Report of the Chief Officer Economy and Planning

Application Reference
P/2024/1578

Applicant
Ms Nicola Sawford

Agent
Mrs Rachel Kennedy

Site Address
LAND OFF, BRYMBO ROAD, BRYMBO, WREXHAM, LL11 5LY

Description of Development
GOSOD PANELI SOLAR AR Y TIR, STROFA BATRI A CHABINED GRID / INSTALLATION OF GROUND MOUNTED SOLAR PHOTOVOLTAIC (PV) SCHEME, BATTERY STORAGE AND GRID CABINET

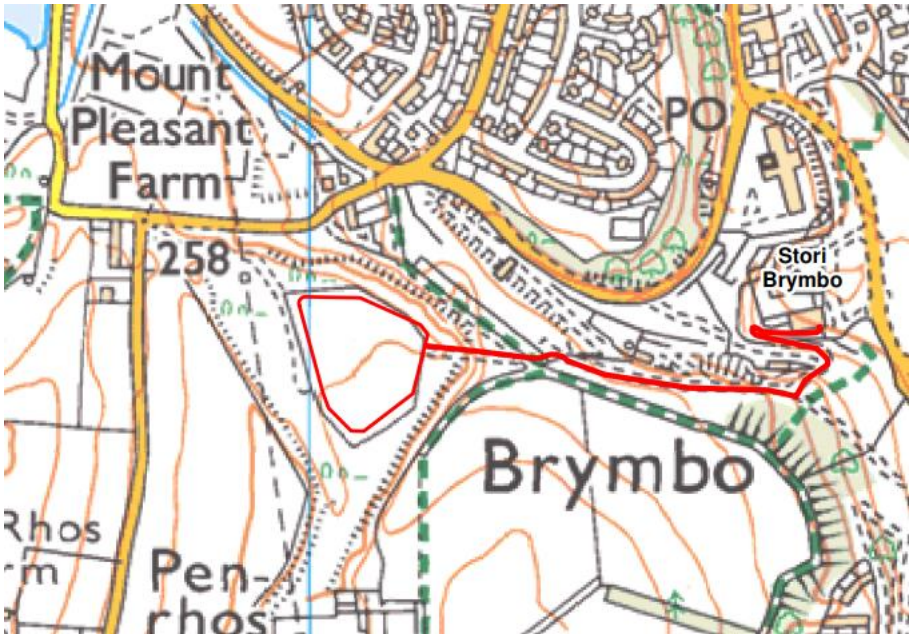
Ward
Brymbo/Brymbo

Community
Brymbo/Brymbo

Recommendation
Grant

Officer Report

Site Description
The site is located on the outskirts of Brymbo, approximately 515m southwest of the centre of the village. It is located within an existing fenced area and comprises an open field of restored land that was previously part of the historic mining and steel industry in this area. The site was remediated between 2004-2006. Those works involved the removal of existing vegetation, construction of an access ramp and construction of domed low permeability clay cap. The site is bound by mature trees and has an existing access from Brymbo Road. The total site area is approximately 1.3ha.



Proposal
The application seeks permission for the installation of a ground mounted solar photovoltaic development with associated battery storage and grid cabinet.

Reason for Committee Determination
Major Development

Site History
SO/2024/1001 - EIA Screening Opinion. Decision: Environmental Statement not required.

Relevant National Policy
Planning Policy Wales Ed. 12
Future Wales Plan (2040)
Future Generations of Wales Act 2015
Technical Advice Note 5 – Nature Conservation and Planning
Technical Advice Note 8 - Renewable Energy
Technical Advice Note 11 - Noise
Technical Advice Note 12 – Design
Technical Advice Note 18 – Transport
Technical Advice Note 23 – Economic Development

Consultation Responses
Community Council:
Consulted 22/11/24. No response received

Local Members:
Consulted 22/11/24. No response received

Natural Resources Wales:
No objections. However, raise concerns with the application as submitted but advise that the concerns could be overcome by planning conditions in respect of European Protected Species, piling and a Battery Safety Management Plan

Dwr Cymru Welsh Water:
Raise no objections. Request that a condition be attached to any permission to prohibit the disposal of surface water into the public sewer system.

