

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	Surface water run-off
EC3	Agricultural Buildings
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	04/03/2019	Planning permission issued
1	20/4/2020	P/2019/0455 Variation of condition 19 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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**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

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.
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

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(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.

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.

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.

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

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newt mitigation, compensatory measures and management regime. The 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.

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.

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.

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.

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

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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;

- 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.

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.

19. Subject to the exceptions detailed separately in this condition, all works in relation to the implementation of this permission, including deliveries to or from the site shall be undertaken only between the hours of 07:30 and 18:00 Monday to Friday, and 08:00 to 14:00 on a Saturday and at no time on a Sunday, Bank or Public Holiday. Vehicles associated with the delivery or collection of the birds shall be allowed to be on site from 06:30 hours with loading and unloading taking place from 07:00 hours. The removal of manure

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from the site shall not take place on Saturdays, Sundays, and Bank or Public Holidays.

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

P/2019/0455 dated 20/4/2020 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

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.

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.
5. 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.

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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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11. In order that the development makes provision for species which are protected by statute and in the interests of their habitat.
12. In order that the development makes provision for species which are protected by statute and in the interests of their habitat.
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 and 20. To protect the amenities of the occupiers of nearby properties.
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

**In pursuance of its powers under the Acts
an 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**