

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/19/3242966

A. APPELLANT DETAILS

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

Name Mr Harry Williams-Wynn (c/o Carter Jonas LLP)

Company/Group Name Soaltar Ltd

B. AGENT DETAILS

Do you have an Agent acting on your behalf? Yes ☒ No ☐

Name Mr James Warrington

Company/Group Name WSP Indigo

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority Wrexham County Borough Council

LPA reference number P/2019/0455

Date of the application 13/06/2019

Did the LPA issue a decision? Yes ☒ No ☐

Date of LPA's decision 07/10/2019

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
Cinders Farm
Cinders
Ruabon
Wrexham
Grid Ref Easting: 332395
Grid Ref Northing: 343826

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.

Application for variation of condition 19 imposed under planning permission P/2018/0577 relating to hours / days of operation.

Area (in hectares) of the whole appeal site [e.g. 1234.56]	4.9 hectare(s)
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Area of floor space of proposed development (in square metres)	11998 sq metre(s)
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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	☒
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(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land?	Yes	☒ No	☐
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(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts?	Yes	☐ No	☒
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2. Hearing	☐
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3. Inquiry	☐
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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

☒ see 'Appeal Documents' section

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:

Persicle Ltd

Date the notice was served:

11/12/2019

Owner's Name:

Richard William Kenrick Price

Date the notice was served:

11/12/2019

Owner's Name:

David Heneage Wynne-Finch

Date the notice was served:

11/12/2019

Owner's Name:

Rupert Thomas Mead

Date the notice was served:

11/12/2019

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:

Wynnstay Home Farm Partnership

Address at which notice was served:

c/o The Wynnstay Estate Office, Unit 1 Rose Hill, Erbistock, Wrexham, LL13 0DE

Date the notice was served:

