

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 JONES	Code Number	RUA P/2015/0024
Agent	ML PLANNING CONSULTANCY LTD MRS MELANIE LAWRENSON 5 BOBBIN MILL COTTAGE STUBBINS LANE CLAUGHTON ON BROOK PRESTON LANCASHIRE PR3 0PL	Date Received	13/01/2015
		Decision Date	27/02/2015

Town and Country Planning Act, 1990

Location of application

MORETON FARM, MORETON FARM ROAD, GYFELIA, WREXHAM, LL13 0YH

Description of application

ENGINEERING WORK TO FORM SLURRY LAGOON 50M WIDE AND 60M LONG WITH GRADED EARTH BANK AROUND EDGE

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

EC3	Agricultural Buildings
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
PS2	Development and the environment

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 amended plan(s) ML/RB/530 3A.
3. No part of the development shall commence until details of the proposed Reasonable Avoidance Measures (RAMs) have been submitted to

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and approved in writing by the Local Planning Authority. The details shall include the following:

- a) Details of a tool box talk on the identification and ecology of great crested newts to be made available to all construction staff employed on the project;
 - b) Details of an artificial amphibian hibernacula to be constructed adjacent to the site (Details of the design can be found in great crested newt mitigation guidelines - August 2001);
 - c) Details of a walk over survey of the site prior to commencement of development, and a destructive search (under the supervision of a licensed great crested newt handler) made of any potential great crested newt habitat (such as rubble piles or sheet materials that are on the site) on the site. Any amphibians found should be relocated to the artificial hibernacula;
 - d) Details of storage of material on pallets off the ground, and bulk materials which are to be delivered on site and used within the day of delivery.
 - e) Confirmation that excavated trenches will be covered over at the end of each working day with plywood and the edges sealed with sand or soil. Trenches are to be checked each morning for any amphibians. Any amphibians located are to be moved to the artificial hibernacula. The development shall be carried out in strict accordance with the RAMs as are approved.
4. Within six months of the first use of the development, trees and shrubs shall be planted on the site in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.
 5. The planting scheme implemented in connection with condition no. 4 shall be permanently retained. Any planting which becomes 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 within the next available planting season by trees or shrubs of similar size and species to those originally required to be planted.
 6. No part of the development shall commence until a scheme of installation of the slurry lagoon, to include full structural details, has been submitted to, and approved in writing, by the Local Planning Authority. The development shall be implemented in strict accordance with the scheme as is approved.

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7. No part of the development shall commence until a fence has been erected which is a minimum of 3 metres from the boundary hedge in accordance with a scheme which has been submitted to and approved, in writing, by the Local Planning Authority. The details shall include the specification for the fencing.

8. The tree protection fencing and ground protection measures approved in connection with condition no. 08 shall be kept in place until all external site works have been completed and the removal of the fencing has been approved in writing by the Local Planning Authority.

9. Within six months of first use of the development a boundary treatment scheme shall be fully implemented in accordance with details which have been submitted to and approved, in writing, by the Local Planning Authority. The boundary treatment as is approved and implemented shall thereafter be permanently retained.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure that the development fully complies with the appropriate policies and standards.
3. To protect named species/habitats/biodiversity which would otherwise be damaged/lost by the development hereby permitted.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
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6. To protect controlled waters.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
8. To ensure that the retained trees are adequately protected during development in the interests of amenity.
9. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

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Note(s) to applicant

The applicant has referred to the Environment Agency legacy guidance document 'Soil Suitability and Testing for Earth Lined Slurry Lagoons (2013)'. This document summarises the necessary soil characteristics and tests for constructing an earth bank slurry lagoon.

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 Housing and Public Protection Department on 01978 315300 for further advice and information.



Officer Appointed for this purpose
Head of Community Wellbeing and Development

Refer to the Statement of Applicant's Rights and General Information enclosed or refer to the following link:-

http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm