In pursuance of its powers under the Acts an 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

3
Expiry Date: 09/02/2006
Decision Notice Sent: 01/08/2006
Grid Reference:
E 327638
N 352133

wrexham
COUNTY BOROUGH
BWRDEISTREF SIROL
wrecsam

Applicant	RE Tomlinson Discretionary Trust, P N & J A Tomlinson,	**Code No**	MIN P/2005/1430
Agent	Haston Reynolds Partnership David A Haston Woodlands Walton Telford Shropshire TF66AN	**Date Received**	16/12/2005
		Decision Date	31/07/2006

Town and Country Planning Act, 1990

Location of application

Land To The Rear Of The Village Bakery Five Crosses Industrial Estate Minera Wrexham LL113RD

Description of application

Construction of new dairy building, vehicle maintenance building and associated milk storage facilities, together with extension of access roads, attenuation ponds, car parking, lorry parking and landscaping

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

E4	Employment development within settlements
EC13	Surface water run-off
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
PS1	Settlement limits
PS11	Biodiversity
PS2	Development and the environment
PS3	Brownfield Land
PS4	Settlement Pattern
T8	Parking
T9	Walking, cycling and horse riding routes

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

Applicant	RE Tomlinson Discretionary Trust, P N & J A Tomlinson,	**Code Number**	MIN P/2005/1430
Agent	Haston Reynolds Partnership David A Haston Woodlands Walton Telford Shropshire TF66AN	**Date Received**	16/12/2005
		Decision Date	31/07/2006

wrexham COUNTY BOROUGH
BWRDEISTREF SIROL wrecsam

Condition(s)

1. The development hereby permitted shall be begun before the expiry of five years from the date of this permission.
2. Development shall only be carried out in strict accordance with the approved plans or with any amendments thereto approved in writing by the Local Planning Authority
3. No development shall commence until a scheme has been submitted to and approved by the Local Planning Authority to show the permanent removal of surface water connections to the public sewerage system at the existing dairy site at Pen-y-Palmant Farm, Minera as identified on drawing number (WW_1) and the provision of a replacement drainage scheme. The scheme as approved shall be fully implemented before any development commences on the new dairy building subject to this application and the scheme shall be maintained in accordance with the specification as approved.
4. Before work commences on the buildings hereby approved, a colour sample of the proposed cladding material for the external walls and roofing areas shall be submitted to and approved by the Local Planning Authority.
5. Notwithstanding the Town & Country Planning (Use Classes) Order, the premises subject of this permission shall only be used as a dairy with ancillary operational use as described in the application documentation, and for no other purpose.
6. Before development commences, details shall be submitted to and approved to show details of parking and servicing arrangements for the existing industrial unit that is located immediately adjacent to the proposed access.
7. Before any development commences, further details shall be submitted to and approved by the Local Planning Authority to show the design of the link between the new access road and the existing industrial estate road. The details as approved shall be fully implemented as part of the development before the new dairy is first used.
8. No part of development hereby permitted shall be commenced until full details of a landscape scheme for the whole site has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall be fully implemented in accordance with timescales to be approved in conjunction with the scheme of details.
9. The landscaping scheme to be implemented in connection with Condition 8 above shall be fully managed for a period of at least five years in accordance with details to be agreed, in writing, to allow time for the planting to become properly established.

Applicant	RE Tomlinson Discretionary Trust, P N & J A Tomlinson,	**Code Number**	MIN P/2005/1430
Agent	Haston Reynolds Partnership David A Haston Woodlands Walton Telford Shropshire TF66AN	**Date Received**	16/12/2005
		Decision Date	31/07/2006

wrexham COUNTY BOROUGH
BWRDEISTREF SIROL wrecsam

10. No outdoor storage shall take place in the open on any part of the site.
11. Details of any lighting or illumination of any part of the building or site shall be submitted and approved in writing by the Local Planning Authority and once approved no development shall be carried out otherwise than in full accordance with these approved details.
12. Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 1992 (or any Order revoking and re-enacting that Order with or without modification) no advertisement shall be displayed on the premises or within the site other than those hereby approved or previously given consent.
13. Foul water and surface water discharges from the site must be drained separately from the site.
14. No surface water or land drainage run-off shall be allowed to connect (either directly or indirectly) or discharge to the public sewerage system.
15. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata.
16. No development shall commence until a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with has been submitted and approved, in writing, with the Local Planning Authority. The scheme as approved shall be fully implemented and retained as part of the development.
17. The fence adjacent to the new access fence shall be designed to form an acoustic screen in accordance with further details to be submitted to and approved by the Local Planning Authority and this shall be erected as soon as the roadway is operational for construction traffic working on the buildings.
18. The rating level of any noise generated by plant or machinery associated with the development sh all not exceed the pre-existing background level by more than 3 dB(A). the noise levels shall be determined at the nearest noise sensitive premises (eg Kalver), and measurements shall be made in accordance with BS4142:1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.

Applicant	RE Tomlinson Discretionary Trust, P N & J A Tomlinson,	**Code Number**	MIN P/2005/1430
Agent	Haston Reynolds Partnership David A Haston Woodlands Walton Telford Shropshire TF66AN	**Date Received**	16/12/2005
		Decision Date	31/07/2006

wrexham COUNTY BOROUGH
BWRDEISTREF SIROL wrecsam

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 ensure that the proposed development does not cause hydraulic overloading to the public sewerage system at this location, to protect the amenities of existing residents and to prevent pollution.
4. In the interests of the visual amenities of the area.
5. The development provides adequate off-street parking facilities for alternative industrial uses, and therefore the Local Planning Authority considers that it is important to control future uses at the site.
6. The new roadway is likely to displace existing off-street parking and servicing arrangements for the unit and the Council considers in the interests of safe and free movement of traffic within the estate that details of alternative parking and servicing facilities for this unit are confirmed and approved before the new roadway is constructed.
7. To ensure that the development is served with a suitable access link with the existing estate road, in the interests of highway safety.
8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
9. The site is located adjacent to the countryside and it is important that the landscaping scheme is effectively maintained during the early stages of its establishment, in the interests of the visual amenities of the area.
10. In the interests of the visual amenities of the area.
11. In the interests of the visual amenities of the area, being located adjacent to the countryside.
12. To minimise clutter and to avoid excessive display to the detriment of the visual amenities of the area.
13. To protect the integrity of the public sewerage system.
14. To prevent hydraulic overload to the public sewerage system and pollution of the environment.
15. To prevent pollution of the water environment.
16. To ensure that effective drainage facilities are provided for the proposed development and to ensure that no adverse impact occurs to the environment or the existing public sewerage system.

Applicant	RE Tomlinson Discretionary Trust, P N & J A Tomlinson,	**Code Number**	MIN P/2005/1430
Agent	Haston Reynolds Partnership David A Haston Woodlands Walton Telford Shropshire TF66AN	**Date Received**	16/12/2005
		Decision Date	31/07/2006

wrexham COUNTY BOROUGH
BWRDEISTREF SIROL wrecsam

17. To ensure that the amenities of local residents are afforded adequate protection and in the interests of the amenities of the area.
18. To protect the amenities of nearby residents.

Note(s) to applicant

The historical mining activity within Coedpoeth/Minera has resulted in elevated levels of heavy metals in some areas. Should any made ground be identified on site, then it would be prudent to investigate the potential for such contamination and inform the Council's Contaminated Land Officer immediately. Should you require any advice on this issue please contact the Council's Environmental Protection Section on 01978 297041.

In respect of the landscaping details required in connection with Condition 8 above, the scheme shall also include details to confirm how the embankment and new fence along the edge of the new road will effectively be screened, and species chosen will need to give good winter cover. The scheme must also properly consider the visual impact of proposed loading areas on the eastern side of the main dairy building.

In respect of Condition 4 above, it is likely that a recessive colour(s) must be chosen to respect how this building will be viewed at the edge of the industrial estate adjacent to the countryside. It will be important to consider the prominence of the building from more distant view points.

You are advised that all works, ancillary operations and the use of plant and machinery which are audible at the site boundary shall be carried out only between 07.30 hours to 19.30 hours Monday to Friday, between 08.00 hours to 14.00 hours on Saturday, and at no time on Sunday and Bank Holidays. The Council has the option to control construction site noise by means of a Control of Pollution Action 1974, Section 60, Notice, where deemed necessary.

The applicant should be advised that the premises must comply with teh General Food (Wales) Regulations 2005 and any other relevant regulations. The applicant is strongly advised to contact the Council's Public Protection Section.
The premises shall comply with the Food Safety Act 1990, and you should contact the Council's Chief Public Protection Officer in connection therewith.

Applicant	RE Tomlinson Discretionary Trust, P N & J A Tomlinson,	**Code Number**	MIN P/2005/1430
Agent	Haston Reynolds Partnership David A Haston Woodlands Walton Telford Shropshire TF66AN	**Date Received**	16/12/2005
		Decision Date	31/07/2006

wrexham COUNTY BOROUGH
BWRDEISTREF SIROL wrecsam

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.