CADW:
No objections. Concur with the conclusion of the submitted Heritage Impact Assessment.

HENEB:
No objections. Offer no further archaeological recommendations

Ramblers Association:
No response received

Highway Officer:
No objections, subject to the indicated visibility splays being implemented and maintained.

Contaminated Land Officer:
No objections. Recommends the inclusion of site-specific conditions in respect of mitigation measures to ensure the integrity of the remediation works and a Management Plan detailing the on-going maintenance measures to ensure the integrity of the remediation.

Public Protection Officer:
No objections. Accept the finding of the Noise Impact Assessment and recommends planning conditions in respect of ensuring appropriate noise levels are maintained.

Arboricultural Officer:
No response received

Ecology Officer:
No objections, subject to the imposition of planning conditions to

Parks, Countryside and Rights of Way:
Raise no objections. Advise that if the connection to the machine shop is by underground cable, this will cross Brymbo public footpath XG600. Any excavation of the path should be made good after the works.

Lead Local Flood Authority:
Raise no objections. The LLFA is satisfied that no surface water will be leaving the wider Brymbo steelworks site and that this development is unlikely to contribute towards offsite flood risk.

Publicity Undertaken:
Press AND Site Notices displayed
Notification Letters: 10

Responses to Publicity:
No representations received

Principle of Development
Planning Policy Wales (PPW) 12 para 5.7.1 states that low carbon and renewable energy must become the main source of energy in Wales, with para 5.7.6 emphasising the paramount importance of the benefits of renewable and low carbon energy, as part of the overall commitment to tackle the climate emergency and increase energy security. It goes on to state that the planning system should, amongst other things, optimise energy storage and maximise renewable and low carbon energy generation. Para 5.7.14 confirms the Welsh Government's target for Wales to generate 70% of its energy consumption from renewable energy by 2030, with paragraph 5.7.15 identifying the Planning system as having an active role to meet this target.

UDP Policy PS12 states that proposals for the generation of energy from renewable sources will be supported provided that the wider environmental benefits are not outweighed by any detrimental impacts of the proposed development (including any electricity transmission facilities needed) on the landscape, public safety, and the local environment.

The unadopted Local Development Plan (LDP). does not have the status of development plan. However, LDP and its evidence base have been subject to Examination in Public and found to be sound. Moreover, being more up to date than the UDP, they are also broadly consistent with PPW12 and Future Wales. In light of this, relevant policies in the unadopted LDP are considered to be material considerations. Policy SP18 of the unadopted LDP deals with climate change. Of direct relevance to this proposal is the requirement to reduce carbon emissions and promote the supply of renewable energy. The development would see a total output of 585kW, and whilst unadopted LDP Policy RE2 states that proposals for less than 10MW will be directed to Local Search Areas (LSA), at point ii) it states that outside LSAs proposals for wind, solar, biomass, energy from waste, anaerobic digestion, hydropower and other renewable sources will be supported in appropriate locations. The application lies outside of an LSA.

The proposal would promote energy efficiency and increase the supply of renewable energy, predominantly to the nearby community funded Stori Brymbo visitor attraction. The application site is not located within a flood zone and appropriate surface water disposal methods will be used to prevent an increased flood risk. The principle of development is therefore considered acceptable in accordance with the above policies of the Unitary Development Plan and unadopted Local Development Plan. It also accords with the requirements of Policy 17 of the Future Wales Plan 20-40 and chapter 5 of Planning Policy Wales 12, subject to consideration of the application specifics, landscape and visual impacts, design, and detail.

Design

Technical Advice Note (TAN) 12 states that proposals with design inappropriate to their context or failing to enhance local character, quality, or function should be refused where harmful to communities; otherwise, support may be justified.

The application notes that the final design will depend on detailed procurement. Typically, panels would form module units of three landscape-oriented panels mounted together, creating rows or arrays elevated up to 3m above ground (1m at the southern edge). Modules would be east–west facing at a 25° angle on metal frames fixed to concrete ballast, avoiding disturbance to the clay cap that underlies the site. The hight to which ballast is laid may vary in order to maintain level panel rows. A raised battery storage unit (12.3m x 2.4m x 3.4m) and a small grid cabinet are proposed east of the PV arrays, alongside repairs to existing mesh fencing and the installation of security cameras.

The supporting Landscape and Visual Appraisal (LVA) assesses impacts across construction, operation, and decommissioning. Construction effects would be temporary and short-term (approx. three months), with minimal vegetation loss. Operational impacts are limited due to mature boundary vegetation, while decommissioning impacts would be short-lived, with structures removed and disturbed ground reinstated.

The proposed development would change the site's character. However, the low height, limited built form, and screening provided by existing hedgerows and trees mean it can be accommodated within the landscape without significant adverse effects.

Given the dense boundary planting and low panel height, visual effects are expected to be negligible. Site surveys found no public viewpoints with visibility of the array, and this is expected to remain the case in winter. The proposal therefore complies with TAN 12 and UDP Policies GDP1 and PS2.

Impact on Neighbouring Amenity

The nearest residential properties to the application site boundary are 1-4 Brake Road and are located approximately 55m northeast of the site. The existing mature woodland located between the site and these properties would occupy the foreground of views to the west from these properties. The accompanying LVA indicates that even in winter months, the depth of woodland would continue to screen the proposal from view, with no effects on the visual amenity of these occupiers of the dwellings therefore expected.

A Noise Assessment (NA) accompanies the application. The NA concludes that there would not be a significant impact as a result of noise. The Councils Public Protection Officer raises no objection to the development. A suitably worded condition could be imposed to establish appropriate noise levels at the nearest noise sensitive properties.

Subject to suitably worded conditions, the proposed development would not have an adverse impact on the living conditions of occupiers of the nearest dwellings and as such accords with UDP policy GDP1.

Highway Considerations

Access

Access to the site would be via Brymbo Road to the south. A temporary 30mph speed restriction would be applied to a section of the road during the construction phase of development. Adequate visibility of 2.4m x 25m can be achieved from the proposed access.

Construction Traffic

During the eight-week construction period, vehicle movements are anticipated to include:

- One 20ft articulated vehicle delivering solar panels to the site;
- Four additional 20ft articulated vehicles delivering plant, equipment, mounting frames, fencing, cabling, and other construction materials; and
- One van or 4x4 vehicle per day transporting construction personnel.
- During the operational phase, vehicle movements will typically comprise a single 4x4 or commercial van visiting the site approximately once per week for inspection and maintenance purposes.

Traffic data obtained from the Department for Transport (2023) indicates that an annual average daily flow of 1,946 vehicles along the B5102 (Minera Road) and 1,165 vehicles along the B5433. The limited number of vehicle movements associated with the proposed development would represent a negligible increase relative to existing traffic volumes and would not have a material impact on the local highway network.

Brymbo Road is relatively narrow. However it has previously served be a local bus route. It currently accommodates only low levels of local traffic. Accordingly, the scale of construction and operational traffic generated by the proposed development is considered minimal and is not expected to adversely affect highway safety or residential amenity.

The Council's Highways Officer raises no objection to the proposed development and on the basis of the above it is considered that it accords with UDP policy GDP1.

Historic Environment

The application is supported by a Heritage Impact Assessment (HIA). This identifies nearby historic assets including Offa’s Dyke (sections south of Brymbo Colliery and Brymbo Hill), Brymbo Ironworks (Blast Furnace, Cast House & Foundry), and Penrhos Engine House, along with several locally important sites. The HIA concludes there would be no direct physical impact on any heritage assets. Visual impacts would be largely screened by existing vegetation. Furthermore, because most nearby heritage features relate to industrial and

mining activity, their historic significance is not derived from setting or views within the wider landscape.

Within the site a former section of Offa's Dyke is believed to have been removed or buried by past mining works, with no visible remains. HENEB therefore raise no objection or archaeological requirements. CADW also concurs with the HIA findings and raises no objection.

