considers invasive non-native species and specific diseases (e.g. Chytrid) has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to prevent the introduction of and where present to control, remove or for the long-term management of invasive species both during construction and operation. The risk assessment shall consider landscaping and other related plans. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

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10. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment Ecological Appraisal. School House, Cinders, Ruabon. Greenscape Environmental Ltd. Ref: PEA 21-07 240.4. 09/05/2022 approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

11. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

12. The landscaping scheme as carried out in connection with condition no. 10 shall be retained for a minimum of 5 years. Within this timescale, 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

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timescale all to be submitted to and approved in writing by the Local Planning Authority.

13. Within 3 months of commencement of development a scheme of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting as is approved shall be installed in strict accordance with the scheme prior to first use of the development and shall thereafter be permanently retained in a fully operational condition.

### **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 provide for the parking of vehicles clear of the highway in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
5. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. 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 in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. To ensure that an approved GCN Method Statement is implemented, which protects GCN affected by the development in accordance with policy EC6 of the Wrexham Unitary Development Plan
9. To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to prevent or control the spread and effective management of any invasive non-native species and listed diseases at the site in accordance with policy EC6 of the Wrexham Unitary Development Plan
10. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

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11. 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.
12. 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.
13. This is a non-standard reason

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

Your attention is drawn to Highway Supplementary Notes - 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)

There should be no burning of manure and soiled horse bedding at the site. 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 Planning & Regulatory Department 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 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 Planning & Regulatory Department on 01978

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292040 for further advice and information.

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 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 Environmental Health and 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.

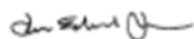
Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice 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)

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

Any manure produced must be managed (storage and application to land) in line with The Code of Good Agricultural Practice (CoGAP) for the Protection of Water, Soil and Air for Wales.

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/europeanprotected-species/?lang=en>



Ian Jones

Prif Swyddog Cynllunio a Rheoleiddio Dros Dro

Interim Chief Officer Planning & Regulatory

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