Appendices

1. Copy of application information for 6/22611, committee report, and decision notice dated 19.10.1994

2. Copy of Supporting Information statement for application P/2007/1323

3. Copy of Aerial photos and Google Street View photos

4. Copy of committee report, decision and approved plan for P/2008/0247

5 Copy of planning decision notice P/2012/0255

CYNGOR BWRDEISDREF
Wrecsam Maelor

Appendix 1

Wrexham Maelor
BOROUGH COUNCIL

THE GUILDHALL,
WREXHAM,
CLWYD,
LL11 1AY.

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In pursuance of its powers under the Acts and Orders referred to below, the Borough Council, as District Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application.

Applicant: R.E. & E.M. Tomlinson & Sons

Agent: Peter W. Danks,
Reading Agricultural Consultants,
Races Farm,
Aston Tirrold,
Didcot, Oxon. OX11 9DJ

Code Number: MIN 22611

Date received: 19th July 1994

Decision date: 19th October 1994

Town and Country Planning Act 1990
Town and Country Planning General Development Orders 1988

Grant of Planning Permission

LOCATION AND DESCRIPTION

PEN-Y-PALMANT FARM, MINERA

ALTERATIONS AND ADDITIONS TO EXISTING DAIRY UNIT AND AGRICULTURAL BUILDINGS

PARTICULARS OF DECISION
PERMISSION GRANTED

01 The development to which this permission relates shall begin not later than the expiration of 5 years from the date of this permission.

02 Samples of the external facing and roofing materials shall be submitted for further approval of the Council before development commences.

03 The landscaping scheme as approved (including noise baffling measures) shall be completed in all respects with the exception of tree and shrub planting within 3 months of the first use of the buildings and the trees and shrubs shall be planted within 6 months of that first use. Any tree or shrub removed, dying, being severely damaged or becoming seriously diseased within 5 years from the completion of the scheme shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

04 The facilities indicated on the submitted plans to be provided for the loading, unloading, turning around and parking of vehicles shall be made available prior to the first use of the dairy building hereby approved and shall thereafter be retained to the satisfaction of the Council.

05 The dairy building hereby approved shall not be used until the new access onto Old Road as indicated on plan no. Plan RAC4, has been constructed in accordance with the approval plans.

06 Nothing shall be erected or allowed to grow within the proposed visibility splays as marked on the approved plans no. Plan RAC3 and Plan RAC4 to a height exceeding 1.0m above the level of the nearside edge of the adjoining carriageway.

07 The existing access points to be closed as part of the development as

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indicated on plan no. Plan RAC3 and Plan RAC4 shall be permanently closed to the satisfaction of the Council prior to the first use of the dairy building hereby approved.

08 No part of the cow kennel buildings to be erected adjacent to the road junction between Old Road and Penypalmant Road shall be erected at a distance less then 2m from the nearside edge of Old Road unless otherwise approved in writing by the Council.

09 Before development commences at the site, a detailed waste management plan shall be submitted to and approved by the Council.

10 Noise from the development as measured on any boundary of the site shall not exceed: 55 dB(A) expressed as a one hour Leq during the period 0700 hours to 2300 hours; and 40 dB(A) expressed as a 30 minute Leq during the period 2300 hours to 0700 hours.

REASON(S)

01 To comply with Section 91(3) of the Town and Country Planning Act 1990.

02 To ensure a satisfactory standard of development.

03 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect the amenities of the ocupiers of nearby properties.

04 To ensure that an adequate manoeuvring and parking space is available to serve the development in the interests of traffic safety.

05 6 and 7. In the interests of highway safety.

08 In order to retain visibility for motorists at the junction between Old Road and Penypalmant Road in the interests of highway safety.

09 In the interests of pollution control.

10 To ensure that the level of noise emanating from the building is reduced to levels which would not adversely affect the amenities of the occupiers of nearby properties.

Note(s) to Applicant:

01 You should ensure that any difference between the plans approved under the Town and Country Planning Act and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans to the respective Departments of the Council.

02 You are advised that the development must include works for the control of effluent which should be designed, constructed and maintained so as to comply fully with the Control of Pollution (silage, slurry and agricultural fuel oil) Regulations 1991. Accordingly, you are advised to contact the NRA's Pollution Control Department at Shire Hall, Mold,

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Clwyd, in order to discuss these matters.

03 The premises shall comply with the Food Safety Act 1990, and you should contact the Council's Chief Environmental Health Officer in connection therewith.

04 You are advised that the premises shall comply with the Health and Safety at Work, etc., Act, 1974 and you should contact Her Majesty's Health and Safety Executive, Crown Buildings, Wrexham in connection therewith.

05 You are advised that the provisions of the proposed Dairy Products (Hygiene) Regulations 1994 are due to come into force probably at the beginning of 1995. The regulations regarding the dairy and milking areas of the farm will be enforced by the Agricultural Department Advisory Service (ADAS) and the processing and bottling areas will be enforced by the Council's Chief Environmental Health Officer. Accordingly, you are advised to contact the relevant bodies for advice on the proposed development.

06 You are advised that this permission does not authorise any of the signs which are shown on the elevations of the dairy building. You are advised that the separate written consent of the Council must be obtained under the Town and Country Planning (Control of Advertisement) Regulations 1992.

07 Your attention is drawn to Highway Supplementary Notes Numbered 1, 3, 4 and 5 on the enclosed "Applicants' Rights and General Information".

08 It would be advantageous from a highway safety aspect to reduce the height of the existing highway stone wall to 1.0m at the junction between Pen-y-Palmant Road and Old Road.

G. J. Evans.

Officer appointed for this purpose

Refer to the Statement of Applicant's Rights and General Information enclosed.

IMPROVEMENTS TO EXISTING DAIRY UNIT AT PEN-Y-PALMANT FARM, MINERA, WREXHAM, CLWYD.

1. Introduction

1.1 This report provides further details to accompany the Planning Application to carry out works to improve the existing dairy unit and bottling plant at Pen-y-Palmant Farm, Minera, Wrexham, Clwyd. The report must be considered in conjunction with the plans (RAC1 - 15) submitted.

1.2 In order to improve the efficiency of the farm the applicant wishes to modify the buildings at Pen-y-Palmant Farm to provide improved cow-handling, milking parlour and housing. In order to improve the profitability of the enterprise it is also proposed to construct a new, purpose-built building to house a new milk treatment and bottling plant; this is to replace an existing building which is lacking in space for possible expansion and requires considerable reinvestment to bring it up to current hygiene standards. The improvements will in part be achieved by modernising the existing buildings and new structures will be kept to a minimum.

1.3 Consideration will to be given to the need for these new buildings, how the proposals will meet that need and how the environmental effects of the development have been taken into account by the careful design and siting of new buildings and structures and sympathetic re-use of existing buildings.

1.4 The unit is designed to have a low impact on the environment and makes use of modern design technology, materials and equipment.

2. Agricultural Need

2.1 The applicants, Messrs. R. E. & E. M. Tomlinson and Sons, of Pen-y-Palmant Farm, Minera farm 56 ha of land at this site, 44 ha of which are owned and 5.5 ha under a full agricultural tenancy. The remaining 6.5 ha are taken on a Gladstone -v- Bower tenancy and additional land is taken when available (see plans RAC1 & 2). The farm is best suited to livestock production and has 55.5 ha of grassland which is used for grazing and conservation. Of the grassland 70% is permanent and the remainder is part of a two year rotation with other forage crops, currently maize. The main livestock enterprise is a herd of 180 dairy cows with 120 followers.

2.2 Pen-y-Palmant Farm has traditionally been a dairy farm with the land well suited to that type of farming. It is the owner-occupier's wish to retain the farm in its current use. In order to do so they need to improve the efficiency of the unit to meet today's pressure to control costs by maximising feed usage and making full use of modern mechanisation and an improved environment, thus enabling labour to be used more efficiently and exert less stress on cows.

2.3 The farm currently comprises a range of buildings which have been developed in stages over a number of years to reach their current size and level of effectiveness (see Plan RAC6). The current buildings adequately house the number of stock kept on the farm at present but are too small to meet modern standards for available space. The existing buildings and facilities are inadequate because:

- the cubicle accommodation is too small for modern dairy stock;

- the feeding area is inadequately sized;

- the current milking parlour, which has been in use for more than 20 years, is of a design that has an inadequate throughput for the efficient milking of around 180 cows;

- the existing calf accommodation, contained in old buildings, does not meet today's welfare requirements;

- the existing storage of bulk fodder and other feedingstuffs for the cattle is insufficient to meet modern feeding and hygiene requirements;

- the existing treatment and bottling plant does not meet current hygiene Regulations and the local Environmental Health Officer has requested that improvements be undertaken;

- day-to-day vehicle access to Minera Old Road does not meet today's standards;

- day-to-day cow access to land to the north of the unit is not via facing gates; and

- the existing slurry and foul water handling and storage is inadequate and does not meet the recommendations of the current Codes of Good Agricultural Practice.

2.4 The unit requires considerable works to meet the demands of current legislation and Codes of Practice. It fails to meet the recommendations of the Codes of Good Agricultural Practice for the Protection of Air and Water, Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991 and the Welfare of Animals Regulations. The new unit is designed to meet all current legislation and Codes of Practice.

2.5 In order to provide a unit which meets all the current requirements of todays Codes and Regulations it is necessary to provide better facilities. This is the purpose of this proposal.

2.6 The majority of the improvements suggested are essential to the continuance of efficient agriculture at Pen-y-Palmant Farm. Whilst the proposed works are necessary, the upgrading of existing facilities alone does not itself generate income, therefore this submission includes a proposal to relocate and increase the size of the existing milk treatment and bottling plant to produce an increase in farm income and provide a reasonable return on capital employed in the business.

3. Building Facilities Required

3.1 In order to meet the needs outlined in section 2 the following facilities will be required:

a) new accommodation for 186 dairy cows in existing and new buildings comprising 932 m^2 of cubicle accommodation and 343 m^2 of feeding area (see plans RAC12 & 13);

b) access passage ways suitable for a tractor and trailed feeder to bring the food to the cows;

c) storage for 100 tonnes of feedstuffs (see Plan RAC12);

d) improved access for delivery vehicles and visitors;

e) a new milking parlour complete with collecting and dispersal yards, handling and washing facilities (see Plan RAC12);

f) a new milkroom to contain bulk milk tanks to store milk (see Plan RAC12);

g) facilities for the handling and storage of dirty water and slurry (see Plan RAC14);

h) improved calf and heifer accommodation for up to 120 animals (see Plan RAC8);

i) improved calving and loose boxes (see Plan RAC12);

j) improved access to the buildings from the surrounding land;

k) improved parking for farm and dairy staff (see Plan RAC7);

l) a new dairy to include milk storage, treatment and bottling plant with new farm and dairy office accommodation (see Plans RAC9 - 11); and

m) a new farm workshop and garage for milk delivery vehicles (see Plan RAC12).

4. Building Proposals

4.1 A full feasibility study to consider alternatives available for expansion of the unit was carried out by Messrs. R. E. & E. M. Tomlinson and Sons prior to these plans being drawn up. This study gave full consideration to the re-use of buildings existing on the farm and this is reflected in the nature of the proposals. New buildings have been proposed only where existing structures have been used for another purpose or the existing facilities are inadequate. The scale and extent of the new buildings is shown in Plan RAC7.

4.2 It is proposed that existing buildings, where possible and by the use of extensions consistent with the character of those buildings, will be used for housing and servicing the requirements of the dairy herd.

- The existing silage barn is to be extended to provide adequate cubicle accommodation for 54 cows and new calving and loose boxes;

- the main cubicle accommodation building is to be extended and fitted out with a new milking parlour, collecting yard and handling facilities;

- the current dairy is to be converted to hold bulk tanks, motors and other equipment ancillary to the milking parlour;

- the existing prefabricated concrete/wooden cubicle house is to be relocated in the northern corner of the unit and will provide calf and replacement heifer accommodation;

- a new single span agricultural building housing 132 cows will be erected on the former site of the concrete cubicles;

- a new workshop and feed store will be constructed as a lean-to against the existing silage barn; and

- the treatment and bottling plant, currently located adjacent to the main farm entrance will be moved to a new building to the south-east of the main buildings with associated car parking and vegetative screening.