Having regard to the above, the proposed development complies with Technical Advice Note (TAN) 24, ensuring the conservation and protection of cultural and historic assets.

Natural Environment

Great Crested Newts (GCN)

GCN are likely present within the site. NRW consider the submitted Preliminary Ecological Appraisal (PEA) sufficient to assess potential impacts and recommend that the implementation of the Conservation Plan for Great Crested Newts that also accompanies the application to be secured by condition. NRW's initial response requested a planning agreement/obligation in respect of provisions relating to the identification of relevant land and funding to cover ecological management, surveillance and wardening throughout the operational phase of the proposals. However, the applicant confirms the proceeds from the charity's activities (the applicant), including any income derived from the solar farm, will be reinvested in the heritage site, local community and ecology. This means that core resources have already been ring-fenced for works including, ecological management and surveillance and NRW now confirm there is not a requirement for a unilateral undertaking or planning obligation.

Bats

NRW advise that the proposal poses a low risk to bats and is unlikely to affect their favourable conservation status. Subject to the implementation of the PEA's recommendations, the proposed development accords with TAN5 and UDP Policy EC6.

Site of Special Scientific Interest (SSSI)

The access track to the site adjoins the Coedwig Ffosil Brymbo Fossil Forest SSSI. Provided no machinery or materials enter or are stored within the SSSI, no adverse impact is anticipated. This could be secured by a suitably worded condition.

Green Infrastructure and Biodiversity

The proposal follows the stepwise approach in PPW12 by avoiding harm to semi-natural woodland and minimising impacts through the precautionary and restoration measures set out in the PEA. As habitat retention alone does not provide a measurable biodiversity net benefit, a biodiversity enhancement scheme could be secured by a suitably worded condition.

Flood Risk

The application site does not fall within any flood zone as identified in NRW Development Advice Maps. It is considered that the installation of the solar equipment would not contribute to increased flooding levels with adequate surface water disposal being present on this restored site.

Drainage

Foul Drainage

The application site is within the catchment of the River Dee and Bala Lake Special Area of Conservation (SAC). However, the proposed development is unlikely to be a source of additional nutrients entering the SAC. As such, the proposed development is not likely to have a significant effect on the River Dee and Bala Lake SAC in relation to nutrient inputs and is therefore in accordance with UDP policy EC6.

Surface Water Drainage

The existing drainage scheme would continue to handle all surface run off from the site. The LLFA are satisfied that no surface water would be leaving the wider Brymbo steelworks site and that this development is unlikely to contribute towards offsite flood risk. This proposed development would also require separate SAB approval for the surface water drainage arrangements.

Other Considerations

Land Contamination

The site lies on secondary a bedrock and on two historic landfill sites (Works Bank and Brymbo Steelworks). NRW have raised concerns that there is a potential risk of damaging the surface profile of the 'landfill' clay cap that prevents water from entering, and reacting with, the waste mass. Given the potential vulnerability of the landfill cap to disturbance during construction and installation of the foundation strips, NRW recommend the implementation of a Construction Environmental Management Plan (CEMP) to control activities during construction and commissioning of the project. This could be secured via a suitably worded planning condition.

The Councils Land Contamination Officer recommends suitably worded conditions to require the submission and approval of a method statement, management plan and, upon completion of development, a validation report in respect of land contamination.

Subject to the recommended conditions, the development is unlikely to pose a significant risk to future users of the site or the wider environment in terms of pollution and therefore with UDP policy GDP1.

Pollution Prevention

NRW advise that an outline Battery Safety Management Plan (BSMP) should be submitted that secures pollution prevention measures during operation. This could be secured by the imposition of a suitably worded planning condition.

Best and Most Versatile Land

The site is identified as Grade 3b on the Welsh Government's Predictive Agricultural Land Classification map and therefore is not classed as BMV.

Conclusion

The proposal is in accordance with the relevant national and local planning policies and would not give rise to concerns over visual or residential amenity impact, highways safety drainage or ecology. It is recommended that the application be granted subject to conditions.

