

Clare Whiting

From: Philip Forster
Sent: 08 January 2018 08:26
To: planning_admin
Subject: FW: Your ref: je/CAS-48533-L0C5 Our Ref: P/2017/0975 NRW:01051892

P/2017/0975 NRW response

From: Philip Forster
Sent: 08 January 2018 08:24
To: 'North Planning'
Subject: RE: Your ref: je/CAS-48533-L0C5 Our Ref: P/2017/0975 NRW:01051892

Good morning Joy,

My apologies for the delay in acknowledging your email and thank you for your prompt response. Prior to me making my recommendation I will indeed make the applicant aware of these comments. If it is the case the use of earth bunding will be non compliant with the SSAFO regs, then it would be remiss of the LPA not to make the applicant aware at this stage.

Many thanks once again.

Regards

Phil
Philip Forster
Swyddog Cynllunio/Planning Officer
Rheoli Datblygu /Development Control



01978 298786
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From: North Planning [mailto:NorthPlanning@cyfoethnaturiolcymru.gov.uk]
Sent: 04 January 2018 13:12
To: Philip Forster
Cc: LPA Flintshire Planning
Subject: RE: Your ref: je/CAS-48533-L0C5 Our Ref: P/2017/0975 NRW:01051892

FAO Philip Forster

Re: The Brook, Eglwys Cross - P/2017/0975

Dear Phil,

Thank you for your email dated 2 January 2018, in response to previous NRW advice.

Our concerns in relation to the proposal relate to the statement within the planning application that the walls of the structure will be profiled using soil, with outside grassed slopes for cattle grazing. Earth walls would not be compliant with the SSAFO Regulations.

Should your Authority consider that this detail falls foul of the guidance Para 1.2.4 of PPW, then the applicant should be made aware that the details he has provided to obtain planning permission do not meet the SSAFO Regulations and should be amended to demonstrate compliance. As you have suggested, this may also mean that he would be required to submit a new/amended planning application.

I would be grateful if you could forward our letter, dated 18 December 2017, (along with the guidance leaflet) to the applicant, in order that he is aware of the above.

Regards,

JOY EVANS

----- Original Message -----

From: Philip Forster

Received: Tue Jan 02 2018 11:20:33 GMT+0000 (GMT Standard Time)

To: North planning; North Planning Mailbox Queue

Subject: Your ref: je/CAS-48533-L0C5 Our Ref: P/2017/0975

FAO: Joy Evans

Thank you for your response in relation to the above mentioned matter.

On review of my file, whilst I appreciate that the plans are deficient in detail (scale etc.) I am satisfied that they provide me with sufficient detail to determine the contextual impact of the proposed installation.

The concerns raised in your response appear to be on the basis that the detail doesn't confirm that the development will be compliant with the Water Resources (Control of Pollution) Silage, Slurry and Agricultural Fuel Oil (Wales) Regulations 2010 (SSAFO). In this regard, I am to assume that the applicant will be required to make further applications to NRW for approval. This is what the attached guidance leaflet appears to be suggesting.

In this regard, whilst I will make the applicant aware of this issue, I wanted to gauge your opinion as to whether your requirement may fall foul of the guidance contained at paragraph 1.2.4 of Planning Policy Wales where it is clear that the planning system should not be used to secure objectives achievable under other legislation.

I understand that there links between the above objectives and the objectives of the planning system, but it would help me if you had any specific evidence or concerns that the proposed development could not meet the requirements of SSAFO in this location. Any changes that may be required to the overall design of the pit post

planning decision is a matter that the developer will need to rectify, even if a new application for planning permission is required.

Comments relating to protected species are noted.

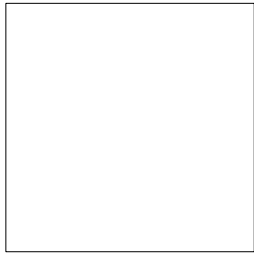
I look forward to your thoughts on this.

Regards

Phil

Philip Forster

Swyddog Cynllunio/Planning Officer
Rheoli Datblygu /Development Control



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We welcome correspondence in Welsh. We will respond to any correspondence in Welsh and this will not lead to any delay.

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