4.3 Animals at the unit will be housed in cubicle accommodation based on a slurry system with automatic scrapers and free-flow underground channels to take it to the proposed new storage tank. Slurry will be applied to land according to a farm waste management plan prepared by Genus Management according to guidelines laid down by the National Rivers Authority. Dirty water produced at the unit will be treated and applied to land on an ad lib basis from a new reception tank. Overflow storage for excess dirty water will be provided by the new slurry storage tank (see Plan RAC14).

4.4 During the housing period the cows will be fed with a combination of bought-in feedingstuffs and home-produced silage. Silage will be made in two existing stores with a total capacity of 1500 tonnes. Bought-in food will be stored in a new lean-to against the silage barn (see para. 4.7).

4.5 It is proposed to demolish the building currently housing the dairy and bottling plant in order to improve visibility at the farm access. A new access with visibility splays meeting the requirements of Clwyd County Council's Highways Department is proposed to the south of the farm. This will ease access to the unit for agricultural and service vehicles whilst improving safety on Minera Old Road. As a result of the construction of the new access the Applicant will close the northernmost access to Minera Old Road and is willing to enter into an Agreement to limit access to the unit via the entrance immediately adjacent to the

farmhouse to domestic traffic and vehicles servicing the milking parlour (see Appendix I). Present and projected future traffic movements at Pen-y-Palmant Farm are outlined in Appendix II.

4.6 Existing calf and heifer accommodation is inadequate. The new calf and heifer building is sited in the northern corner of the farmstead and will replace a redundant stone building.

4.7 The existing silage barn, made redundant by the construction of new clamps on the southern boundary of the unit, will be extended and fitted with new cubicles and isolation boxes. A new lean-to on the southern wall of this building will provide storage for feedingstuffs and garage/workshop facilities for the farm and dairy. The new feed store will comply with the Codes of Recommendation for the Control of Salmonella.

4.8 It is proposed to construct a new cow access to the unit in Pen-y-Palmant Road in order to ease cow movements to and from grazing land to the north of the unit (see Plan RAC7). This access will solely be used for cow movements and has been the subject of discussions with the local Parish Council and residents. It is the opinion of all parties to the discussions that the provision of this new access would be a significant contribution to road safety in Pen-y-Palmant Road. If this access is not constructed cattle movements across Pen-y-Palmant Road will continue using the existing access points.

5. Environmental Considerations

5.1 Farm buildings are a significant component of most agricultural landscapes and the area around Pen-y-Palmant Farm is no exception, despite the encroachment of residential buildings in recent years. In order to minimise the potential adverse effects that the proposed development could have on the surrounding countryside and the village of Minera careful consideration has been given to the siting and nature of the new structures and extensions as well as to the soft landscaping around the development. The impact of the new unit should be less than the old.

5.2 All existing framed structures are roofed using natural-coloured cement sheeting which, over time, has toned down due to weathering and the growth of lichen. It is proposed that similar naturally coloured material will be used on all extensions to tone in with the existing buildings. The use of coloured sheeting in close association with the existing range of buildings has been rejected since it is felt that darker materials will never fully blend in. Extensions are all located within the existing farmstead and are designed so as not to present much obvious change to the casual observer.

5.3 The ridge heights of the proposed new cubicle house and dairy will be below those of the two existing adjoining buildings, and the roof spilt into two sections to break up the gable end, thus reducing any adverse effect it may have (see Plan RAC15). The elevations of all accommodation buildings will be clad using traditional space boarding over 2 metre high concrete blockwork walls. Gates into the building will be sheeted and painted dark green. The building will not be visually intrusive when viewed from either the direction of the village or neighbouring properties.

5.4 The unit is designed to provide cubicle accommodation for up to 186 milk cows based on straw bedding. Slurry will be removed from the building using automatic scrapers and free-flow slurry channels. Well-managed systems of this type do not normally produce offensive odours because fresh slurry is moved rapidly away from the confines of the buildings: however, there is a limited potential for odour production. Odour levels will be similar to those experienced today. The covering of the loafing area will significantly reduce the volume of slurry and dirty water produced so reducing the required storage volume. This will also have the effect of reducing overall odour emissions from the unit by cutting down the area of dirty concrete.

5.5 Given the above-mentioned conditions there will be no harmful effect on the neighbouring dwellings from odours generated by the unit. Any possible effects have been further mitigated by siting the structure most likely to give rise to offensive odours (i.e. the slurry and dirty water store) as far from dwellings as possible (Plan RAC14)

5.6 The improved unit is provided with new access to Minera Old Road and an Agreement to limit use of the existing entrance to domestic traffic and vehicles servicing the milking parlour is being sought by the Applicant. This will produce a significant improvement in road safety and be of considerable benefit to users of Minera Old Road.

5.8 The issue of noise affecting neighbouring dwellings has also been addressed by improving access to the site, easing the passage of heavy vehicles through the unit and providing improved manoeuvring and loading facilities.

5.9 The relocation and updating of the milking, treatment and bottling facilities will also have an effect on noise levels arising from the unit. Noise from modern vacuum and refrigeration plant is noticeably less than from the existing plant and the relocation of the equipment and provision of additional baffling will also have beneficial effects.

5.10 The relocation of the treatment and bottling plant has been carefully considered. The current site is inconvenient and cramped and does not lend itself readily to updating and improvement. The proposal is to demolish the existing building to improve visibility at the existing farm entrance and relocate the plant to the perimeter of the farmstead. In order to further reduce visual impact, the building, which is of necessity of two storey construction, has been built into the hillside. This effectively reduces the profile of the building when seen from Minera Old Road. The impact of the building when viewed from Minera and Coedpoeth will be mitigated by splitting the finishes on the elevations. The precise colours and finishes will be chosen in consultation with the Local Authority but are expected to be split between pointed stock bricks in the lower part of the building and matt finish red-brown fibre cement cladding similar to Colourfast Russett brown 04 C 39 (copy of sample attached at Appendix III), on the upper elevations. In order to further reduce the impact of the building it is proposed to roof the building using Thurrock slate blue 18 B 29 (or similar) coloured fibre cement sheeting and to fit dark grey rainwater goods and fittings. The gable ends of the building will be fitted with 225 mm barge boards in a similar finish to the roof to provide a highlight feature. Minimal exterior lighting to allow loading and unloading of milk floats will be attached to this building and an access light, triggered by people approaching the building, will be fitted to each door to meet with health and safety and security requirements. Area lighting attached to the building will be focused to prevent escape of light and annoyance to neighbours.

5.11 The construction of new buildings and improvements to farm units often presents an opportunity to plant of trees and shrubs around the site. This Application includes provision for the planting of trees and shrubs around the unit, details of which are attached at Appendix IV and Plan RAC5.

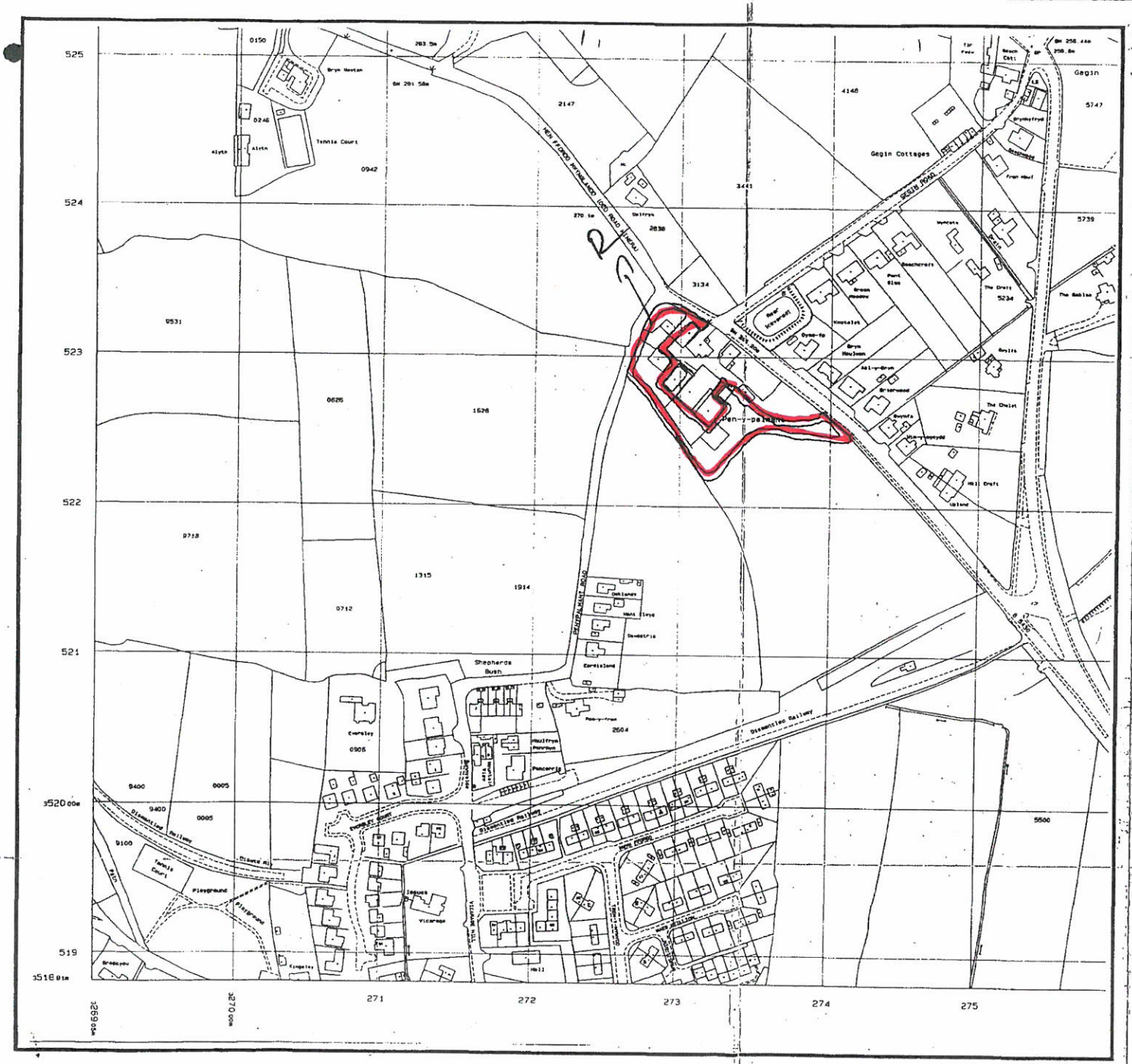
6. Conclusions

6.1 In order to improve the management of Pen-y-Palmant Farm and maintain its viability it is desirable to improve the existing dairy unit and relocate the milk treatment and bottling plant by undertaking improvements and additions to the existing complex of buildings.

6.2 The proposals as submitted meet that need with every care being taken to ensure that all environmental considerations have been answered. The improved unit will in future pose less of a nuisance to neighbouring properties than at present and minimise the impact of the unit on the environment.

List of plans attached to Application for Permission to expand existing dairy unit at Pem-y-Palmant Farm, Minera, for R. E. & E. M. Tomlinson and Sons.

RAC1	Extent of land in which Applicant has an interest.
RAC2	Location and extent of works.
RAC3	Layout of existing main entrance at Pen-y-Palmant Farm, showing proposed alterations. Visibility splays.
RAC4	Layout of proposed new access at Pen-y-Palmant Farm. Visibility splays.
RAC5	Proposed planting of landscaped areas associated with new developments.
RAC6	Location and uses of existing buildings at Pen-y-Palmant.
RAC7	Location and uses of new buildings at Pen-y-Palmant.
RAC8	Layout and elevations of proposed new youngstock accommodation.
RAC9	Layout of proposed new dairy and bottling plant.
RAC10 (a)	Elevations of proposed new dairy and bottling plant (North & South).
RAC10 (b)	Elevations of proposed new dairy and bottling plant (East & West).
RAC 11	Elevations of proposed new dairy and bottling plant showing surface finishes.
RAC12	Layout of proposed extensions to the existing main accommodation building.
RAC13	Elevations of proposed extensions to the existing main accommodation building.
RAC14	Layout and elevations of proposed new slurry and dirty water containment facilities.
RAC15	Relative elevations of proposed development.



R. E. & E. H. Tomlinson,
Pen-y-Palmant Farm,
Minera, Clwyd.

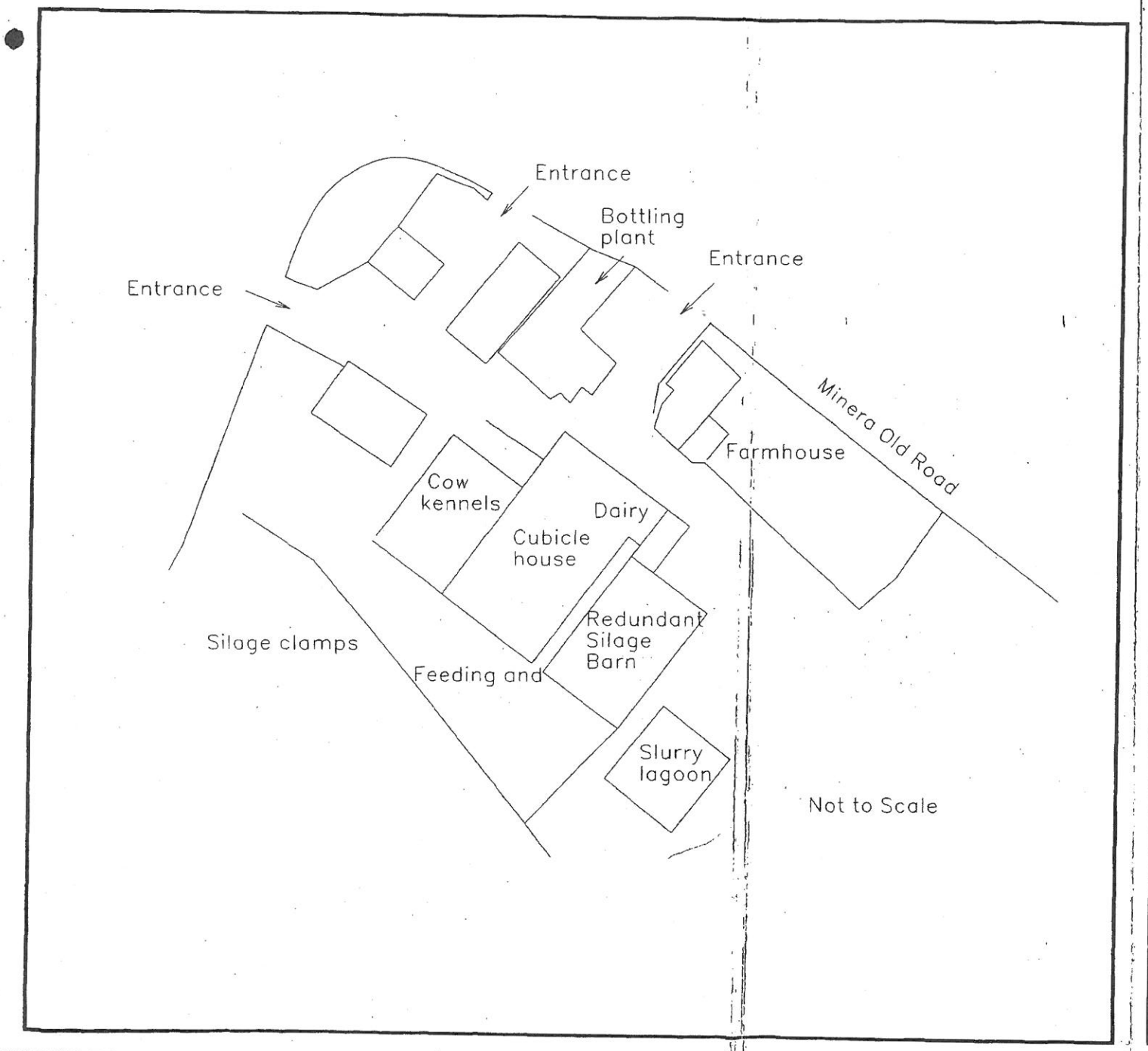
Proposed alterations to existing dairy unit and construction of new treatment and bottling plant.

Location and extent of works

pwd/917 May 1994

Plan RAC2

Reading Agricultural Consultants
Races Farm, Aston Street, Aston Tirrold, Didcot, Oxon. OX11 9DJ Tel: (0235) 851515 Fax: (0235) 851511



R. E. & E. H. Tomlinson,
Pen-y-Palmant Farm,
Minera, Clwyd.

Proposed alterations and additions to existing dairy unit.

Location and Uses of Existing Buildings at Pen-y-Palmant

pwd/917 June 1994

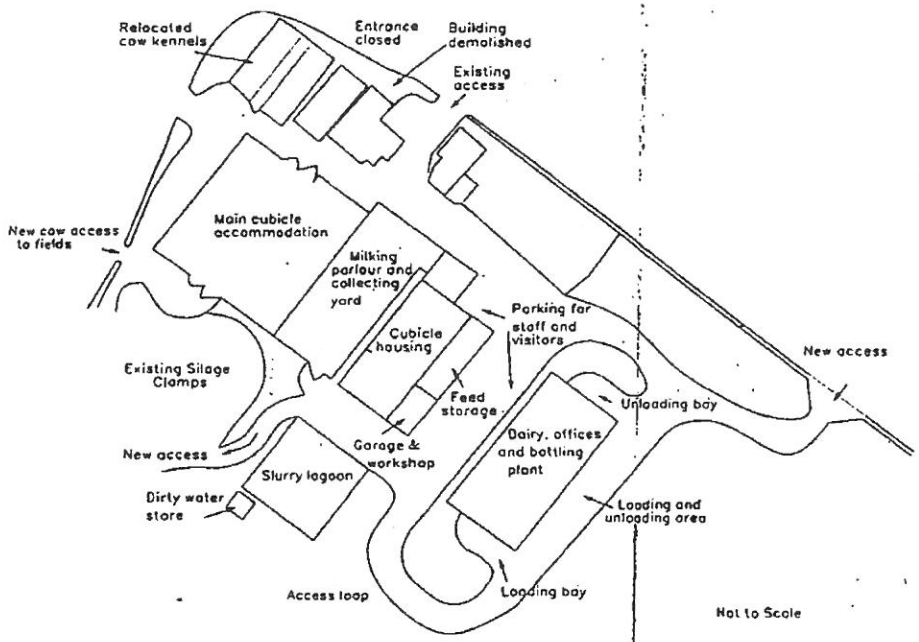
Plan RAC6

Reading Agricultural Consultants
Races Farm, Aston Street, Aston Tirrold, Didcot, Oxon. OX11 9DJ Tel: (0235) 851515 Fax: (0235) 851511

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R. E. & E. H. Tomlinson,
Pen-y-Palmant Farm,
Minera, Clwyd.

Proposed alterations and additions to existing dairy unit.



APPROVED

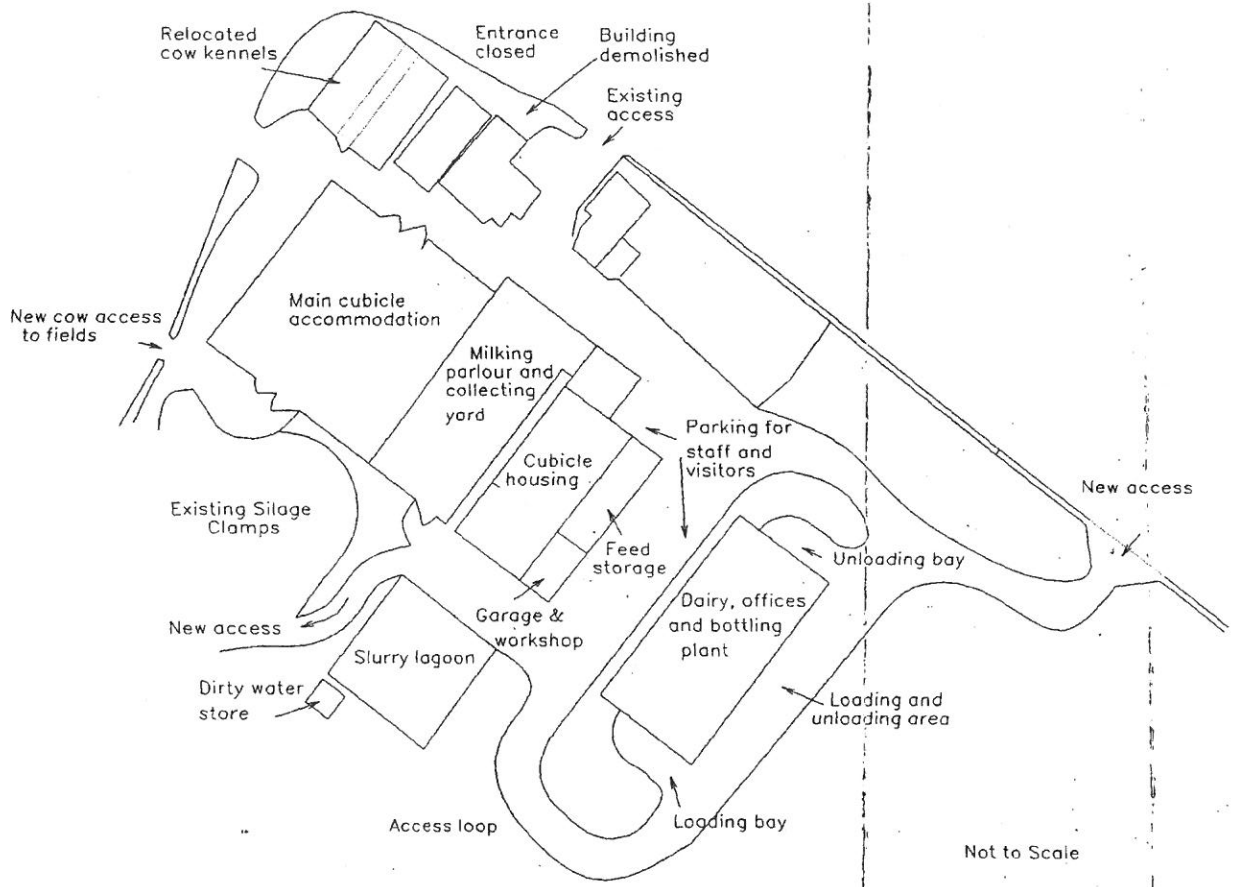
Location and Uses of New Buildings at Pen-y-Palmant

WREXHAM MAELOR BOROUGH COUNCIL
RECEIVED
18 JUL 1994
PLANNING DEPARTMENT

pwd/917 June 1994

Plan RAC7

Reading Agricultural Consultants
Rose Farm, Aston Street, Aston Tirrold, Didcot, Oxon, OX11 9DJ Tel: (0235) 851515 Fax: (0235) 851511



R. E. & E. H. Tomlinson,
Pen-y-Palmant Farm,
Minera, Clwyd.

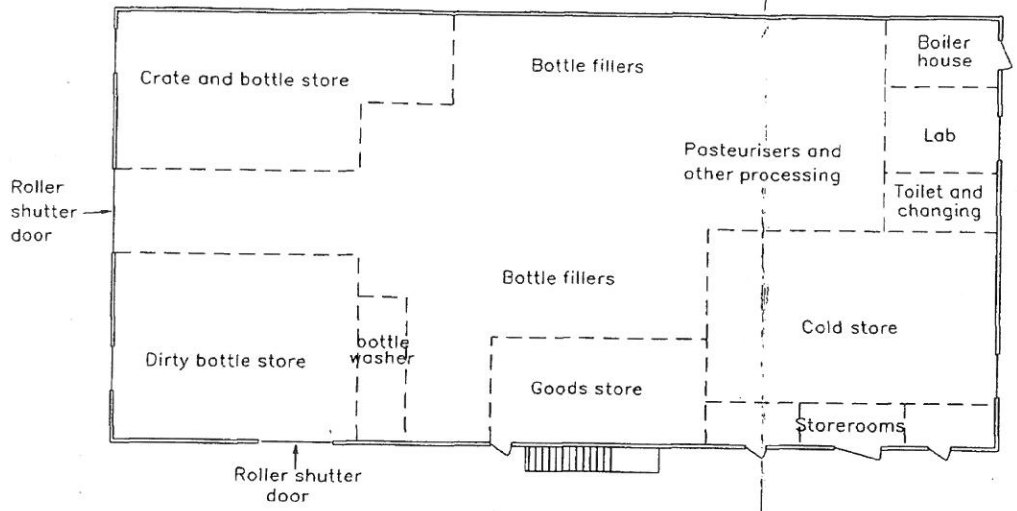
Proposed alterations and additions to existing dairy unit.

