

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	HOSELEY FARMS	Code Number	ISY P/2021/0822
Agent	MR RICHARD CORBETT ROGER PARRY AND PARTNERS LLP THE ESTATES OFFICE 20 SALOP ROAD OSWESTRY SY11 2NU	Date Received	19/08/2021
		Decision Date	14/09/2022

Town and Country Planning Act, 1990

Location of application

TORRIAD FARM, , BOWLING BANK, WREXHAM, LL13 9RT

Description of application

GOSOD STORFA SLYRI A GWAITH CYSYLLTIEDIG / INSTALLATION OF SLURRY STORE AND ASSOCIATED 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
EC6	Biodiversity Conservation
GDP2	Capacity of infrastructure and community facilities
PS2	Development and the environment

Revision	Date	Description of Decision
0	14/09/2022	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) numbered 71178/RJC/001 Proposed Block Plan, 71178/RJC/100 Slurry Store Plan and 71178/RJC/100 Slurry Store Section, and as contained within the application documentation.

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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 development shall be carried out in strict accordance with the findings and recommendations contained within the Torriad Farm Amphibian Conservation Strategy. Arbor Vitae. 10/12/2021, approved as part of this application.

5. No part of the development shall commence until an Amphibian Conservation Plan, covering construction and post-construction phases, has been submitted to and approved in writing by the Local Planning Authority. The Conservation plan shall include, though not necessarily be limited to, the following:

- o Build upon the principles outlined in Torriad Farm Amphibian Conservation Strategy/ Arbor Vitae (10/12/2021);
 - o The provision of a plan illustrating the location of the ecology area. This submission shall include Geographical Information Shape files together with underpinning rationale for the extent of the identified area;
 - o Details of protective measures to be taken to minimise the impacts during construction;
 - o Details of timing/phasing and duration of construction activities;
 - o A long term site management plan that includes defined aims and objectives; habitat management prescriptions; contingency measures if fish or invasive non-native species (INNS) are detected; proposals that are capable of being implemented in the event of failure to undertake or to appropriately implement identified or contingency actions; site liaison and wardening; surveillance based on the methodology of results reported through the online Wales GCN Monitoring Scheme; licensing requirements for undertaking habitat management and surveillance; current and any proposed changes to tenure of the compensation area; persons or bodies responsible for undertaking management and surveillance together with required skills and competencies; reporting requirements; and proposed dates for updating or revising the management plan;
 - o Reporting of the results of Ecological Compliance Audits;
 - o Details of measures to prevent or reduce incidental capture, injury or killing.
- The development shall be carried out in strict accordance with the details contained within the Conservation Plan as may be approved.

6. The building shall be constructed in accordance with BS 5502 (Building and Structures for Agriculture Code of Practice for Design, Construction and Loading) standards.

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7. The structure shall not be to accommodate an increase in stock number.
8. No part of the development shall commence until investigations have been carried out to determine the depth of the water table. The water table should be below the base of the earth bank slurry lagoon to protect controlled waters and to facilitate ease of construction. Water levels should be measured during the wettest time of the year and a report of the findings and recommendations shall be submitted to and approved in writing by the Local Planning Authority. The development shall only thereafter be carried out in strict accordance with the details as may be approved.
9. 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.

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 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.
5. 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.
6. To prevent an intensification of pollution to the River Dee catchment in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
7. This proposal is to improve the existing slurry management system on the farm to conform with the requirements of The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021, coming into force on 1 August 2024, and not to accommodate an increase in stock number, in accordance with Policy EC6 or the Unitary Development Plan.

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8. To prevent pollution of the water environment in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

9. 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

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 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 Environmental Health & Housing Standards Team on 01978 292040 for further advice and information.

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

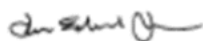
- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring 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.

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NRW should be informed of any substantial changes at least 14 days before construction begins. Further information on what NRW require is available on our website at Natural Resources Wales / Silage and slurry storage.

The slurry should be applied to land in accordance with a suitable manure management plan (MMP) based on an underlying nutrient management plan (NMP). The Code of Good Agricultural Practice (COGAP) has standard formats for the MMP and associated NMP.



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