

The Planning Inspectorate

PLANNING APPEAL FORM WALES (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/H6955/A/21/3271810

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

- - -

Company/Group Name

Low Carbon Farming 2 Ltd

B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes

☒ No

☐

Name

Mrs Nelsea. F. Iddi

Company/Group Name

Barton Willmore

Your reference

32275

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

Wrexham County Borough Council

LPA reference number

P/2020/0363

Date of the application

13/07/2020

Did the LPA issue a decision?

Yes

☒ No

☐

Date of LPA's decision

25/09/2020

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes

☐ No

☒

Does the appeal relate to an existing property?

Yes

☐ No

☒

Address

Land west of Sesswick Way
Marchwiell
Wrexham
Wrexham

Is the appeal site within a Green Belt?	Yes	☐ No	☒
Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?	Yes	☐ No	☒

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?	Yes	☐ No	☒
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Please enter details of the proposed development. This should normally be taken from the planning application form.

Commercial glasshouse with packing facility and office space, energy centre and associated infrastructure, carbon dioxide recovery plant, reservoirs, car parking and landscaping.

Area (in hectares) of the whole appeal site [e.g. 1234.56]

44 hectare(s)

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission. ☒
2. Granted planning permission for the development subject to the conditions to which you object. ☐
3. Refused approval of the matters reserved under an outline planning permission. ☐
4. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object. ☐
5. Refused to approve any matters required by a condition on a previous planning permission. ☐
6. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval. ☐

G. PREFERRED PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☐

2. Hearing ☒

You must give detailed reasons below or in a separate document why you think a hearing is necessary. The reasons are set out in

☒ the box below

It is considered that the issues of relevance in this appeal would benefit from an Inspector testing the evidence by questioning or to clarify matters.

Is there any further information relevant to the hearing which you need to tell us about?	Yes	☒ No	☐
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A draft Statement of Common Ground is proposed to be agreed with the LPA. This is included in Appendix 1 of the Appellant's Appeal Statement. It is also proposed that a final draft of the proposed legal agreement will be issued in advance of the hearing.

3. Inquiry



H. GROUNDS OF APPEAL

The grounds are set out in

☐ the box below

☒ see 'Appeal Documents' section

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal?

Yes

☒ No



I. COSTS

Do you intend to submit a costs application with this appeal?

Yes

☐ No



Details of the costs application are set out in

☐ the box below

J. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;



CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:



Owner's Name: Dwr Cymru Welsh Water
Date the notice was served: 24/03/21

Owner's Name: Mr D R Jones
Date the notice was served: 24/03/21

Owner's Name: Mr H G Jones
Date the notice was served: 24/03/21

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.



J. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding.



(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.



(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.



Tenant's Name: Mr D R Jones
Address at which notice was served: Old Llwyn Onn, Abenbury, Wrexham, LL13 0NY
Date the notice was served: 24/03/21

Tenant's Name: Mr H G Jones
Address at which notice was served: Old Llwyn Onn, Abenbury, Wrexham, LL13 0NY

K. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA. ☒
02. A copy of the site ownership certificate and ownership details submitted to the LPA at application stage (this is usually part of the LPA's planning application form). ☒
03. A copy of the LPA's decision notice (if issued). ☒
04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue. ☒
05. A list (stating drawing numbers) and copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given to those sent to the LPA. ☒
06. A list (stating drawing numbers) and copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g drawings for illustrative purposes). ☒
07. A copy of the design and access statement. ☒
08. Additional plans or drawings relating to the application but not previously seen by the LPA. ☒
09. Any relevant correspondence with the LPA. ☒
10. (a) If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, enclose the relevant outline application. ☐
10. (b) If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, enclose all plans sent at outline application stage. ☐
10. (c) If the appeal is against the LPA's refusal or failure to grant permission for 'details' imposed on a grant of outline permission, enclose the original outline planning permission. ☐
11. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached. ☐
12. If the appeal is against the LPA's failure to decide an application, please supply a copy of the letter registering your application. ☐
13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA). ☐

L. ADDITIONAL INFORMATION

- | | | | | |
|---|-----|-------------------------------------|----|-------------------------------------|
| Is flooding an issue? | Yes | ☒ | No | ☐ |
| Does the development affect the setting of a listed building? | Yes | ☐ | No | ☒ |
| Is the appeal site within an Area of Outstanding Natural Beauty (AONB)? | Yes | ☐ | No | ☒ |
| Does the site lie within a Conservation Area? | Yes | ☐ | No | ☒ |
| Does the site lie within green wedge? | Yes | ☐ | No | ☒ |

M. OTHER APPEALS

- Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes ☐ No ☒

N. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form, personal details form and any supporting documents not previously sent as part of the application to the LPA. If you do not send them a copy of these forms and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal and personal details form
- locating your local planning authority's email address:
<http://gov.wales/topics/planning/appeals/make-an-appeal/sending-a-copy-to-the-council/?lang=en>
- attaching the saved forms including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your forms, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

O. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section:	GROUPS OF APPEAL
Document Description:	A copy of the grounds of appeal.
File name:	L1 32275 A3 JA 210324 Appeal Statement.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application form sent to the LPA.
File name:	F1 Application form.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	02. A copy of the site ownership certificate and ownership details submitted to the LPA at application stage (this is usually part of the LPA's planning application form).
File name:	F1 Application form.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued).
File name:	K22 Decision 2020-0363.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	A12 133 Rev01 - Five Fords - Blue Line Plan.pdf
File name:	A1 100 Rev01 - Five Fords - Location Plan.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
File name:	A15 302 Rev01 - Five Fords - DNO and Customer Substation Elevations.pdf
File name:	A17 304 Rev01 - Five Fords - Water Tank Elevations.pdf
File name:	A21 308 Rev01 - Five Fords - Trench Section Detail.pdf
File name:	A13 300 Rev01 - Five Fords - Glass and Packhouse Elevations.pdf
File name:	A18 305 Rev01 - Five Fords - CO2 Tank Elevations.pdf
File name:	A19 306 Rev01 - Five Fords - Heat Exchanger Building Elevations.pdf
File name:	A23 310 Rev01 - Five Fords - CO2 Recovery Plant Elevations.pdf
File name:	A14 301 Rev01 - Five Fords - Energy Centre and Palisade Elevations.pdf
File name:	A4 105 Rev01 - Five Fords - Cycle Storage.pdf
File name:	A16 303 Rev01 - Five Fords - Transformer and Air Cooler Elevations.pdf
File name:	A24 311 Rev01 - Five Fords - Full Glasshouse View (NandS).pdf
File name:	A25 312 Rev01 - Five Fords - Full Glasshouse View (EandW).pdf
File name:	A3 104 Rev01 - Five Fords - EC Floorplan.pdf
File name:	A11 114 Site Sections.pdf
File name:	A22 309 Rev01 - Five Fords - CO2 Recovery Plant Plan View.pdf
File name:	A20 307 Rev01 - Five Fords - Extraction Pit Elevations.pdf

File name:	F1 Application form.pdf
File name:	F3 Pre-application Consultation Report_Redacted.pdf
File name:	A8 109 Rev04 - Five Fords - GCN Mitigation.pdf
File name:	A6 107 Rev02 - Five Fords - Finished Site Levels.pdf
File name:	A5 106 Rev02 - Five Fords - Existing Site Levels.pdf
File name:	C1 1202-01D Five Fords Glasshouses Planting Plan 2020 07 12.pdf
File name:	A7 108 Rev02 - Five Fords - Cut and Fill Levels.pdf
File name:	A10 112 Rev01 - Five Fords - Existing Topo with Cut and Fill.pdf
File name:	A9 111 Rev01 - Five Fords - Existing and Finished Site Levels.pdf
File name:	F2 Planning Design and Access Statement - Five Fords (reduced).pdf
File name:	A2 101 Rev04 - Five Fords - Site Plan.pdf
File name:	H1 Noise Impact Assessment.pdf
File name:	D1 Wrexham - Final EcIA Rev 02.pdf
File name:	I1 20-7186 - Low Carbon Farming - Five Fords - Air Quality Assessment V2[1].pdf
File name:	B1 Transport Statement (reduced).pdf
File name:	E1 Flood Consequences Assessment V1.2.pdf
File name:	C2 LVIA 2020 07 08 1.pdf
File name:	C3 LVIA - A3 Figures Volume 2020 07 10 V4 1.pdf
File name:	D2 Wrexham - EcIA Appendices Q to V 1.pdf
File name:	32275 A1 JA 210324 Appeal Documents List.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06. Any other relevant plans, drawings and documents sent to the LPA, but which did not form part of the application (eg drawings for illustrative purposes).
File name:	F5 Five Fords Economic Benefits Annex_A_Five_Fords_Org_Chart.pdf
File name:	F4 Five Fords Economic Benefits.pdf
File name:	I2 20-7186 - Low Carbon Farming - Five Fords - Air Quality Note.pdf
File name:	D6 Otter Avoidance, Mitigation & Compensation Strategy Five Fords SCALES for Greenlight 070920.pdf
File name:	D7 Expression of Interest - ARC.pdf
File name:	E2 Flood Consequences Assessment Addendum.pdf
File name:	D5 SC-FFG-006 rev A GCN newlayout.pdf
File name:	B2 Transport Technical Note.pdf
File name:	F7 NT15029 003 Agricultural Land Classification FINAL.pdf
File name:	D3 Five Fords GCN Strategy SCALES Draft 060920.pdf
File name:	D4 Five Fords GCN method statement Draft (red) 070920.pdf
File name:	F6 Sequential Test Report.pdf
File name:	32275 A1 JA 210324 Appeal Documents List.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement.
File name:	F2 Planning Design and Access Statement - Five Fords (reduced).pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	08. Additional plans or drawings relating to the application but not previously seen by the LPA.
File name:	A34 133 Rev02 - Five Fords - Blue Line Plan.pdf
File name:	A33 114 RevB - Five Fords - Site Sections.pdf
File name:	A26 100 Rev02 - Five Fords - Location Plan.pdf
File name:	A30 108 Rev03 - Five Fords - Cut and Fill Levels.pdf
File name:	A28 106 Rev03 - Five Fords - Existing Site Levels.pdf
File name:	A29 107 Rev03 - Five Fords - Finished Site Levels.pdf
File name:	A31 111 Rev02 - Five Fords - Existing and Finished Site Levels.pdf
File name:	A32 112 Rev02 - Five Fords - Existing Topo with Cut and Fill.pdf
File name:	A27 101 Rev07 - Five Fords - Site Plan.pdf
File name:	D11 Five Fords GCN Strategy SCALES Final 220321.pdf
File name:	D12 Five Fords GCN Method Statement SCALES 220321.pdf

File name: D8 Wrexham - EcIA 210322.pdf
File name: D10 Wrexham EcIA Appendices U to W 210322.pdf
File name: M1 4529 Five Fords LIA Report P5 2021-03-22.pdf
File name: D9 Wrexham EcIA Appendices Q to T 200828.pdf
File name: 32275 A1 JA 210324 Appeal Documents List.pdf
File name: D14. Expression of Interest - ARC - March 2021.pdf
File name: D13 SC-FFG-006 rev G GCN newlayout.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 09. Any relevant correspondence with the LPA.
File name: K13 Ramblers.pdf
File name: K15 Welsh Govt 2.pdf
File name: K14 Sessick Way glasshouse - NRW response 21.09.20.pdf
File name: K1 Archaeology.pdf
File name: K12 Public Protection Officer.pdf
File name: K4 Highways.pdf
File name: K17 Welsh Govt 3.pdf
File name: K20 Wrexham Glyndwr v2.pdf
File name: K21 Five Fords P20200363 Delegated report (4).doc
File name: K11 PRoW.pdf
File name: K5 Highways v2.pdf
File name: K8 NRW.pdf
File name: K19 Wrexham Glyndwr.pdf
File name: K18 Welsh Water.pdf
File name: K3 Flood.pdf
File name: K7 NFU Cymru.pdf
File name: K6 HSE.pdf
File name: K10 Parks, Countryside & Rights of Way Manager.pdf
File name: K16 Welsh Govt 1.pdf
File name: K9 NRW v2.pdf
File name: K2 Contaminated Land.pdf

Completed by MRS NELSEA. F. IDDI

Date 24/03/2021 19:34:49