

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	MR HANMER HANMER FARMS	Code Number	HAN P/2020/0053
Agent	ROGER PARRY AND PARTNERS LLP MR RICHARD CORBETT THE ESTATES OFFICE 20 SALOP ROAD OSWESTRY SY11 2NU	Date Received	28/01/2020
		Decision Date	15/10/2020

Town and Country Planning Act, 1990

Location of application

MEREHEAD DAIRY UNIT, BIG AROWRY, BETTISFIELD, WHITCHURCH,
SY13 3EJ

Description of application

CONSTRUCTION OF NEW MILKING PARLOUR AND HANDLING AREA
AND ALL ASSOCIATED WORKS

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

CLF6	Informal recreation - rights of way
EC13	Surface water run-off
EC3	Agricultural Buildings
EC4	Hedgerows, Trees and Woodland
EC5	Special Landscape Areas
EC6	Biodiversity Conservation
GDP1	Development objectives
PS2	Development and the environment

Revision	Date	Description of Decision
0	15/10/2020	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.

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2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:

1. Location Plan
1. Drainage plan
3. Proposed site plan

4. Floor plan and elevations

Highways statement HPS including junction widening proposals

Ecological Appraisal, Merehead Farm, July 2019

Ammonia Report AS Modelling and Data Ltd 7 April 2020

and as contained within the application documentation.

3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.

4. Within 3 months of commencement of development on site, full details of both hard and soft landscape works, to include the access works and some native planting for the site shall be submitted to and approved in writing by the Local Planning Authority. The plan shall provide for ecological improvement / habitat creation and enhancement in the soft landscape areas for the benefit of biodiversity conservation specifically tailored to the landscape features. The works shall be carried out prior to the occupation of any part of the development, with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use.

5. The landscaping scheme submitted and approved in connection with condition no. 4 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

6. The landscaping scheme as carried out in connection with condition no. 5 shall be retained for a minimum of five years. Within this timescale, any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

7. No development, with the potential to impact on invasive species, shall commence until a site wide Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation.

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8. Prior to first use of the development the site shall be laid out in strict accordance with layout plan(s) No. 3 and the access widening plans contained within the transport assessment.

9. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 20 metres behind the adjoining highway.

10. There shall be no gates or other means of enclosure across the vehicular access point within 20 metres of the highway boundary.

11. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

12. No part of the development shall be commenced until a scheme detailing the construction of the following has been submitted to and approved in writing by the Local Planning Authority:

out to the satisfaction of the Local Planning Authority.

1) Detailed layout, design and drainage of the improved access including re-instatement of verges

2) Passing bays

The development shall be brought into use until access works have been carried out in accordance with the approved details.

13. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment as carried out by Greenscape Environmental approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

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.

4. 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.

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7. This condition is required to ensure that an approved Biosecurity Risk Assessment is implemented for measures to control the spread and effective management of any invasive non-native species at the site.
8. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
13. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

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 development is adjacent to a public right of way No. 5 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.

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The proposed access/verge works should be constructed to a standard suitable for adoption by the Council for future maintenance at the public expense, and the developer will need to enter into an agreement with the Council under S38/278 of the Highways Act 1980.

You are advised that the Highway authority will require such works to be completed to their satisfaction before they will adopt the relevant highway works for public use and to be maintained at public expense. This will include the provision of a bond to cover the estimated value of such works. The appropriate fees will become due to the Council when the highway authority approves the proposed works to be carried out.

The Applicant is advised that under the Environmental Protection Act 1990, dust from construction and/or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Housing and Public Protection 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.

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.

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

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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.

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. Furthermore the surface water drainage systems serving proposals of greater than one property will be subject to adoption by the SAB and must be constructed in such a manner as to be compliant with new national statutory standards. Given the potential implications for your development, in particular its layout, it is essential that you satisfy yourself as to whether SAB approval is required, and if so, that you can demonstrate that the surface water drainage arrangements will be compliant with the national standards.

While it is possible to seek planning permission in isolation of seeking SAB approval we emphasise the risk in pursuing such an approach. The earlier it can be determined that your proposals are compliant with the new standards the less chance of delay, wasted effort and costs for all parties involved. These comments are made in advance of any formal response from either the SAB or the Lead Local Flood Authority through the normal planning application consultation process to allow your early consideration of the implications of the new legislative requirements for your proposed development.

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.

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**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