

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	MS JO DAVIES BREEDON TRADING LTD	Code Number	HOL P/2021/0991
Agent	MR GUY TITMAN MJCA BADDESLEY COLLIERY OFFICES MAIN ROAD BAXTERLEY ATHERSTONE CV9 2LE	Date Received	21/04/2021
		Decision Date	10/01/2022

Town and Country Planning Act, 1990

Location of application

BORRAS QUARRY, LLAN Y PWLL, WREXHAM, LL13 9SE

Description of application

MEWNFORIO, PROSESU A CHADW PLAENIAU FFYRDD, A MEWNFORIO A CHADW CERRIG MAN CYN EU GORCHUDDIO / IMPORTATION , PROCESSING AND STORAGE OF ROAD PLANINGS, AND IMPORTATION AND STORAGE OF PRE COATED CHIPPINGS

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
EC1	Green Barriers
EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
MW11	Buffer zones and minerals sites
MW12	Waste management
MW9	Protection of mineral resources
PS10	Waste management priorities
PS11	Biodiversity
PS2	Development and the environment

Revision	Date	Description of Decision
0	10/01/2022	Planning permission issued

Particulars of decision that permission be GRANTED
Subject to the following:-

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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:
BRE/BO/03-21/22324 Site Location
BRE/BO/03-21/22325 Planning application boundary and proposed development area
BRE/BO/03-21/22326 Proposed development area
BRE/BO/03-21/22327 Listed buildings in the vicinity
Appendix A – Noise Assessment (report reference R20.10608/2/JM)
Appendix B – Ecology survey technical note dated 13 July 2020
BRE/BO/06-21/22565 elevations and floor plan of storage shed
Appendix C – elevation of the crushing and screening plant and as contained within the application documentation.
3. The storage of asphalt planings and plant operation shall be limited to the area identified on the approved plan and shall cease and be abandoned not later than 31/12/2037.
4. The rating level of any noise generated by reason of this development shall not exceed:
Day time operations (07:00 to 19:00 hours)
1) 55 dB(A) where background noise levels exceed 45 dB(A).
2) Background plus 10 dB(A) where background noise is less than 45 dB(A)
Night time operations (19:00 to 07:00 hours)
3) 42 dB(A)
Noise levels shall be determined at the nearest sensitive receptor in LAeq,T over a 1-hour measuring period and shall be measured free-field, at least 3.5 metres away from a façade that faces the noise source.
5. The processing of the planings shall be restricted to between the hours of 07:30 and 18:00 Monday to Friday and 08:00 and 13:00 on Saturdays. There will be no importation, removal or processing operations on Sundays or Bank Holidays
6. The development shall operate in strict accordance with the dust control measures detailed in document ref BRE/BO/TJC/1744/01 dated 21 April 2021.

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7. Except with the prior written agreement of the Minerals Planning Authority, or except in emergencies, all heavy goods vehicles entering and leaving Borrass Airfield shall do so via the existing access off the A534.
8. In the event that winning and working of sand and gravel has ceased for a continuous period of two years, an alternative scheme and programme of implementation for the interim restoration and aftercare of the Site shall be submitted for the written approval of the Mineral Planning Authority. This scheme shall be submitted within twelve months of the end of the two year period, and implemented within twelve months of the date of approval allowing restoration and aftercare to commence.

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. In order to define the development hereby permitted, to require compliance with the amended proposals and to provide for such minor departures from the said proposals as may properly be determined without formal application for variation of this permission.
4. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
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7. To ensure that an adequate service and parking area is retained within the site in the interests of highway safety and to ensure that the amenities of neighbouring residential properties are not eroded by unsightly open storage on the site in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan.
8. So that the site is reclaimed if working ceases permanently before the end of the permission

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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.h
tm](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)

The application references the use of a mobile crusher. This is a prescribed activity under the Environmental Permitting (England and Wales) Regulations and prior to use the applicant is advised to contact the Councils Environmental Health and Housing Standards team to discuss any applicable regulatory controls.

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.

Natural Resources Wales Advice for the Developer

Pollution Prevention

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to GPP 5 and PPG 6 at the following link:

[http://www.netregs.org.uk/environmental-topics/pollution-prevention-
guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-
gpps-full-list/](http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/)

Environmental Management

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which are available on the following website:

[http://www.netregs.org.uk/environmental-topics/pollution-prevention-
guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-
gpps-full-list/](http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/)

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The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

Waste produced during construction

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered
- to identify the controls that apply to the movement of the waste
- to complete waste documents and records
- to identify suitably authorised waste management options
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>

If you have any queries on the above, please do not hesitate to contact NRW.

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to

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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>



Officer Appointed for this purpose
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