

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	LEWIS	Code Number	RUA P/2018/0577
Agent	INDIGO PLANNING LIMITED MR GUY MAXFIELD COLMORE GATE 2-6 COLMORE ROW BIRMINGHAM B3 2QD	Date Received	12/07/2018
		Decision Date	04/03/2019

Town and Country Planning Act, 1990

Town and Country Planning (Environmental Impact Assessment) Regulations 1999

Location of application

CINDERS FARM, CINDERS, RUABON, WREXHAM, LL14 6HN

Description of application

ERECTION OF FOUR AGRICULTURAL BUILDINGS FOR REARING LIVESTOCK (POULTRY), ANCILLARY BUILDINGS AND PLANT, ASSOCIATED INFRASTRUCTURE, LANDSCAPING AND ACCESS ARRANGEMENTS

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

EC13 EC3 EC4 EC6 GDP1 PS2 T8	Surface water run-off Agricultural Buildings Hedgerows, Trees and Woodland Biodiversity Conservation Development objectives Development and the environment Parking	
Revision	Date	Description of Decision
0	04/03/2019	Planning permission issued
1	20/4/2020	P/2019/0455 Variation of condition 9 allowed on appeal. Conditions 19-21 revised
2	09/07/2020	P/2020/0211 Non-material amendment for solar panels approved

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3	17/08/2020	P/2019/0933 Discharge of conditions 7, 8, 9, 10, 11, 17, 18 and 21 approved
4	15/3/2021	P/2020/0821 Non-material amendment-elevations, site layout, passing place Approved
5	15/3/2021	P/2021/0106 Discharge of conditions 4 and 12 approved

**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:
GM-MZ228-191 - Location Plan
GM-MZ228-181 - Site Layout
GM-MZ228-201 (A) - Livestock rearing house elevations
GM-MZ228-201 (B) - Livestock rearing house floor plan
GM-MZ228-201 (C) - Livestock rearing house roof plan
GM-MZ228-202 - Biomass Building Elevations
GM-MZ228-203 - Gatehouse Elevations
GM-MZ228-204 - Water Tank & Gas Tanks
Q9222653-KNI-205 - Generator elevations and plan
Q9222653-KNI-206 - Energy Dist. Building elevations and plans
GM-MZ228-207 - Substation Elevations and Floor Plans
GM-MZ228-301 - Site Sections
1484.04 - Landscape/Biodiversity Proposals
1484.06 Rev A - Off-site hedgerows
and as contained within the application documentation.

Date Approved: 9/7/2020 **Reference Number:** P/2020/0211
By: Wrexham County Borough Council
Approved Details: drawing GM M2228 182

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Date Approved: 15/3/2021 **Reference Number:** P/2020/0821

By: Wrexham County Borough Council

Approved Details:

20076-P.3 passing places

Q9222653.C2-SITE Site Plan

AMENITY BASE PLAN & ELEVATIONS Amenity Building

MAINS PUMP ROOM ELEVATIONS & PLAN Energy Pump room

SP4049060 Substation

Amended Generator Plan generator

Amended Biomass Plans G05, G06, G07, G08, G09, G10, V2 Biomass building

3. The development hereby approved shall only be used for the purpose of a poultry rearing unit and shall not be used to house any more than 225,000 birds in total.

4. Prior to their first use on the development hereby approved a detailed specification of all facing materials shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details as may be approved.

Date Approved: 15/3/2021 **Reference Number:** P/2021/0106

By: Wrexham County Borough Council

Approved Details: Lighting specification and plan

5. With the exception of the hedge translocation works as detailed on approved plan 1484.06 Rev A - Off-site hedgerows, soft landscaping shall be carried out in strict accordance with the details shown on drawing nos.

1484.04 - Landscape/Biodiversity Proposals during the first planting season (November to March) and seeding season (April to September) following the first use of the development and thereafter managed and maintained in accordance with the Landscape Management and Maintenance details specified on that drawing.

6. The soft landscaping carried out in accordance with the details shown on drawing 1484.04 - Landscape/Biodiversity Proposals shall be permanently retained throughout the lifetime of the development. Any planting or seeding becoming severely damaged or seriously diseased, is in poor physiological condition and/or is removed within the first 5 years shall be replaced during the next available planting or seeding season by trees, hedgerow or grass species of the same specification as those originally planted.

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7. Hedge translocation works as detailed on approved plan 1484.06 Rev A - Off-site hedgerows shall be carried out prior to the first use of the development hereby approved in accordance with a detailed methodology, management and maintenance regime which has first been submitted to and approved in writing by the local planning authority. The scheme as approved and implemented shall be retained for the lifetime of the development.

Date Approved: 17/8/2020 **Reference Number:** P/2019/0933

By: Wrexham County Borough Council

Approved Details Allan Moss associates Hedgerow Translocation Method statement Rev A January 2020

8. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with Method Statement as is approved. The Method Statement shall include the following:

- a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;
- b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;
- c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;
- d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires; and
- e) Details of all proposed tree works, including felling and pruning.

Date Approved: 17/8/2020 **Reference Number:** P/2019/0933

By: Wrexham County Borough Council

Approved Details Ian Kennedy Wharncliffe Trees and Woodland Arboricultural Method Statement

9. No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of great crested newt mitigation, compensatory measures and management regime. The

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approved scheme shall make provision for a compliance audit and report and its submission to and approval in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme of great crested newt mitigation and compensatory measures and management regime.

Date Approved: 17/8/2020 **Reference Number:** P/2019/0933

By: Wrexham County Borough Council

Approved Details BSC Ecology letter 28/7/2020. BSG Ecology Report May 2020

10. Development shall not commence until a scheme of Reasonable Avoidance Measures (RAMs) in respect of great crested newts has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter only take place in strict accordance with the RAMs scheme as approved.

Date Approved: 17/8/2020 **Reference Number:** P/2019/0933

By: Wrexham County Borough Council

Approved Details BSC Ecology letter 28/7/2020. BSG Ecology Report May 2020

11. No development shall take place until there has been submitted to and approved in writing by the local planning authority a Biosecurity Risk Assessment that shall include measures to address invasive non-native species. Development shall be carried out in accordance with the approved Biosecurity Risk Assessment and its measures shall be retained thereafter.

Date Approved: 17/8/2020 **Reference Number:** P/2019/0933

By: Wrexham County Borough Council

Approved Details BSC Ecology letter 28/7/2020. BSG Ecology Report May 2020

12. No external lighting shall be installed on the buildings hereby permitted until full details of the light fittings, to include the location of all external lights and all cowls/shielding have been submitted to and approved in writing by the Local Planning Authority. No lighting shall thereafter be installed on the buildings or on any part of the site other than in strict accordance with the details as approved.

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Date Approved: 15/3/2021 **Reference Number:** P/2020/0821

By: Wrexham County Borough Council

Approved Details: materials specification Box Profile in Juniper Green

13. Prior to first use of the development hereby approved the vehicular access shall be laid out in accordance with the details contained in drawing no. SK21685-05 Rev A and shall provide visibility splays of 2.4 metres x 43 metres in both directions measured to the nearside edge of the adjoining highway. Within these splays there shall be no obstruction above the level of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected, constructed or placed across the access within 20 metres of the highway boundary under Class A, of Schedule 2 Part 2.

15. The proposed works to the private drive, internal access, parking and turning areas shall be satisfactorily completed and laid out in accordance with the approved drawing no. GM-MZ228-181 - Site Layout prior to the poultry units first being brought into operation. The approved parking and turning areas shall thereafter be maintained at all times for that purpose.

16. All highways works as shown on drawing nos. SK21685-08 Rev A, SK21685-09 Rev A, SK21685-10 Rev A and SK21685-11 Rev A, SK21685-20 in relation junction improvements, passing places and visibility splays on the A539 and Cinders Lane shall be implemented prior to the first use of the development and shall be retained in this condition thereafter.

17. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating provision for foul water, surface water and land drainage has been submitted to and approved in writing by the Local Planning Authority. In accordance with the submitted Flood Consequence Assessment & Drainage Strategy (Cinders Farm, Ruabon Environmental Statement - Volume II: Main Report Appendix 11.1), any scheme must demonstrate compliance with the latest Sustainable Drainage Systems (SuDS) Standards for Wales. The submitted details shall:

i) Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;

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ii) Specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
iii) Provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Date Approved: 17/8/2020 **Reference Number:** P/2019/0933

By: Wrexham County Borough Council

Approved Details: Waterco FCA and Drainage Strategy January 2018

12443-2000-R02 proposed drainage layout

12443-2400-R01 Flow control chamber

12443-2010-R00 Overland flow route plan

12443-2100-R01 Attenuation pond

12443-2402-R00 Outfall headwall

12443-2401-R00 Filter Drain

HOLD 38000 A Holding tanks

Waterco Infiltration test report February 2020

Waterco SuDS Maintenance schedules

18. Prior to the first use of the development hereby approved, junction warning Vehicle Operated Signs (VAS) shall be erected to the east and west of the junction of Cinders Lane and the A539 junction in accordance with detail which has been submitted to and approved in writing by the local planning authority. The signage shall be installed in accordance with the approved scheme and retained for the lifetime of the development.

Date Approved: 17/8/2020 **Reference Number:** P/2019/0933

By: Wrexham County Borough Council

Approved Details: SK21685 13 and 14 Advance warning signage

19. Condition amended by appeal decision APP/H6955/A/19/3242966

P/2019/0455 to read:

No construction deliveries shall take place outside the hours of 0730 and 1800 Monday to Friday, and 0800 to 1400 on a Saturday and at no time on a Sunday, Bank or Public Holiday.

20 . Condition added by appeal decision APP/H6955/A/19/3242966

P/2019/0455 dated 20/4/2020

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Manure shall not be collected on Saturdays, Sundays or Bank and Public Holidays

21. Condition 20 re-numbered by appeal decision APP/H6955/A/19/3242966 P/2019/0455 dated 20/4/2020

Prior to the commencement of the development a construction and operational traffic management plan including provision for contractor parking shall be submitted to and approved in writing by the Local Planning Authority. The plans as approved shall be fully implemented and maintained for the duration of the use hereby permitted.

Date Approved: 17/8/2020 **Reference Number:** P/2019/0933

By: Wrexham County Borough Council

Approved Details: SK Transport and Construction Operational Management Plan

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To define the scope of the planning permission
3. Use restriction
4. In the interests of the visual amenity of the area and to ensure that the development accords with policy GDP1.
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7. In order to ensure that the development makes a positive contribution to the locality in accordance with policy GDP1.
8. To ensure the work is carried out to accepted arboricultural practices for the long term wellbeing of the tree(s).
9. In order that the development makes provision for species which are protected by statute and in the interests of their habitat.
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13. In the interests of highway safety and compliance with policy GDP1.
14. In the interests of highway safety and compliance with policy GDP1.
15. To ensure the formation and construction of a satisfactory access and parking facilities in the interests of highway safety in accordance with policies GDP1 and T8.
16. In or order to ensure that the development provides for a safe means of access to the site in the interests of policy GDP1.
17. To ensure satisfactory drainage of the site and to avoid flooding in accordance with policy EC13.
18. In the interests of highway safety.
19. To protect the amenities of the occupiers of nearby properties.
- 20 and 21. In the interests of highway safety and the amenities of the occupiers of nearby properties.



Officer Appointed for this purpose
Head of Environment and Planning

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