

The Planning Inspectorate

QUESTIONNAIRE (s78) AND (s20) PLANNING OR LISTED BUILDING/CONSERVATION AREA CONSENT WALES (Online Version)

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to the appellant/agent. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

This and any documents which you have indicated as 'To follow' should also be sent to the case officer by the date given in the start letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us within 6 weeks of the 'starting date'.

Appeal Reference

APP/H6955/A/21/3273722

Appeal By

BERSHAM (GLENSIDE) LTD

Site Address

Bersham Bank Colliery Tip
Plas Grono Road
Rhostyllen
Wrexham
LL14 4EG

PART 1

1.a. Do you agree to the written representation procedure?

Yes ☐ No ☒

*Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*

1.b. Do you wish to be heard by an Inspector at;

Inquiry ☐ Hearing ☒

2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land?

Yes ☐ No ☒

2.b. Is it essential for the inspector to enter the site to assess the impact of the proposal?

Yes ☒ No ☐

hearing procedure

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection?

Yes ☐ No ☒

PART 2

3. Does the appeal relate to an application for approval of reserved matters?

Yes ☐ No ☒

4. Was a GDPO 1995 Article 7 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?

Yes ☐ No ☒

5. Did you give publicity to the application in accordance with either Article 12 of the DMPO 2012, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 10 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990?

Yes ☐ No ☒

Is the appeal site within:

- | | | | |
|--|-----|--|-------------------------------------|
| 6.a. a Green Belt? | Yes | ☐ No | ☒ |
| 6.b. An Area of Outstanding Natural Beauty? | Yes | ☐ No | ☒ |
| 7. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal? | Yes | ☒ No | ☐ |
| Please send details | | | |
| ☒ see 'Questionnaire Documents' section | | | |
| 8.a. Are there any other appeals or matters relating to the same site before the Welsh Assembly Government? | Yes | ☐ No | ☒ |
| 8.b. Are there any other appeals or matters adjacent or close to the site still being considered by the Welsh Assembly Government? | Yes | ☐ No | ☒ |

PART 3

- | | | | |
|--|-----|-----------------------------|-------------------------------------|
| 9. a. Is the site in a Conservation Area? | Yes | ☐ No | ☒ |
| 9.b. Does the appeal relate to an application for conservation area consent? | Yes | ☐ No | ☒ |
| 10.a. Does the proposed development involve the demolition, alteration or extension of a Grade I/II*/II listed building? | Yes | ☐ No | ☒ |
| 10.b. Would the proposed development affect the setting of a listed building? | Yes | ☐ No | ☒ |
| 11. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953? | Yes | ☐ No | ☒ |
| 12.a. Would the proposals affect an Ancient Monument (whether scheduled or not)? | Yes | ☐ No | ☒ |

PART 4

- | | | | |
|---|-----|-----------------------------|-------------------------------------|
| 13. Would the development require the stopping up or diverting of a public right of way? | Yes | ☐ No | ☒ |
| 14. Is any part of the site subject to a Tree Preservation Order? | Yes | ☐ No | ☒ |
| 15.a. Is flooding an issue? | Yes | ☐ No | ☒ |
| 16. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority? | Yes | ☐ No | ☒ |
| 17.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an Internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)? | Yes | ☐ No | ☒ |
| 17.b. Are any protected species likely to be affected by the proposals? | Yes | ☐ No | ☒ |

PART 5

- | | | | |
|---|-----|--|-------------------------------------|
| 18.a. Is your Authority's CIL charging schedule being/been examined? | Yes | ☐ No | ☒ |
| 18.b. Is your Authority's CIL charging schedule adopted/likely to be adopted? | Yes | ☐ No | ☒ |
| 19. Do you wish to attach your statement of case? | Yes | ☒ No | ☐ |
| Please select from the options below: | | | |
| ☒ see 'Questionnaire Documents' section | | | |

20. Do you intend to submit a statement of case about this appeal?	Yes	☒ No	☐
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PART 6

Environmental Impact Assessment - Schedule 1

21.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?	Yes	☐ No	☒
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Environmental Impact Assessment - Schedule 2

21.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	Yes	☒ No	☐
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21.b.ii If YES, under which description of development in Column 1 (ie Nos 1-13)

13

21.b.iii. Is the applicable threshold/criteria in Column 2 exceeded/met?	Yes	☐ No	☒
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21.c. Is the development within or partly within a 'sensitive area' as defined by Regulation 2 of the Town and Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999?	Yes	☐ No	☒
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Environmental Impact Assessment - Screening

21.d.i. Have you issued a screening opinion (SO) under regulation 25(2)?	Yes	☐ No	☒
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Environmental Impact Assessment - Environmental Statement (ES)

21.e. Has the appellant supplied an environmental statement?	Yes	☐ No	☒
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Environmental Impact Assessment - Publicity

21.f. If applicable, please supply a copy of the site notice and local advertisement published under Article 8 of the GDPO 1995, as required for EIA development.	Applies	☐ N/A	☒
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22. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place?	Yes	☒ No	☐
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Please attach copies of any comments that you have received in response.

