

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



|                  |                                                                                                         |                      |                 |
|------------------|---------------------------------------------------------------------------------------------------------|----------------------|-----------------|
| <b>Applicant</b> | P N & J A TOMLINSON<br>TOMLINSON'S DAIRIES LTD                                                          | <b>Code No</b>       | MIN P/2012/0255 |
| <b>Agent</b>     | HASTON REYNOLDS LTD<br>MR DAVID HASTON<br>WOODLANDS BARN<br>WALTONG<br>TELFORD<br>SHROPSHIRE<br>TF6 6AN | <b>Date Received</b> | 04/04/2012      |
|                  |                                                                                                         | <b>Decision Date</b> | 22/05/2012      |

### Town and Country Planning Act, 1990

#### **Location of application**

PEN Y PALMANT FARM, OLD ROAD, MINERA, WREXHAM, LL11 3YR

#### **Description of application**

TEMPORARY RETENTION OF VEHICLE PARKING AREA (PREVIOUSLY APPROVED UNDER PLANNING PERMISSION P/2010/0074 FOR A FURTHER PERIOD OF 12 MONTHS)

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

|      |                                 |
|------|---------------------------------|
| EC1  | Green Barriers                  |
| EC13 | Surface water run-off           |
| EC4  | Hedgerows, Trees and Woodland   |
| GDP1 | Development objectives          |
| PS2  | Development and the environment |
| PS4  | Settlement Pattern              |
| T8   | Parking                         |

#### **Particulars of decision that permission be GRANTED Subject to the following:-**

##### **Condition(s)**

1. This permission shall not enure for the benefit of the land but shall operate for the benefit of P N and J A Tomlinson/Tomlinsons Dairies Ltd. The use shall cease when he/she discontinues that use, or on 30/6/2013 whichever is the earlier and thereafter the use shall be abandoned. The land shall be restored to its previous condition not later than two months after that date.
2. The development shall only be carried out in strict accordance with the

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details shown on the approved drawing(s) dated 4/4/2012 and as contained within the application documentation.

3. No trees or hedges shall be lopped, topped, felled or uprooted without the prior written permission of the Local Planning Authority, nor shall any trees or hedges be wilfully damaged.
4. The vehicular parking and turning areas as shown on approved drawing no. A3-PL-02 shall be fully laid out, surfaced and drained prior to first use of the development. These areas shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times.
5. No outside storage shall take place in the open on any part of the site.
6. No vehicle maintenance shall take place from the site.
7. No heavy goods vehicles shall be parked within the area shown edged green on the attached plan.
8. No vehicles shall be parked within the area hatched yellow and edged blue on the attached plan.

#### **Reason(s)**

1. To safeguard the visual amenity and open character of the area.
2. To ensure that the development fully complies with the appropriate policies and standards.
3. To protect trees which are of significant amenity value to the area.
4. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety.
5. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
8. In the interests of highway safety.

#### **Note(s) to applicant**

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

|                  |                                                                                                         |                      |                 |
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- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding

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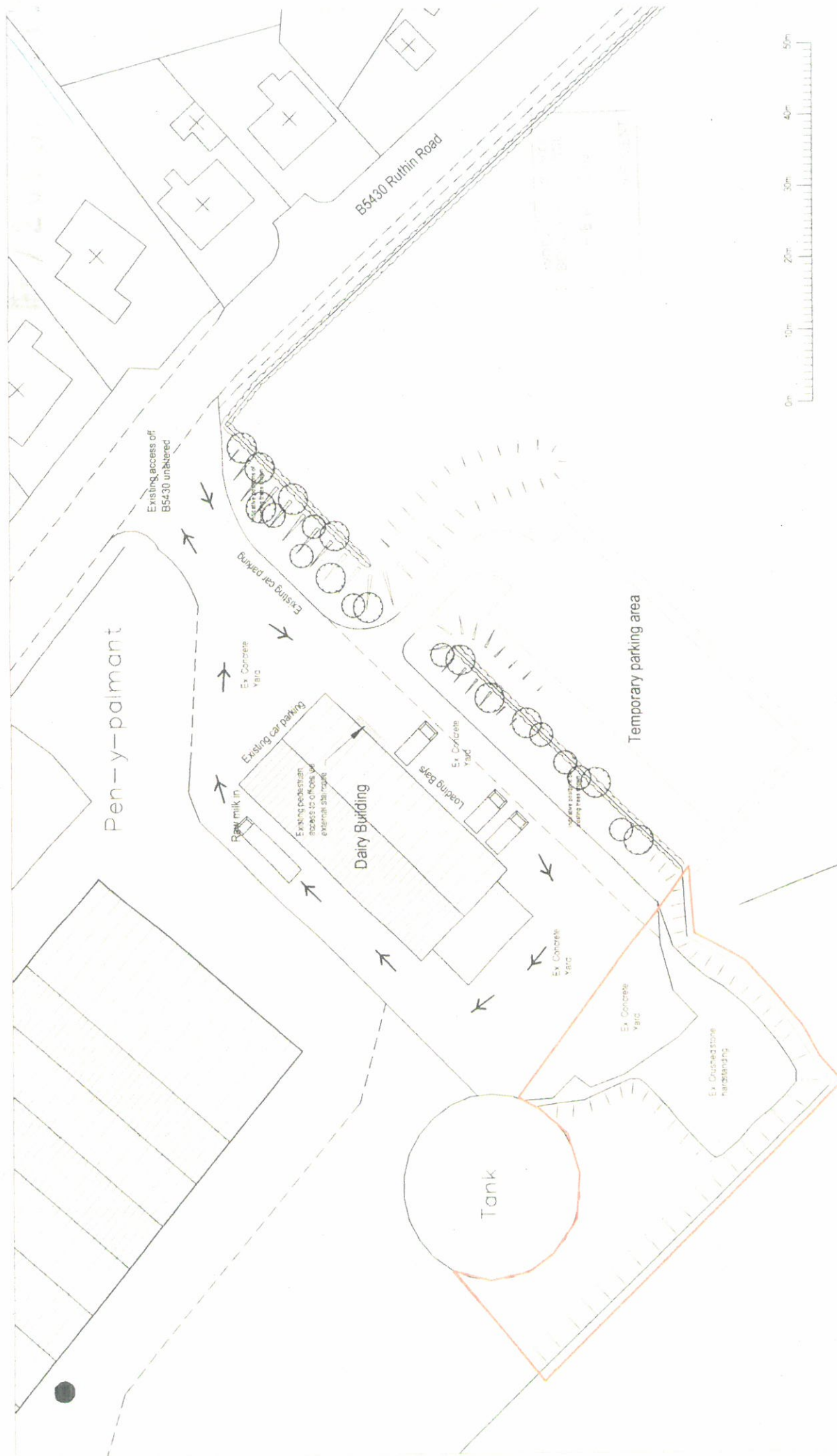
vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)

You are reminded that the Disability Discrimination Act 1995 applies to this development.

This permission does not authorise any tipping of waste materials on the site.

**Officer Appointed for this purpose**  
**Refer to the Statement of Applicant's Rights and General Information Enclosed**

**Head of Community Wellbeing and Development, Lambpit Street, Wrexham,  
LL11 1AR**



Do not scale off printed drawings

**HASTON REYNOLDS**  
 CHARTERED SURVEYORS  
 44 (0) 1822 84 05 45  
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|                                   |                   |                         |                     |
|-----------------------------------|-------------------|-------------------------|---------------------|
| DATE Feb 2008                     | SCALE 1/500 at A3 | JOB TITLE               | DRAWING TITLE       |
| ORIGIN Cdsi                       | VERIFIED DAH      | Tomlinson's Dairies Ltd | Existing Block Plan |
| FILE NAME Penypalmanthardstanding | ISSUE Planning    | Pen-y-palant Farm       | REF H0070/4         |
|                                   |                   | Minera                  | DWG NA3/002         |
|                                   |                   | Wrexham                 |                     |

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