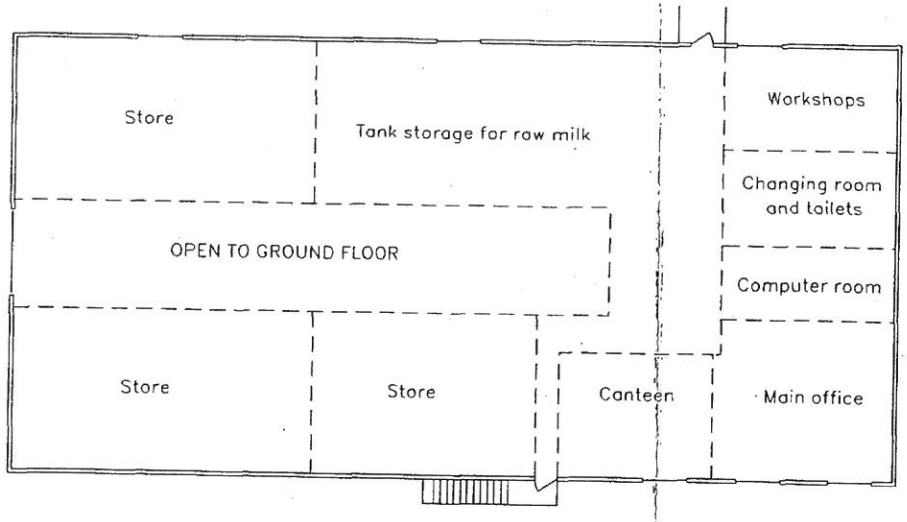
Location and Uses of New Buildings at Pen-y-Palmant

pwd/917 June 1994

Plan RAC7

Reading Agricultural Consultants
Reces Farm, Aston Street, Aston Tirrold, Didcot, Oxon. OX11 9DJ Tel: (0235) 851515 Fax: (0235) 851511





R. E. & E. H. Tomlinson,
Pen-y-Palmant Farm,
Minera, Clwyd.

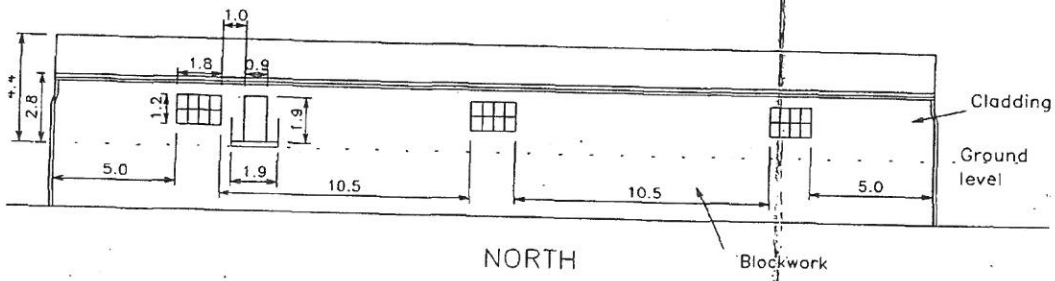
Proposed alterations and additions to existing dairy unit.

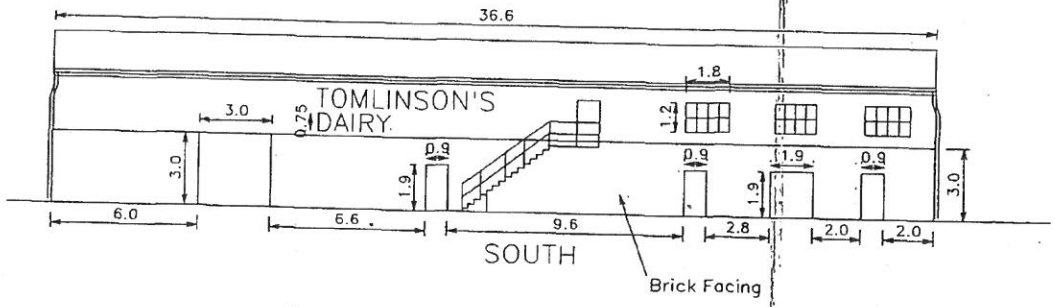
Layout of Proposed New Dairy and Bottling Plant

pwd/917 June 1994

Plan RAC9

Reading Agricultural Consultants
Reces Farm, Aston Street, Aston Tirrold, Didcot, Oxon. OX11 9DJ Tel: (0235) 851515 Fax: (0235) 851517





R. E. & E. H. Tomlinson,
Pen-y-Palmant Farm,
Minera, Clwyd.

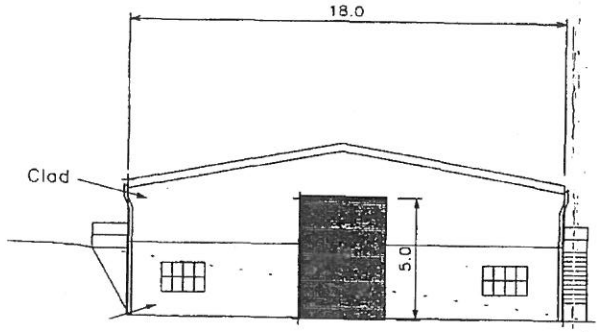
Proposed alterations and additions to existing dairy unit.

Elevations of Proposed New Dairy and Bottling Plant (North and South)

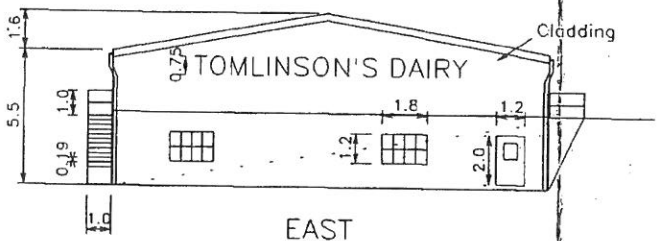
pwd/917 June 1994

RAC10(a)

Reading Agricultural Consultants
Reces Farm, Aston Street, Aston Tirrold, Didcot, Oxon. OX11 9DJ Tel: (0235) 851515 Fax: (0235) 851511



WEST



EAST

R. E. & E. H. Tomlinson,
Pen-y-Palmant Farm,
Minera, Clwyd.

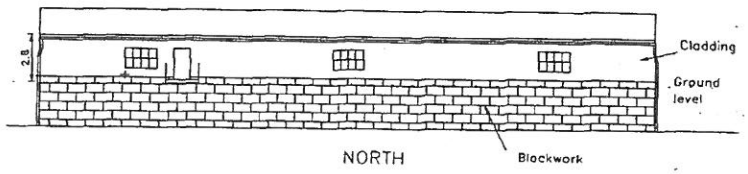
Proposed alterations and additions to existing dairy unit.

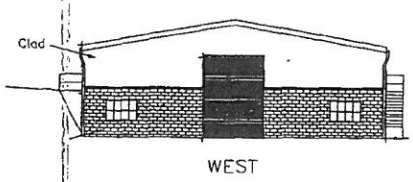
Elevations of Proposed New Dairy and Bottling Plant (East and West)

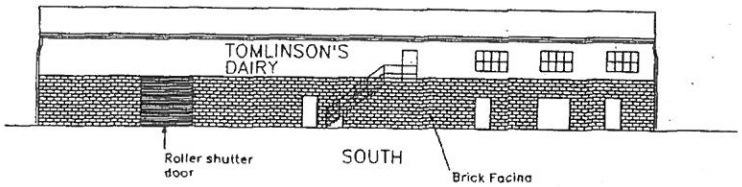
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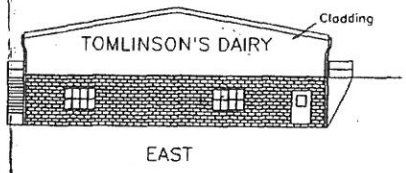
RAC10(b)

Reading Agricultural Consultants
Races Farm, Aston Street, Aston Tirrold, Didcot, Oxon. OX11 9DJ Tel: (0235) 851515 Fax: (0235) 851511









R. E. & E. H. Tomlinson,
Pen-y-Palmant Farm,
Minera, Clwyd.

Proposed alterations and additions to existing dairy unit.

Elevations of Proposed New Dairy and Bottling Plant Showing Surface Finishes

pwd/917 June 1994

Plan RAC11

Reading Agricultural Consultants
Races Farm, Aston Street, Aston Tirrold, Didcot, Oxon, OX11 9DJ Tel: (0235) 851515 Fax: (0235) 851511

22611 MIN
Received: 19.07.94
Expiry: 13.09.94
Plg Full

R.E. & E.M. Tomlinson & Sons
Peter W. Danks,
Reading Agricultural Consultants,
Races Farm,
Aston Tirrold,
Didcot, Oxon. OX11 9DJ

PEN-Y-PALMANT FARM, MINERA

ALTERATIONS AND ADDITIONS TO EXISTING DAIRY UNIT AND AGRICULTURAL BUILDINGS

THE SITE

Comprises part of the farm complex of Pen-y-Palmant Farm, which is situated at the junction between Old Road and Pen-y-Palmant Road, Minera. Directly to the north and north east of the farm, there are a number of residential properties which front onto Old Road and Gegin Road. To the south, across a field, is the settlement area of Minera.

PROPOSAL

As above - the proposals include the following:-

1. Demolition of cow kennel building and other farm building, and erection of new cubicle accommodation for 132 cows;
2. Conversion of existing cubicle house and dairy building and erection of extensions to provide new milking parlour and collecting yard;
3. Partial demolition and conversion of existing redundant silage building and erection of extension to provide new cubicle house for 54 cows and storeroom and garage/workshop;
4. Demolition of redundant farm building and erection of two cow kennel buildings for calves and heifers;
5. Partial demolition of existing bottling building;
6. Erection of replacement dairy building with associated servicing and parking facilities;
7. Relocation of existing slurry lagoon;
8. Closure of two existing vehicular access points onto Old Road;
9. Formation of new vehicular access point onto Old Road (opposite Ael-y-Bryn and Briarswood) and formation of new cow access onto Penypalmant Road opposite existing field gate access.
10. Landscaping measures.

The new farm buildings and extensions will have a maximum height of between 3.1m to 6.7m. The walls will be block work with Yorkshire boarding above, and the roofing material will be grey coloured sheeting. The new dairy building will be two storeys high (5.5m to eaves and 7.1m to ridge). The walls will be brick faced with cladding above (coloured green) and the roof will be slate grey coloured sheeting. The finished ground floor level of the dairy will be some 3m below the floor level of the existing farm buildings.

HISTORY

15048 - Demolition of existing outbuildings and erection of new dairy. Granted 21.3.88.

15643 - Conversion of redundant building into dairy for food processing use. Granted 22.8.88.

DEVELOPMENT PLAN

The site lies outside any settlement limits as defined in the adopted Local Plan and the review to the Local Plan and it is within a green barrier.

CONSULTATIONS

Community Council: No objections providing noise and slurry issues can be satisfied.

Local Member: Notified 19.7.94.

NRA: No objections providing the development includes works for the control of effluent, to comply fully with the Control of Pollution (silage, slurry and agricultural fuel oil) Regulations - to prevent contaminated surface water/farm waste from entering any watercourses/drains/ditch. A detailed land management plan is required for the use of a low rate irrigation system.

WW: Consulted 19.7.94.

Coal: Consulted 19.7.94.

CEHO: Strongly supports this development in principle, in order to ensure the safe operation of milk processing and bottling. The present facility has outgrown the existing premises.