11/12/2019

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:	bfn.001.JW let.001.JW. Cinders Farm Appeal - List of Appeal Submission Documents.pdf
File name:	Statement of Case (Ref rpt.001.JW.25100002) December 2019.pdf
File name:	SoC Appendix 12 - Wrexham UDP Policy GDP1 excerpt.pdf
File name:	SoC Appendix 15 -WCBC Highways consultation response to P20190455.pdf
File name:	SoC Appendix 2 - Site Location Plan.pdf
File name:	SoC Appendix 6 - Existing Site Plan.pdf
File name:	SoC Appendix 18 - Maelor Foods Appeal Decisions.pdf
File name:	SoC Appendix 9 - Approved highways drawings combined.pdf
File name:	SoC Appendix 1 - P_2019_0455 - Decison Notice.pdf
File name:	SoC Appendix 13 - Planning Policy Wales Technical Advice Note 18 (TAN18) and Technical Advice Note 23 (TAN23) combined.pdf
File name:	SoC Appendix 11 - Environmental Perit and Decision Document combined.pdf
File name:	SoC Appendix 17 - Talwrn Farm Appeal Decision.pdf
File name:	SoC Appendix 4 - P20190455 Committee Report .pdf
File name:	SoC Appendix 10 - Manure Management Plan.pdf
File name:	SoC Appendix 19 - Socio-Economic Statement .pdf
File name:	SoC Appendix 16 - WCBC Public Protection consultation response to P20190455.pdf
File name:	SoC Appendix 5 - Photographs of Site.pdf
File name:	SoC Appendix 3 - P20180577 Decision Notice.pdf
File name:	SoC Appendix 7 - Approved buildings and plant.pdf
File name:	SoC Appendix 8 - Approved landscaping drawings combined.pdf
File name:	SoC Appendix 14 - Approved Environmental Statement Part 2.pdf
File name:	SoC Appendix 14 - Approved Environmental Statement Part 1.pdf
Relates to Section:	COSTS
Document Description:	Details of costs application relating to the appeal.
File name:	Outline of a Basis for Full Claim of Costs Against The Council December 2019.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application form sent to the LPA.
File name:	Application Form P20190455 June 2019.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:	Application Form P20190455 June 2019.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued).
File name:	SoC Appendix 1 - P_2019_0455 - Decison Notice.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:	SoC Appendix 2 - GM-MZ228-191 Site Location Plan A3 25 January 2018.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:	List of Documents Submitted with Application Refs P20180577 and P20190455.pdf
File name:	Supporting Statement for S73 Application June 2019.pdf
File name:	Application Form P20190455 June 2019.pdf
File name:	SK-05 Site Access Junction.pdf
File name:	SoC Appendix 9 - SK21685-20 – Cinders Lane Proposed Passing Bays (2 x HGV and 1 x Private Car Bay) A3 20 February 2019.pdf
File name:	Design and Access Statement.pdf
File name:	SoC Appendix 6 - 755-0717-T Existing Site Plan A3 5 January 2018.pdf
File name:	Planning Statement.pdf
File name:	SoC Appendix 9 - SK21685-09 Rev A – Priority Junction Achievable Visibility Splays Topo Base A3 1 December 2018.pdf
File name:	SoC Appendix 7 - GM-MZ228-207 – Substation Elevations and Floor Plans A3 25 January 2019.pdf
File name:	SK-02 HGV Access Route.pdf
File name:	303 Attenuation Pond.pdf
File name:	SoC Appendix 7 - Q9222653-KNI-206 – Energy Distribution Building Elevations and Plans A3 9 January 2018.pdf
File name:	SoC Appendix 2 - GM-MZ228-191 Site Location Plan A3 25 January 2018.pdf
File name:	SoC Appendix 7 - Q9222653-KNI-205 – Generator Elevations and Plan A3 9 January 2018.pdf
File name:	SO9307~1.PDF
File name:	SoC Appendix 9 - SK21685-10 Rev A – Priority Junction Achievable Visibility Splays Topo Base A3 1 December 2018.pdf
File name:	SoC Appendix 7 - GM-MZ228-201(A) - Livestock Rearing House Elevations A1 25 January 2018.pdf
File name:	SoC Appendix 7 - GM-MZ-228-201(C) – Livestock Rearing House Roof Plan A0 25 January 2018.pdf
File name:	SoC Appendix 7 - GM-MZ228-204 – Water Tank & Gas Tanks A3 25 January 2018.pdf
File name:	SoC Appendix 7 - GM-MZ228-201(B) – Livestock Rearing House Floor Plan A0 25 January 2018.pdf
File name:	SoC Appendix 7 - GM-MZ228-202 Biomass Building Elevations A2 25 January 2018.pdf
File name:	SoC Appendix 9 - SK21685-11 Rev A – Priority Junction Max Legal Artic Swept Path Analysis A3 1 December 2018.pdf
File name:	SoC Appendix 7 - GM-MZ228-181 Site Layout Plan A0 25 January 2018.pdf
File name:	ApplicationForm P20180577 June 2018.pdf
File name:	let.040.GM.PF Application Cover Letter.pdf
File name:	SoC Appendix 8 - GM-MZ228-301 – Site Sections A1 25 January 2018.pdf
File name:	SoC Appendix 8 - 1484.06 Rev A – Off-site Hedgerows A1 4 December 2018.pdf
File name:	SoC Appendix 14 - ES Vol 1 (NTS) (ref Vol.I.25100001) February 2018.pdf
File name:	SK-06 Passing Bays.pdf
File name:	SoC Appendix 14 - ES Vol 2 (Main Report) (ref Vol.II.25100001) February 2018.pdf

File name:	SoC Appendix 7 - GM-MZ228-203 – Gatehouse Elevations A3 25 January 2018.pdf
File name:	SK-04 Junction Visibility Splays.pdf
File name:	Statement of Community Engagement June 2018.pdf
File name:	SoC Appendix 8 - 1484.04 – LandscapeBiodiversity Proposals A1 16 January 2018.pdf
File name:	SoC Appendix 14 - ES Vol 3 (Appendices) (ref Vol.III.25100001) Part 1 February 2018.pdf
File name:	SoC Appendix 14 - ES Vol 3 (Appendices) (ref Vol.III.25100001) Part 2 February 2018.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	11. A copy of the original permission with the condition attached if the appeal is against the LPA's refusal or failure to decide an application which relates to a condition.
File name:	SoC Appendix 3 - P20180577 Decision Notice 12 July 2018.pdf
Completed by	MR JAMES WARRINGTON
Date	11/12/2019 12:16:53