Conditions

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.

2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):

   Access plan dwg no. BHT WB001 Rev: 005

   Figure 7 - Turning plan

   Figure 6 - Battery storage plan

   Figure: LV2 - Landscape Character

   Figure: LV1- 2.5km radius Zone of Theoretical Visibility

   Figure 2 - Block Plan

   Figure 1 - Site location plan

   Figure 5 - Grid Cabinet

   Figure: LV3- Landscape Designations & Recreational Routes

   Figure 4 - Indicative PV Table

   Heritage Impact Statement

   Design and Access Statement

   Landscape Visual Appraisal

3. The development shall be carried out in accordance the approved GCN Conservation Plan : Enfys Ecology, 14/08/2025, V2, Brymbo Heritage Area: Conservation Plan for Great Crested Newts

4. No foundation or piling work shall commence until a phased Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

• Foundation design details of the solar panels and any associated infrastructure in relation to the 'clay cap'; and

• Details regarding the construction process relating to the foundations and any other infrastructure with the potential to impact on the 'clay cap'.

The approved CEMP shall be implemented during the site preparation and construction phases of the development.

5. Development shall not commence until a suitably qualified ecologist (Ecological Clerk of works) has been appointed and details of an ecological watching brief, to include monthly audits, have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in strict accordance with watching brief, including the submission of the findings of each monthly audit. The findings of the monthly audits shall be submitted to the Local Planning Authority.

6. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly.

7. The development shall be carried out in strict accordance with the findings and recommendations contained within Preliminary Ecology Appraisal (Dulas, October 2024, V1.1, Brymbo Community Solar Park). The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

8. Within 3 months of commencement of development, a plan to provide net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped, shall be submitted to, and approved in writing by, the Local Planning Authority. The measures shall be implemented in

full, prior the first beneficial use of the development, and thereafter maintained for the lifetime of the development.

9. The rating level of any noise generated by the site (including this development) shall not exceed 32dB LAeq at the nearest noise sensitive properties 'Brake Cottages'. Measurements and assessment shall be made in accordance with BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound (or any Guidance revoking or re-enacting that Guidance with or without modification).

10. No development shall take place until a Method Statement detailing the mitigation measures to ensure the integrity of the remediation works (as detailed in Section 7 of the May 2007 Contamination Certification Report for The Wonder Bank for Brymbo Developments Limited by Smith Grant LLP) during the construction phase of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter take place in accordance with the approved scheme.

11. No development shall take place until a Management Plan detailing the on-going maintenance measures to ensure the integrity of the remediation works (as detailed in Section 7 of the May 2007 Contamination Certification Report for The Wonder Bank for Brymbo Developments Limited by Smith Grant LLP) has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be maintained in accordance with the approved scheme.

12. On completion of the development a Validation Report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate the development took place and the mitigation measures employed under the scheme(s) approved as part of condition 11 during the construction works were effective at protecting the remediation works. Where any remedial works were comprised during the construction works details of the corrective measures taken should be detailed in the report. The site shall not be occupied/used until the Validation Report has been completed and submitted to and approved in writing by the Local Planning Authority.

13. The development shall be carried out in strict accordance with approved Construction Traffic Management Plan Dated November 2024. The approved plan shall be adhered to throughout the construction phase of the development.

14. The development hereby granted planning permission shall be removed and the land restored within 40 years from the date of this permission, or within 6 months of the cessation of the use of the development for the generation of electricity, whichever is sooner. All plant, equipment, hardstanding, machinery and/or materials forming part of or connected with that use shall be removed not later than one month after that date.

15. A Decommissioning Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of the development for the generation of electricity. The Decommissioning Plan shall include details of the works necessary to revert the site to its original condition, including the method for the removal of all of the solar panels, sub-stations, inverter stations, structures, hardstanding, enclosures, equipment and all other apparatus above and below ground level from the site. The Decommissioning Plan shall also include a timeframe for such works which will address both time limits set out in Condition 18 of this permission.