DHT: Oral response received, raising no objections providing conditions are imposed to control the following:-

a) Design of the access;
b) New cow kennels should not restrict visibility at the junction between Penypalmant Road and Old Road;
c) Closure of existing access points onto Old Road.

Site Notice: Expired 10.8.94. Press Notice: Expired 11.8.94.

10 adjoining occupiers: Nine letters received raising objections on the following grounds:-

1. The development will represent an extension to the Minera Industrial Estate;
2. Existing unused buildings should be utilised before new building is allowed;
3. The development is too large for the location;
4. The dairy buildings will be too near to the road and will cause an eyesore;
5. The bottling plant will change the character of the area. It is an industry and not an agricultural process. The building should be sited on an industrial estate;
6. Life will become intolerable due to odour problems caused by extra slurry and cleaning chemicals;
7. The number of cattle at the farm will increase;
8. The proposed access onto Old Road is not suitable. It will cause noise, pollution and highway safety problems. The access will form a potential hazard;
9. The new dairy will increase the amount of heavy traffic to make Old Road a death trap. Crossing the road will become impossible;
10. Gegin Lane will still be used as an overflow car park;
11. The new access to the dairy should be formed onto Penypalmant Road;
12. The traffic figures have been underestimated;
13. Loss of view and outlook;
14. Loss of value to property;
15. The dairy will increase noise and disturbance problems. Loading and unloading commences at 3 a.m. and the proposed landscaping measures will not reduce noise. The activity is unsuitable for a residential area;
16. Visual appearance of car park will be unsatisfactory;
17. Water and sewage system may not be able to cope with extra development;
18. Increased traffic by tractors will occur along Gegin Lane;
19. Individuals should be aware of the temporary drawbacks of farming activities, but odour problems were bad. The situation has improved during the last two years, but there is a fear that the problem could be resumed if the development is allowed;
20. The development is contrary to planning guidance and the adopted and review Local Plans. The site is within a green barrier and the development is unsatisfactory and undesirable due to the siting, size and design of the buildings and will cause a further intrusion into the rural landscape. The development is also contrary to Proposals E5 and E6 (adopted Local Plan) and Proposal S4 (review to Local Plan). The decisions for Code Nos. 21727, 22448 and 21676 are cited as examples where the Council have refused new buildings (or uses) and early starting times within rural locations.

SPECIAL CONSIDERATIONS/ISSUES

Policy: Proposals D3 and E6 of the adopted Local Plan are applicable in this instance, whereby there is a strong presumption against any development which might affect the open character of the green barrier, unless it is essential for purposes related to agriculture. Also any alterations/extensions to existing buildings or new buildings should be of a suitable design and scale using materials appropriate to the locality.

Apart from the new dairy building, all the new buildings and extensions for the farm will be situated in the same area as buildings to be demolished as part of the proposals, and they will only marginally extend the existing farm building curtilage towards Minera village.

The new dairy building will extend the present curtilage by some 33m and with the service road, the existing development area of the farm will be extended by a total of some 40m towards Coedpoeth. But despite this fact, the building is well related to the farm and it does not significantly encroach into the adjoining field. Also, this new building represents a replacement of a long established dairy at the site, and it is essential for the farming enterprise to continue this use. It should also be noted that a majority of the milk treated at the dairy is produced on the farm, and imported milk supplies would continue to represent about a third of the total output which may increase to about 42% in the future. The relocation of the dairy to an industrial estate would only be justified if signnificant imported milk supplies were required.

Accordingly, I am of the opinion that the position of the proposed extensions/new buildings will not be contrary to the green barrier designation of the area, particularly as the buildings are essential for the agricultural enterprise. In addition, it will enable the farm and the dairy to meet current legislation and codes of good agricultural practice. This will comply with current guidance from central government (PPG 7) whereby Local Planning Authorities are requested to consider sympathetically development proposals aimed at meeting current legislation and standards.

With regard to the policy issues of scale and design, I am of the opinion that these aspects of the scheme are acceptable, even though the proposals do represent significant alterations for the farm.

In terms of scale, all new buildings/extensions will be situated below the height of existing farm buildings on the site and the height of the main cubicle building has been reduced by splitting the roof span by using two gables. It is also intended to lessen the impact of the dairy building by setting down its level in relation to the adjoining farm buildings, and as a result, the ridge will be just below the existing eaves of the nearest adjacent farm building (i.e. the redundant silage building).

In terms of design, the proposals will introduce new elevations which will either hide or replace some of the existing unattractive elevations at the farm. Therefore, I am of the opinion that existing visual amenities will be improved by the proposals.

Finally, the existing (and the proposed) livestock enterprise of the applicant cannot be regarded as an intensive food production unit and therefore Proposal E5 is not applicable. Also, Proposal S4 is not applicable as this policy has been contested as part of the review's procedures. However, the technical issues raised as part of this Policy can and must be examined.

Impact on neighbours:-

a) Noise/disturbance - Based upon the comments submitted, it appears that noise and disturbance issues relating to the dairy operation are the main concern. Whilst I am also concerned about this issue, Members are advised that this is a replacement dairy and therefore a certain level of noise and disturbance already exists. To compensate for any increased noise, landscaping and noise baffling measures are intended. Also the loading bay areas and parking areas will be sited well away from Old Road.

b) Odour problems - The size of the herd will not be increased as a result of the proposals, and therefore the amount of slurry and dirty water should not increase. It is further noted that the replacement slurry store is designed to meet the demands of current legislation and Codes of Practice, and therefore odour problems should remain within acceptable levels. But in the interests of pollution, any approval must be conditional upon the farm waste management waste management plan as the NRA cannot insist upon the plan.

Any odours resulting from cleaning materials are not considered to be significant.

c) Loss of outlook - This is not a planning issue. However, the height of the dairy building is not excessive and the separation distances between the dairy and the residential properties is well over normal acceptable standards.

Access: The proposed access arrangements for the site will form important improvements from a highway safety point of view. At present, the dairy access 9as very restricted visibility i.e. 4.5m x 28m (south) and 4.5m x 6m (north). However, the new splayed access will be designed to have visibility splays of 4.5m x 82m (south) and 4.5m x +100m (north) and the existing access will have restricted access in the future and visibility will be improved by the demolition of part of the existing bottling plant.

Given these improvements and the fact that traffic levels will not significantly increase as a result of the development, the proposed access arrangements are acceptable. To form the access onto Penypalmant Road is not an appropriate option as this road is very narrow and devoid of footways. The DHT concurs with my views and requests that conditions are imposed to ensure that highway safety is maximised.

I recommend accordingly.

RECOMMENDATION That permission be GRANTED.

CONDITION(S)

01 CC01 - Standard five year condition.
02 CB05 - Samples of facing and roofing materials.
03 The landscaping scheme as approved (including noise baffling measures) shall be completed in all respects with the exception of tree and shrub planting within 3 months of the first use of the buildings and the trees and shrubs shall be planted within 6 months of that first use. Any tree or shrub removed, dying, being severely damaged or becoming seriously diseased within 5 years from the completion of the scheme shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
04 The facilities indicated on the submitted plans to be provided for the loading, unloading, turning around and parking of vehicles shall be made available prior to the first use of the dairy building hereby approved and shall thereafter be retained to the satisfaction of the Council.
05 The dairy building hereby approved shall not be used until the new access onto Old Road as indicated on plan no. Plan RAC4, has been constructed in accordance with the approval plans.
06 Nothing shall be erected or allowed to grow within the proposed visibility splays as marked on the approved plans no. Plan RAC3 and Plan RAC4 to a height exceeding 1.0m above the level of the nearside edge of the adjoining carriageway.
07 The existing access points to be closed as part of the development as indicated on plan no. Plan RAC3 and Plan RAC4 shall be permanently closed to the satisfaction of the Council prior to the first use of the dairy building hereby approved.
08 No part of the cow kennel buildings to be erected adjacent to the road junction between Old Road and Penypalmant Road shall be erected at a distance less then 2m from the nearside edge of Old Road unless otherwise approved in writing by the Council.
10 Before development commences at the site, a detailed waste management plan shall be submitted to and approved by the Council.
09 In the interests of pollution control.

REASON(S)

01 R004 - Town and Country Planning Act.
02 R067 - Standard of development.
03 To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect the amenities of the ocupiers of nearby properties.
04 R028 - Traffic safety.
05 6 and 7. In the interests of highway safety.
08 In order to retain visibility for motorists at the junction between Old Road and Penypalmant Road in the interests of highway safety.

NOTE(S) TO APPLICANT

01 NA13 - Differences between Planning and Building Regulations plans.
02 You are advised that the development must include works for the control of effluent which should be designed, constructed and maintained so as to comply fully with the Control of Pollution (silage, slurry and agricultural fuel oil) Regulations 1991. Accordingly, you are advised to contact the NRA's Pollution Control Department at Shire Hall, Mold, Clwyd, in order to discuss these matters.
03 NI08 - Food Safety Act.
04 NF02 - Health and Safety Executive.
05 You are advised that the provisions of the proposed Dairy Products (Hygiene) Regulations 1994 are due to come into force probably at the beginning of 1995. The regulations regarding the dairy and milking areas of the farm will be enforced by the Agricultural Department Advisory Service (ADAS) and the processing and bottling areas will be enforced by the Council's Chief Environmental Health Officer. Accordingly, you are advised to contact the relevant bodies for advice on the proposed development.
06 You are advised that this permission does not authorise any of the signs which are shown on the elevations of the dairy building. You are advised that the separate written consent of the Council must be obtained under the Town and Country Planning (Control of Advertisement) Regulations 1992.

Appendix 2

HASTON REYNOLDS PARTNERSHIP

CHARTERED SURVEYORS

P/2007/1323

SUPPORTING STATEMENT

PLANNING APPLICATION

BY

TOMLINSON'S DAIRIES LTD

WREXHAM COUNTY BOROUGH COUNCIL
- 7 JAN 2008
APPROVED
PLANNING DEPARTMENT

FOR A

TEMPORARY PARKING AREA

AT

PEN Y PALMANT FARM
RUTHIN ROAD
MINERA
WREXHAM

WREXHAM COUNTY BOROUGH COUNCIL
- 9 NOV 2007
PLANNING DEPARTMENT

Statement Prepared By:

David A Haston Dip Est Man MRICS
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Haston Reynolds Partnership
Woodlands
Walton
Telford
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Statement Prepared For:

Tomlinson's Dairies Ltd
Pen y palmant Farm
Minera
Wrexham
LL11 3YR

November 2007

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1. INTRODUCTION

1.1 This Statement has been prepared by David Haston and Ian Reynolds of the Haston Reynolds Partnership on behalf of Tomlinson's Dairies Ltd who currently operate from Pen y palmant Farm, Minera, Wrexham.

1.2 This Statement has been prepared in support of a planning application for the formation of a temporary parking area at the existing dairy site at Pen y palmant Farm.

1.3 The Statement sets out the reasons for the proposed development and a description of the proposed development.

1.4 The principal authors of the Statement are David Haston and Ian Reynolds. David Haston and Ian Reynolds are Professional Members of the Royal Institution of Chartered Surveyors having originally qualified within the Rural Practice and Building Surveying Divisions of the Institution respectively.

1.5 This statement should be read in conjunction with the following drawings which form part of the planning application:

- H0070/3/A3/001 Site Location Plan
- H0070/3/A3/002 Site Layout/Block Plan

2. BACKGROUND TO THE EXISTING DAIRY BUSINESS

2.1 Tomlinson's Dairies Ltd was founded in 1983, when liquid milk from Pen y palmant Farm was bottled and sold in the local area. This led to the operation of a full milk round, and after a short period of time additional milk rounds were purchased and supplied from milk produced and processed on the farm.

2.2 Milk was originally processed in a converted farm building. However, due to the progressive expansion of the dairy business, a new dairy was built on a greenfield site adjacent to the farm. At that the time, the business was processing around 1.5 million litres of milk per annum and the new dairy was planned to process up to 9 million litres of milk per annum.

2.3 The business has been developed under the management of Philip, Richard and John Tomlinson. Latterly, Richard has taken control of farming operations whilst Philip and John have managed the dairy.

Existing Dairy Site

2.4 Tomlinson's Dairies' existing processing plant is located within a purpose-built building within the Pen y palmant Farm farmstead, Minera, at approximate Ordnance Survey grid reference SJ 2732 5221.

2.5 The dairy building is located within a constrained site, immediately adjacent to the farm's slurry store and buildings used to accommodate livestock and is accessed directly off the B5430.

2.6 The access into the site is located immediately opposite a residential area, but adjoining land to the north, west and south is in agricultural use.

2.7 The farmstead and dairy are located within open countryside outside of the Minera and Coedpoeth Settlement Limits. The farmstead, dairy and surrounding land also lie within an area designated as Green Barrier.

Current Dairy Operations and Markets

2.8 The main processes undertaken at the dairy involve the pasteurisation, separation and bottling of liquid milk. Tomlinson's Dairies currently process approximately 16 million litres of milk products.

2.9 Two shifts are now operated with the pasteurising plant operating from 00:30 hours to 15:00 hours daily. Current production is at the plant's full pasteurisation, separation and bottling/filling operating limit.

2.10 Tomlinson's Dairies' main customers are 14 local milk rounds operated by other businesses and small to medium sized shops such as Waitrose, Neighbours, Spa, Londis, Hopwell Farm Foods, Matt Hughes & Sons and Three Farms Organic.

Current Staffing

2.11 Tomlinson's Dairies' workforce has recently increased to 44 full time employees, 2 part time employees, together with additional casual staff who assist during periods of peak workload.

2.12 Most of the employees work unsociable hours with early morning start times.

Proposed Dairy Relocation

2.13 Tomlinson's Dairies has become an extremely successful local business having exceeded projected processed milk output during the last nine years.

2.14 Projected output cannot however be achieved using the existing Pen y palmant Farm facility due to a range of constraints which include

- Insufficient general covered processing and storage area;
- Insufficient cold storage;
- Inadequate vehicle maintenance facilities;
- Inadequate car parking provision at peak times;
- Inadequate HGV parking provision;
- Restricted HGV circulation and manoeuvring space; and
- Inadequate office and staff facilities.

2.15 In the light of the above, planning permission has been obtained for a new dairy with much greater capacity at the Five Crosses Industrial Estate, Minera.

2.16 It is however anticipated that the proposed new dairy will not become operational for up to two years having regard to the likely timescale for construction and the delays in negotiations with Wrexham County Borough Council concerning the use of a section of the existing industrial estate access road.

3. PROPOSED DEVELOPMENT

3.1 Need

3.1.1 Tomlinson's Dairies is already committed to delivering additional contracts for the supply of milk and has had to increase output at the existing Pen y palmant site beyond that which it was originally designed for. This has necessitated the expansion of the existing workforce and an increase in the number delivery vehicles.

3.1.2 As a consequence there is now insufficient space at the existing dairy to safely accommodate staff cars and delivery vehicles.

3.1.3 Given that it is anticipated that Dairy will relocate to the new site within the next couple of years, a temporary solution is needed to overcome this particular constraint.

3.1.4 Accordingly, it is proposed to form a temporary parking area for staff cars and delivery vehicles at Pen y palmant Farm for a period of two years.

3.2 Site Description

3.2.1 The Dairy processing building occupies a constrained site immediately to the south west of, and below, the main Pen y palmant farm farmstead which is itself an operational dairy farm.

3.2.2 The Dairy has its own access off the B5430 Ruthin Road, independent from the rest of the farmstead.

3.2.3 The existing Dairy and the site of the proposed temporary parking area are located within open countryside which is also designated within the Unitary Development Plan as a Green Barrier.

3.2.4 The site of the proposed temporary parking area forms part of a field which is currently agricultural grassland used for grazing.

3.2.5 The field is bordered by a mature roadside hedgerow to the east and by field hedgerows to the north, south and west. The northern boundary of the field is also separated from the Dairy by an earth bund which was formed when the Dairy was constructed. The land to the south of the field (not in the ownership of Messrs Tomlinson) is in some form of non-agricultural use.

3.3 Proposal

3.3.1 The proposal would make provision for the temporary parking of up to 20 cars and 10 delivery vehicles.

3.3.2 The only available location for the proposed parking area is the field to the south east of the existing Dairy given the physical barriers posed by the farmstead to the north, the slurry store to the west and the B5430 to the north east.

3.3.3 A number of options were considered for the siting and orientation of the proposed temporary parking area within the field to the south of the Dairy in order to minimise any temporary visual impact or adverse effect on the countryside within the Green Barrier.

3.3.4 Ultimately, it was considered that the parking area should be set back from the B5430 to minimise any impact on the residential properties located to the north east of the B5430. It was also considered that the parking area should be positioned as close as possible to the existing landscape bund so that it is as closely related as possible to the existing developed form of the Dairy. The orientation of the parking area with a roughly south west to north east alignment was also favoured as this would enable it to be more effectively screened from the properties to the east of the B5430.

3.3.5 The access from the Dairy to the parking area would be formed by way of an incision through the existing landscape bund that separates the site from the Dairy. The trees that have previously been established on the bund would be translocated and grown-on, on site, for subsequent re-establishment when the bund is re-instated at the end of the temporary permission. The break formed through the adjacent field hedgerow would also be gapped-up at the end of the consent period.

3.3.6 Soil from that small section of the existing bund together with soil stripped from the proposed parking area would be used to form a temporary grassed bund to the north east of the parking area in order to further screen it when viewed from the properties located to the north east of the B5430.

3.3.7 The perimeter of the parking area and the temporary bund would be stocked fenced using treated timber posts, woven wire and a single line of barbed wire above. This will enable the remainder of the field to continue in agricultural use for the duration of the temporary consent.

3.3.8 Details of the proposed development, including a plan of the proposed parking area layout and access arrangement were issued to Wrexham CBC for pre-application consideration and comment. WCBC advised (without prejudice) that permanent development of the site would be inappropriate given its location within the Green Barrier but that the development, as proposed, could be considered on a temporary basis subject to reinstatement of the site and control of lighting. A preference was however expressed, by the Council's officer, for the access into the parking area to be formed at the south west corner of the Dairy site rather than by making a new opening in the hedge (and bund).

3.3.9 The possibility of forming the access at the south west corner of the Dairy site has been given further consideration but ultimately this is not considered to be a feasible option for a number of reasons including:

(1) The concrete apron that runs around the Dairy building is the vehicular circulation route for all HGVs delivering raw milk to the Dairy and collecting processed milk for onward delivery to customers. HGVs normally circulate round the building in a clockwise direction and from a safety perspective, HGV and car movements should be separated as far as possible;

(2) The loading bays for out-going milk deliveries to customers are located along the south eastern elevation of the building. In order to load with processed milk products, the HGVs drive in a south westerly direction along the south eastern elevation of the building and then reverse up to the loading bays, parking-up across the circulation route at 90° to the south eastern elevation of the building. This would restrict passage of staff and visitor cars if the access to the parking area were to be located at the south western corner of the Dairy site. It would also pose a significant health and safety hazard for staff and visitors;

(3) The field gateway beyond the south western corner of the Dairy site is actively used by dairy cows walking between the field and the dairy farm. Sharing this route with cars and HGVs accessing the parking area would be impractical, potentially dangerous and unacceptable from a bio-security perspective.

3.3.10 In order to overcome these constraints, the access to the parking area will need to be formed through the existing mound close to the south eastern corner of the Dairy building.

3.3.11 Given the temporary nature of the proposed development and the pre-application consultation view expressed by Wrexham CBC, no new artificial lighting is proposed in connection with the parking area.

3.4 Parking Area Formation and Reinstatement

Translocation of Existing Trees and Shrubs

3.4.1 Formation of the access point to the temporary parking area will necessitate the temporary removal of a short section of the existing landscape bund located immediately to the south east of the Dairy. This will necessitate the removal of trees and shrubs within that section of the bund. Rather than fell the trees and shrubs and replace them with transplants at the end of the temporary permission, it is proposed to translocate these plants, grow them on and then re-establish them on the reinstated bund once the temporary permission has expired.

3.4.2 Prior to moving, the trees and shrubs will have their root systems severed by digging using a mechanical excavator at a minimum of 1.5 metre radius from the stem and approximately 0.5 metres deep. Cutting the root system will enable a clean lift of the root ball with an excavator without loosing soil from around the root system and will prevent damage to neighbouring trees and shrubs.

3.4.3 The trees and shrubs are to be placed directly into excavated holes (within the area indicated on drawing H0070/3/A3/002) to the same depth and manoeuvred into an upright position. Backfilling with topsoil will be undertaken to any voids, but shall not exceed the root collar height. Care will be taken not to loosen soil from around trees' root systems.

3.4.4 In the event that sufficient soil is not transported with the tree/shrub, the hole will be backfilled with topsoil firmed around the root system until level with the surrounding ground and not exceeding the root collar height.

3.4.5 In the event that a large root ball is not transferred in tact with any of the trees, then the tree will require guying to three sides to prevent it from moving or blowing over in high winds. Ties used around the tree stem will be a proprietary brand and will be rubber or polypropylene. Rope, string or twine will not be used to secure the tree stems to guy ropes.

3.4.6 At the end of the temporary permission, the trees and shrubs are to be re-established on the reinstated section of bund using the same technique specified in paragraphs 3.4.2 to 3.4.5 above.

3.4.7 Trees and shrubs are only to be moved when soil conditions are moist and root systems are not to be allowed to dry out. If prolonged dry periods of weather are experienced following translocation or reinstatement, then the trees and shrubs are to be watered as necessary.

Topsoil removal and storage

3.4.8 Soils are to be mechanically removed from the site of the proposed parking area and short section of the existing bund to create the access point. This material is to be used to form a temporary landscape bund in the position indicated on drawing H0070/3/A3/002.

3.4.9 Soil from the existing landscape bund, and the topsoil and subsoil from the parking area are to be stripped and stored separately and are not to be mixed.

3.4.10 All topsoil stripping is to be carried out in reasonably dry weather conditions and stored through the formation of the temporary landscape bund to a height of no more than 3 metres. The mechanical handling of stripped soils is to be kept to a minimum and compaction of existing soil structure is to be avoided during stripping and bund forming operations. Machinery should not run over areas that are to be stripped.

3.4.11 The soil should be placed in an 'as dug' condition and should not be re-worked in any way that is liable to cause compaction or additional loss of structure.

3.4.12 The temporary bund is to be sown with a grass seeds mixture as soon as weather conditions permit in order reduce the incidence of invasive species (such as ragwort) becoming established. If any invasive species do become established then they should be hand-pulled or treated with an appropriate herbicide in accordance with the manufacturer's recommendations.

3.4.13 Following formation of the car parking area and the temporary bund, the field-side perimeter of the site is to be stock fenced using treated timber posts and woven wire with a single stand of barbed wire above.

Formation of the parking area

3.4.14 Following excavation of topsoil and any necessary subsoil, the parking area is to be formed using MOT type 1 hardcore or crushed and graded concrete, brick or stone. This will be laid to a minimum depth of 225mm on a fabric base (i.e. terram or similar) to prevent loss of the hardcore sub base into the subsoil. The surface will be finished with stone fines and the formation will be compacted using a mechanical roller.

3.4.15 The edges of the parking area will be feathered into the surrounding grassed areas. No kerbs are proposed. Drainage of the area will take place through natural sub soil filtration in line with SUDS recommendations.

Site Re-instatement

3.4.16 Following expiry of the temporary planning permission, all of the material used to form the parking area, including the membrane will be taken-up and removed from site.

3.4.17 The subsoil and topsoil will be removed from the temporary bund and carefully spread, in order, over the site. Trafficking over the replaced material will be minimised to avoid compaction.

3.4.18 The area will be cultivated to form a fine seedbed and an Italian/perennial rye-grass sward will be established over the area. Once established, the temporary stockproof fence will be removed

3.4.19 The original landscape bund will be reinstated using the original subsoil and topsoil and the translocated trees and shrubs will be re-established on the bund.

3.4.20 The short section of hedgerow that was removed will be re-established using a staggered double row of hawthorn transplants up to 600mm height protected using spiral guards and a supporting cane. This will be supplemented by a section of stockproof fence.

3.4.21 All soil movements and cultivations are to take place at an appropriate time of year when weather and soil conditions are reasonably dry.

3.4.22 Hedgerow plants are to be established and trees and shrubs are to be reinstated during the first available dormant winter planting season after the end of the temporary permission and when soil conditions are moist.

3.4.23 A one-metre minimum weed free area is to be maintained around each re-instated tree and shrub and a one-metre wide weed free strip is to be maintained along the re-established hedgerow for the first three years. Weed control can be undertaken either using a natural mulch or using herbicide applied using a guarded hand-held guarded applicator in accordance with manufacturer's recommendations.

3.4.24 Any tree, shrub hedge plant that dies within the first five years following establishment/re-establishment is to be replaced with a new plant of the same species.

David A Haston Dip Est Man MRICS
Ian S Reynolds BSc MRICS

November 2007

Appendix 3 – Copy of Aerial photos



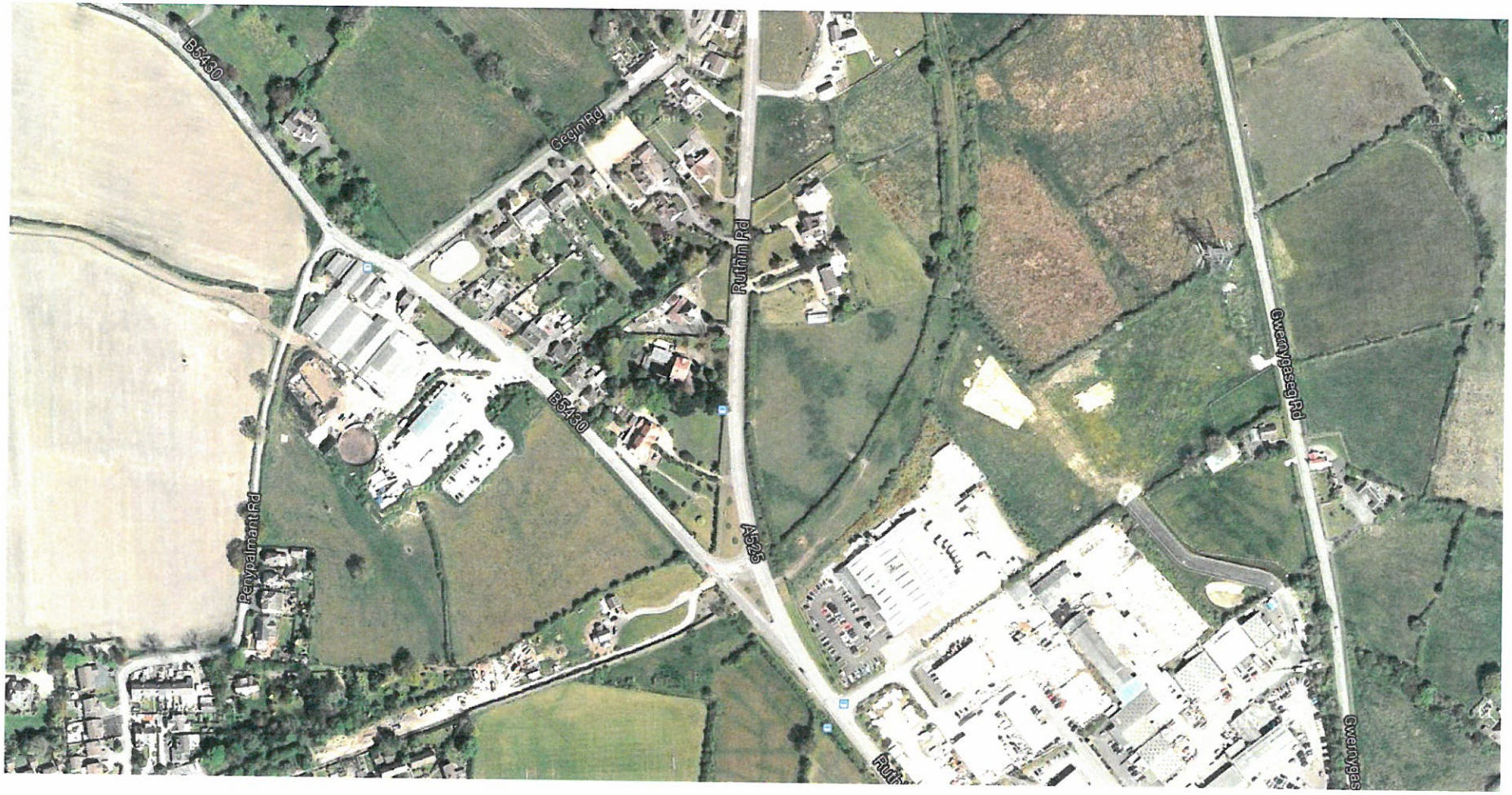
Council's aerial photo 2000/2001



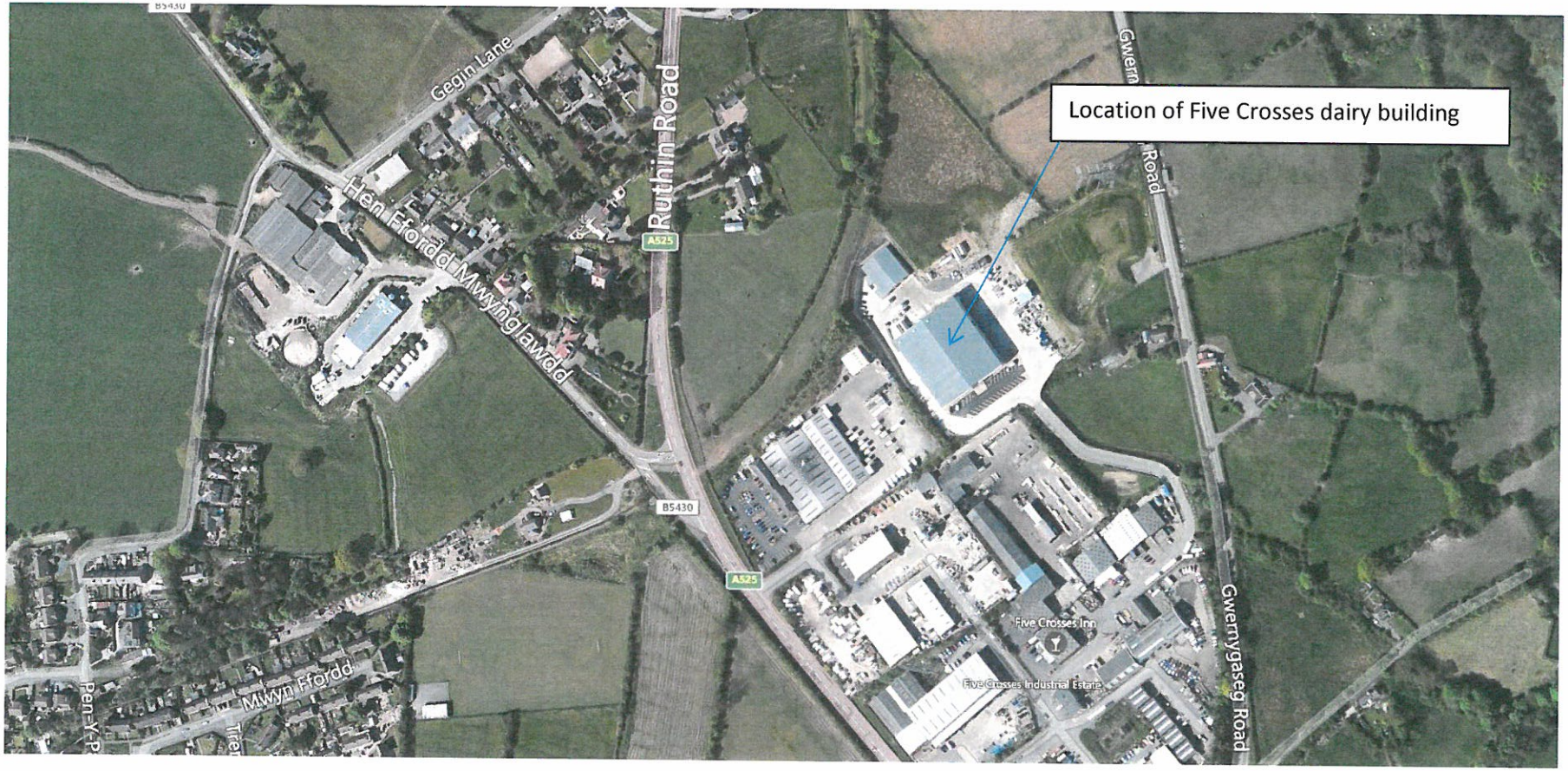
Council's aerial photo 2006



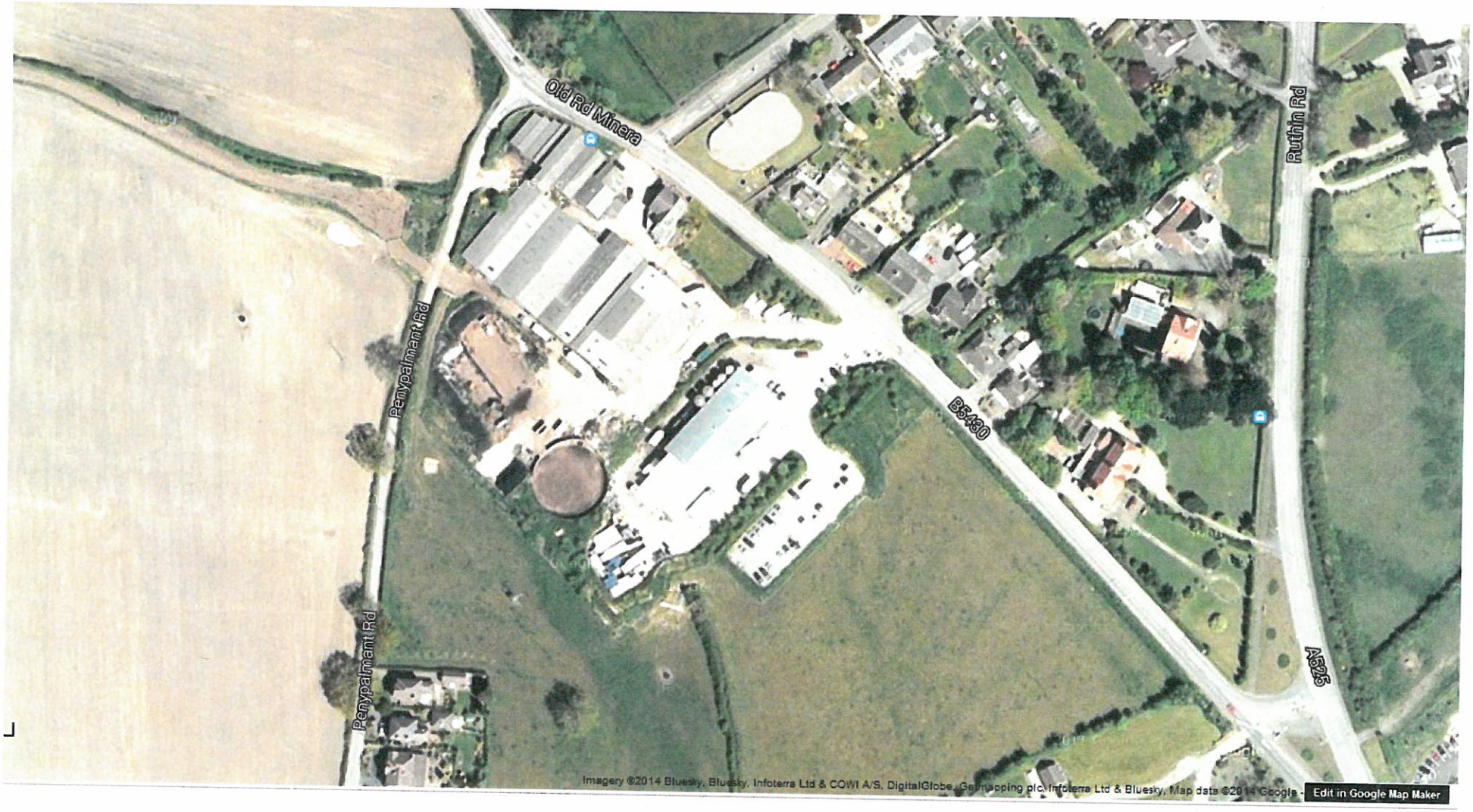
Councils aerial photo 2009



Google map extract – wider area



Bing Map extract



Google map extract – detail of Pen y Palmant Farm dairy site



Bing Map extract



Flash Earth extract



Bing Map 3d map



Google street view 2014



Google street view 2014



Google street view 2014



Google street view



Google street view 2014. Compared with the Google aerial photos and Council's 2009 aerial photo – the blue silo and portacabin at front of building are new items at the site.

Appendix 4

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

12
Expiry Date: 30/04/2008
Decision Notice Sent: 30/04/2008
Grid Reference:
E 327332
N 352300

Applicant	PN & JA TOMLINSON	**Code No**	MIN P/2008/0247
Agent	HASTON REYNOLDS DAVID A HASTON WOODLANDS BARN WALTON TELFORD SHROPSHIRE TF6 6AN	**Date Received**	06/03/2008
		Decision Date	28/04/2008

Town and Country Planning Act, 1990

Location of application

LAND TO THE REAR OF TOMLINSONS DAIRIES, PEN Y PALMANT FARM, MINERA, WREXHAM, LL11 3YR

Description of application

RETENTION OF EXTENSION TO HARDSTANDING TO REAR OF DAIRY AND IMPLEMENTATION OF SUPPLEMENTARY LANDSCAPING WORKS.

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
GDP1 Development objectives

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

Condition(s)

1. The use of the site for storage other than for agricultural purposes shall cease not later than 31 January 2010. Not less than one month before that date a scheme for the restoration of the site to agricultural/landscape use shall be submitted to and shall be approved in writing by the Local Planning Authority. The scheme shall include details of the timescales for implementation of the works which shall be strictly adhered to. Any planting works undertaken as part of the restoration shall be maintained for a minimum period of five years.

Applicant	PN & JA TOMLINSON	**Code No**	MIN P/2008/0247
Agent	HASTON REYNOLDS DAVID A HASTON WOODLANDS BARN WALTON TELFORD SHROPSHIRE TF6 6AN	**Date Received** **Decision Date**	06/03/2008 28/04/2008

2. The earth bund, as described and shown in the approved application documentation and plans, shall be fully formed within three months of the date of the permission and the landscaping measures (including tree and shrub planting) shall be fully implemented within the first planting season following completion of the bund in accordance with the specifications given in the same approved documents.
3. The development shall only be carried out in strict conformity with the details shown on the approved drawings and in the application documentation.
4. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of similar size and species to those originally required to be planted unless otherwise approved in writing by the Local Planning Authority.
5. Storage on the hardstanding area shall be strictly limited to ancillary purposes in connection with the adjacent dairy building.
6. No storage on site shall exceed the height of 2m above the existing level of the hardstanding areas as shown on the approved plan.
7. Details of any external lighting (in particular its brightness, orientation and hours of use) for this area shall be submitted to and approved by the Local Planning Authority within one month of the date of this permission and the development shall only be carried out in strict conformity with such details as are thereby approved. No other lighting shall be installed or operated.
8. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995, as amended, no structures or other buildings shall be erected within the site.

Reason(s)

1. The Council have granted this permission exceptionally within the green barrier to allow the temporary extension of the operational area of the dairy business in this location until it transfers to another site.
2. In the interests of the visual amenities of the area.
3. To ensure that the development fully complies with the appropriate policies and standards.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
5. To ensure that the storage is retained only for purposes ancillary to the dairy use of the adjacent site.
6. In the interests of the visual amenities of the area and to ensure that its use remains ancillary to the dairy use of the building.

Applicant	PN & JA TOMLINSON	**Code No**	MIN P/2008/0247
Agent	HASTON REYNOLDS DAVID A HASTON WOODLANDS BARN WALTON TELFORD SHROPSHIRE TF6 6AN	**Date Received** **Decision Date**	06/03/2008 28/04/2008

7. To enable control of matters not detailed in the application in compliance with appropriate policies and standards.
8. In the interests of the visual amenities of the area given the site's location within a green barrier.

Note(s) to applicant

This permission does not authorise the tipping of waste materials on the site.
You are reminded that the Disability Discrimination Act 1995 applies to this site.

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

Chief Planning Officer, Lambpit Street, P O Box 1290, Wrexham, LL11 1WL.

REPORT OF THE CHIEF PLANNING OFFICER – 28 April 2008

APPLICATION NO:
P/2008 /0247

COMMUNITY:
Minera

WARD:
Minera

LOCATION:
LAND TO THE REAR OF TOMLINSONS DAIRIES PEN Y PALMANT FARM MINERA WREXHAM

DESCRIPTION:
RETENTION OF EXTENSION TO HARDSTANDING TO REAR OF DAIRY AND IMPLEMENTATION OF SUPPLEMENTARY LANDSCAPING WORKS.

APPLICANT(S) NAME:
PN & JA TOMLINSON

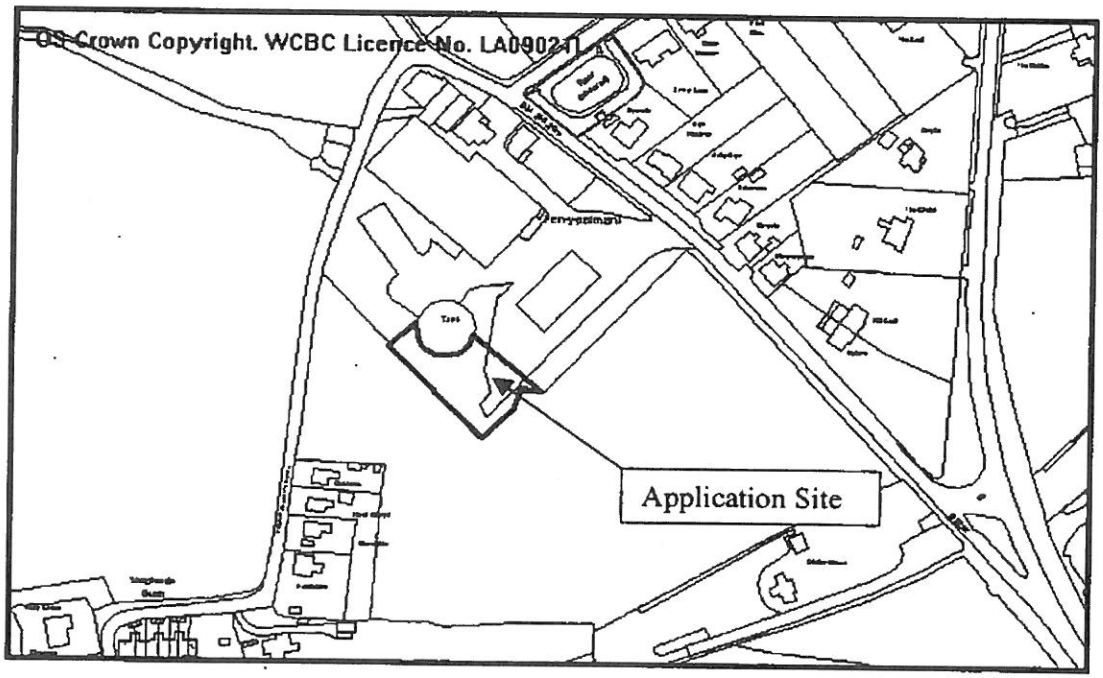
DATE RECEIVED:
06/03/2008

CASE OFFICER:
JS

AGENT NAME:
HASTON REYNOLDS
DAVID A HASTON

THE SITE

The site is located on south west side of B5430 and the existing dairy and to the NW of Minera Industrial Estate.



PROPOSAL

As above. The application is submitted with a supporting statement to explain the background, and the proposals. The proposals are partly in retrospect.

RELEVANT HISTORY

6/22611	Alterations and additions to existing dairy unit and agricultural buildings. Granted 19.10.1994.
P/2007/1323	Formation of temporary parking area. Granted 7.1.07 (Temporary until 31.1.10).

DEVELOPMENT PLAN

Outside the settlement limits and within a green barrier; policy EC1 refers.

CONSULTATIONS

Community Council:	Concerned that this breach was omitted from the report for P/2007/1323 which was considered in January 08, and information supplied to the Community Council has been contradicted in the current application documents.
Local Member:	Notified 10.3.08
Public Protection:	No comments
Site Notice:	Expired 3.4.08
Other representations:	8 neighbours notified 17.3.08

SPECIAL CONSIDERATIONS/ ISSUES

Details: Some concerns have been raised to state that the previous committee report for P/2007/1323 had incorrectly stated that some development within the site had occurred because they benefited from permitted development. This information was thought to be the case at the time that my report was written for Planning Committee. However, further investigations were undertaken, and the area of the current application site (eg P/2008/0247) was deemed to be outside the original development site, and therefore the work undertaken within this area requires planning permission. I requested a planning application to formally consider the outstanding details and the current application has been submitted to regularise the planning breach.

Unfortunately, the breach was not directly referred to as part the committee report for 7 January 2008 meeting, I do not believe the justification and approval for a temporary hardstanding area would have changed. The temporary hardstanding area of P/2007/1323 only allows the parking of vehicles – no other storage is allowed. However the proposed hardstanding area subject of this current application is required for general outdoor storage for operational reasons connected to the dairy. Some items have been stored within this area for non-operational reasons, but these items are to be removed and its ancillary use can be controlled by conditions.

Policy: The site is within a green barrier, and development can only granted if it maintains the open character of the area, and does not conflict with the green barrier purpose for the area. Accordingly it is noted that the whole of the farm and dairy are within the green barrier and the hardstanding area within the application site is a relatively small extension to the existing complex, and does not include new

buildings. As a result, I do not consider that the green barrier policy at this location will be jeopardised by this proposal.

Visual impact: Better management of this part of the dairy site including various control measures by planning conditions will ensure that the height of ancillary storage is kept lower than has been the case, and it will ensure that items are strictly limited to those items that are ancillary to the operational use of the dairy. Additional landscaping, including a bund and tree planting is also proposed along this south and western edges to help supplement existing landscaping measures at the site, and should bring about longer term visual enhancements.

Conclusion: Whilst I accept that my earlier report did not fully address the issue of this part of the hardstanding, it is important to recognise that the area in question is relatively small and its impact is limited. With suitable conditions I am satisfied that the development will be acceptable.

RECOMMENDATION That permission be GRANTED

CONDITION(S)

1. The earth bund, as described and shown in the approved application documentation and plans, shall be fully formed within three months of the date of the permission and the landscaping measures (including tree and shrub planting) shall be fully implemented within the first planting season following completion of the bund in accordance with the specifications given in the same approved documents.
2. The development shall only be carried out in strict conformity with the details shown on the approved drawings and in the application documentation.
3. Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years from the completion of the scheme shall be replaced by trees or shrubs of similar size and species to those originally required to be planted unless otherwise approved in writing by the Local Planning Authority.
4. Storage on the hardstanding area shall be strictly limited to ancillary purposes in connection with the adjacent dairy building.
5. No storage on site shall exceed the height of 2m above the existing level of the hardstanding areas as shown on the approved plan.
6. Details of any external lighting (in particular its brightness, orientation and hours of use) for this area shall be submitted to and approved by the Local Planning Authority within one month of the date of this permission and the development shall only be carried out in strict conformity with such details as are thereby approved. No other lighting shall be installed or operated.
7. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995, as amended, no structures or other buildings shall be erected within the site.

REASON(S)

1. In the interests of the visual amenities of the area.
2. To ensure that the development fully complies with the appropriate policies and standards.

3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. To ensure that the storage is retained only for purposes ancillary to the dairy use of the adjacent site.
5. In the interests of the visual amenities of the area and to ensure that its use remains ancillary to the dairy use of the building.
6. To enable control of matters not detailed in the application in compliance with appropriate policies and standards.
7. In the interests of the visual amenities of the area given the site's location within a green barrier.

NOTE(S) TO APPLICANT

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