☒ see 'Questionnaire Documents' section

PART 7

Copies of the following documents must, if appropriate, be attached to this questionnaire

☒ 23.a. a copy of the letter with which you notified people about the appeal;

Please select from the options below:

☒ see 'Questionnaire Documents' section

☒ 23.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;

Deadline

15/06/2021

Please select from the options below:

☒ [see 'Questionnaire Documents' section](#)

☒ 23.c. all representations received from interested parties about the original application;

Please select from the options below:

☒ [see 'Questionnaire Documents' section](#)

☒ 23.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;

Please select from the options below:

☒ [see 'Questionnaire Documents' section](#)

☐ 23.e. any representations received as a result of a GDPO 1995 Article 7 (or Regulation 6) notice;

☒ 23.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);

You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.

List of policies

GDP1, PS2, EC1 EC6 EC11 T6 CLF6 MW7

Please select from the options below:

☒ [see 'Questionnaire Documents' section](#)

23.g. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;

☐ 23.h. extracts from any supplementary planning document, together with the date of its adoption;

In the case of emerging documents, please state what stage they have reached.

☒ 23.i. a list of conditions which you consider should be imposed if planning permission is granted;

You need not attach this to the other questionnaire papers, but it should reach us within 6 weeks of the starting date. The list must be submitted separately from your appeal statement.

Please select from the options below:

☒ [see 'Questionnaire Documents' section](#)

☒ 23.j. any other relevant information or correspondence you consider we should know about;

Please select from the options below:

☒ [see 'Questionnaire Documents' section](#)

☒ 23.k. two plans of the site - (1:10,000 & 1:1250) reproduced from O.S digital map;

Please select from the options below:

☒ [see 'Questionnaire Documents' section](#)

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today. ☒

LPA's reference

p/2020/0294

Completed by

sharon williams

On behalf of

Wrexham County Borough Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

sharon williams

Phone no (including dialling code)

01978 298785

Email

sharon.williams@wrexham.gov.uk

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/H6955/A/21/3273722

Appeal By BERSHAM (GLENSIDE) LTD

Site Address
Bersham Bank Colliery Tip
Plas Grono Road
Rhostyllen
Wrexham
LL14 4EG

The documents listed below were uploaded with this form:

Relates to Section: PART 2
Document Description: 7. Details of mineral interest if there is a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal.
File name: 2020-0294AppealStatement.pdf

Relates to Section: PART 5
Document Description: 19. The LPA's statement of case.
File name: 2020-0294AppealStatement.pdf

Relates to Section: PART 7
Document Description: 23.a. A copy of the letter with which you notified people about the appeal.
File name: 20200294 - LETTER.pdf

Relates to Section: PART 7
Document Description: 23.b. A document containing a list of the people you notified of the appeal.
File name: 20200294 - LIST.pdf

Relates to Section: PART 7
Document Description: 23.c. Copies of all representations received from interested parties about the original application.
File name: 2020 0294 Community Council Response.pdf
File name: 2020 0294 Local Member Response 2.pdf
File name: 2020 0294 Local Member Response.pdf
File name: 2020 0294 Public Protection Response.pdf
File name: 2020 0294 Neighbour Response 2.pdf
File name: 2020 0294 Neighbour Response 1.pdf
File name: 2020 0294 Neighbour Response 4.pdf
File name: 2020 0294 Neighbour Response 7.pdf
File name: 2020 0294 Neighbour Response 5.pdf
File name: 2020 0294 Neighbour Response 3.pdf
File name: 2020 0294 NRW Response.pdf
File name: 2020 0294 Neighbour Response 6.pdf

Relates to Section: PART 7
Document Description: 23.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.
File name: 20200294 - DEL REPORT.pdf

Relates to Section: PART 7
Document Description: 23.f. Copies of extracts from any relevant statutory development plan

File name:	policies. 20200294 - policies.pdf
Relates to Section:	PART 7
Document Description:	23.i. Copies of all conditions which you consider should be imposed if planning permission is granted.
File name:	2020-0294AppealStatement.pdf
Relates to Section:	PART 7
Document Description:	23.j. Copies of any other relevant information or correspondence you consider we should know about.
File name:	2020 0294 Decision.pdf
File name:	2020 0294 Covering Letter.pdf
File name:	2020 0294 DAS.pdf
File name:	2020 0294 Letter from CCP.pdf
File name:	2020 0294 Letter.pdf
File name:	2020 0294 Location Plan.pdf
File name:	2020 0294 Planning Statement.pdf
File name:	2020 0294 Plans - Elevation.pdf
File name:	2020 0294 Plans - Proposed Plant 2.pdf
File name:	2020 0294 Plans - Proposed Plant.pdf
Relates to Section:	PART 7
Document Description:	23.k. Two plans of the site - (1:10,000 & 1:1250) reproduced from O.S digital map.
File name:	P 2020 0294 10000.pdf
File name:	P 2020 0294 5000.pdf
The documents listed below are to follow by post:	
Relates to Section:	PART 6
Document Description:	22. Copies of any comments that you have received in response to any notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission.
Completed by	Not Set
Date	25/05/2021 15:37:43
LPA	Wrexham County Borough Council