16. There shall be no clearance of vegetation on site between the months of March to August inclusively in any calendar year.

17. Prior to the commencement of development, a detailed Badger Survey, shall be undertaken by a qualified Ecologist and the Badger Survey, together with any proposed mitigation (as may be necessary) and a timescale for the implementation of the mitigation measures submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

18. Prior to first use of the vehicular access hereby approved it shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 10 metres behind the adjoining highway.

19. Prior the first use of the access in conjunction with the construction phase of the proposed development, it shall be laid out in accordance with the details shown on dwg no. BHT WB001 Rev: 005, including the provision of the visibility splays. Within the visibility splays there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

20. No machinery or materials are permitted to enter or to be stored within the Coedwig Fossil Forest SSSI.

21. Prior to the commencement of development, a detailed scheme for the eradication of japanese knotweed form the site shall be submitted to and approved in writing by the Local Planning Authority. Such scheme as maybe approved shall be fully implemented.

22. Prior to the first beneficial use of the development hereby permitted an outline Battery Safety Management Plan (oBSMP) that secures pollution prevention measures during operation shall be submitted to an approved in writing by the Local Planning Authority. Such plan as may be approved shall be fully implemented and retained throughout the lifetime of the development

Reasons

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

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

3. To ensure that GCN are protected by the development in accordance with Policy EC6 Unitary Development Plan.

4. To ensure protection of the environment during construction in accordance with Unitary Development Plan Policy GDP1.

5. To ensure that all works which could impact upon ecological features are comprehensively monitored and in accordance with policy EC6 of the Wrexham Unitary Development Plan.

6. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policy DM1 of the Wrexham Local Development Plan.

7. In order to protect wildlife interests in accordance with Policy EC6 of the Unitary Development Plan

8. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.

9. In the interests of protection residential amenity in accordance with UDP policy GDP1.

10. To ensure that the risks to the future users of the site and to the local environment associated with contamination at the site have been assessed and, where necessary, appropriately remediated, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan and paragraph 6.9.17 of PPW12.

11. To ensure that the risks to the future users of the site and to the local environment associated with contamination at the site have been assessed and, where necessary, appropriately remediated, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan and paragraph 6.9.17 of PPW12.

12. To ensure that the risks to the future users of the site and to the local environment associated with contamination at the site have been assessed and, where necessary, appropriately remediated, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan and paragraph 6.9.17 of PPW12.

13. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

14. In the interests of the visual amenity of the locality and to define the terms of the planning permission, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

15. In the interests of the visual amenity of the locality and to define the terms of the planning permission, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

16. In order to protect wildlife interests in accordance with Policies GDP1, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

17. In order to protect wildlife interests in accordance with Policy EC6 of the Unitary Development Plan

18. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

19. In the interest of highway safety in accordance with Wrexham Unitary Development Plan policy GDP1.

20.

To ensure no detriment / pollution to the SSSI in accordance with Unitary Development Plan policy EC6

21. To safeguard against the spread of non-invasive species in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

22. In the interest of protecting the environment from pollution in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Notes

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang+en

Notes

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

The applicant is advised that the Council has the option to control construction noise by serving a Control of Pollution Act 1974, Section 60 Notice where deemed necessary, and failure to comply with such a Notice can result in prosecution.

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's

Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

The applicant must adhere to the times given above wherever possible. If, however, there are urgent or unavoidable circumstances requiring work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & Housing Standards at healthandhousing@wrexham.gov.uk or 01978 292040. Please use the same contact details for any other enquiries regarding construction / demolition site noise.

Notes

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;

- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;

- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

To prevent offences under the above named Acts there should be no bonfires on the site, to include the prohibition of the burning of cleared vegetation. The applicant should contact the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

Notes

The Applicant is advised that under the dust from construction and / or demolition activities can be judged to be causing a statutory nuisance to neighbouring properties. A legal notice can be served requiring that any dust nuisance is abated, and failure to comply with the requirements of the notice can result in prosecution. The applicant should contact the Council's Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

Notes

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority