

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	PETER HUGHES	Code Number	MAR P/2020/0690
Agent	PETER HUGHES OLD SONTLEY HALL SONTLEY WREXHAM LL13 0YW	Date Received	15/09/2020
		Decision Date	08/01/2021

Town and Country Planning Act, 1990

Location of application

OLD SONTLEY HALL, , SONTLEY, WREXHAM, , LL13 0YW

Description of application

ADEILAD AMAETHYDDOL AR GYFER GWARTHEG GODRO /
AGRICULTURAL BUILDING FOR DAIRY COWS

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

EC12	Development and flood risk
EC13	Surface water run-off
EC3	Agricultural Buildings
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
EC9	Listed buildings of special architectural or historic interest
GDP1	Development objectives
PS2	Development and the environment

Revision	Date	Description of Decision
0	08/01/2021	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) received 5/11/2020 and 7/12/2020 and as contained within the application documentation.

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3. Prior to their use on the development details of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

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.

Note(s) to applicant

Natural Resources Wales advice

The applicant has confirmed and annotated a plan that indicates the proposed building will not be over the existing culverted ordinary watercourse. The Lead Local Flood Authority had also raised this constraint. The Lead Local Flood Authority should be satisfied with the latest submissions and that existing known flood risk will not be exacerbated.

The applicant has confirmed that there will be no additional ground raising, other than building footprint which will be offset by removal of existing buildings on an existing concrete apron, i.e. the removal of and construction of buildings remains within the curtilage of the farm and will be no closer to the Gefeiliau Brook.

The applicant has confirmed that they manage any existing flooding problems on site by using a tractor driven pump. Whilst this is acknowledged, the opportunity should be taken to utilise flood resistant techniques in the new build, where appropriate and ensure that all potential operatives on site are aware of the management plan to be adopted during extreme weather, including flooding.

We suggested that annotated site photos would assist all parties. These would help further understand of the submitted annotated layout plan but is not considered a key element to overcoming our concerns. The proposals to minimise the quantities of dirty water generated are acknowledged but this in turn will increase the quantity of clean water being

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discharged directly into the adjacent watercourse.

As indicated by the Local Flood Authority, SAB approval will be required which will need to consider and adopt attenuation of the increased surface water.

Protected Species

We note that there is no information about protected species (Great Crested Newts, bats, otters) with the application, and therefore are assuming that your Authority has screened the application and concluded that there is not a reasonable likelihood of protected species being present.

Other matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details. If you have any queries concerning the above, please contact me on the details below.

Advice for the Developer:

Slurry Storage:

Under the terms of The Water Resources (Control of Pollution) (Silage, Slurry and Agriculture Fuel Oil) (Wales) Regulations 2010, there is a legal requirement for the applicants to notify the NRW at least 14 days before the new structure is brought into use. To assist with this notification a WQE3 form is available for completion by the applicants, on the following link:

<https://cdn.naturalresources.wales/media/678331/nrw-wqe3.pdf?mode=pad&rnd=131596232100000000>.

Environmental Management:

Any waste excavation material, demolition or building waste generated in the course of the development must be disposed of satisfactorily in accordance with duty of care requirements under section 34 of the Environmental Protection Act 1990. The waste shall be transported using registered waste carriers to suitably permitted or exempt sites. Transfer notes shall be kept for each load for a minimum of 2 years.

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The importing of inert waste onto the site for storage or use in construction, maintenance or improvement works, for example hardcore, soils, must be registered with Natural Resources Wales under The Environmental Permitting (England and Wales) Regulations 2016 and comply with the conditions of the relevant permit. It should be noted that the registration of some exempt activities for the use of waste material for relevant works require a 25-working day consultation period. This is to allow assessment, determination and authorisation prior to commencement of any activity authorised under the relevant permit from The Environmental Permitting (England and Wales) Regulations 2016.

The applicants must minimise discolouration to the watercourse from the construction works. Silty water should be treated, either through the use of settlement lagoons, or tanks, or discharged across a grassed area. For work in river channels the use of coffer dams is recommended, to keep river water out of the working area. River crossings must be kept free from mud or dust deposits. Oil and chemical storage must be kept away from the watercourse, on an impervious base, within a bund, and secured. Absorbents or a suitable spill kit must be kept on site for use in the event of an emergency. NRW should be notified

www.naturalresourceswales.gov.uk

www.cyfoethnaturiolcymru.gov.uk Page 4 of 4

immediately of such an occurrence. The mixing, use and washing of machinery and shuttering of wet concrete and cement must be carefully controlled to minimise the risk of any material entering the watercourse. The applicant is advised to follow the guidance within Guidance for Pollution Prevention 5 Works and maintenance in or near water:

<http://www.netregs.org.uk/media/1415/gpp-5-works-and-maintenance-in-or-near-water.pdf>

We advise that in addition to planning permission, it is the applicant's responsibility to ensure that they secure all other permits/consents relevant to their development.

SuDS Approving Body Approval Requirement

As you will be aware, from the 7th of January 2019 any new development of more than one dwelling or that involves construction work of more than 100m² is required to obtain approval from the SuDS Approving Body (SAB) prior to the commencement of those construction works. No formal application for SAB approval or request for pre application SAB advice has been received to date. It is likely from the information provided that SAB approval will be

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required in this instance, however, due to the scale and nature of the development it is likely that a compliant sustainable surface water management scheme can be delivered.

If the application were to be approved, I would request the following note to applicant be included on any permissions to re emphasis the requirement to obtain full SAB approval prior to the commencement of any construction works on site:

Note to Applicant - SAB Approval Required

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage:

https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk.

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 Environment and Planning Department on 01978 315300 for further advice and information.

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

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The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60, Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.



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