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wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

Applicant Ms Nicola Sawford

Reference P/2024/1578

Agent Mrs Rachel Kennedy
Unit 2, Dyfi Eco Park,
Machynlleth, SY20
8AX

Date Received 11/11/2024

Decision Date 01/12/2025

Town and Country Planning Act, 1990

Location of Application

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

Description of Application

GOSOD PANELI SOLAR AR Y TIR, STROFA BATRI A CHABINED GRID

INSTALLATION OF GROUND MOUNTED SOLAR PHOTOVOLTAIC (PV) SCHEME, BATTERY STORAGE AND GRID CABINET

In reaching this decision the Council has had regard to the following relevant policies: -

Development Plan Policies:

EC 4 - Hedgerows, Trees and Woodland
EC6 - Biodiversity Conservation
GDP 1- Development Objectives
PS1 - Broad Location of Development
PS 11 - Biodiversity
PS2 - Broad Location of Development

Revision	Date	Description of Decision
0	01/12/2025	Planning permission issued
1	15/07/2026	REF: P/2026/0212 - DISCHARGE OF CONDITIONS 4 (CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN), 5 (WATCHING BRIEF), 10 (METHOD STATEMENT), 11 (REMEDIATION), 15 (DECOMMISIONING PLAN), 17 (BADGER SURVEY) AND 21 (JAPANESE KNOTWEED)

Particulars of decision : GRANTED subject to the following:-

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Condition(s)

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

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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.

Approved ref: P/2026/0212
Approved by: Wrexham County Borough Council
Approved detail: Construction Environmental Management Plan (CEMP) received 11th May 2026
Approved date: 15/07/2026

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

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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.

   Approved ref: P/2026/0212
   Approved by: Wrexham County Borough Council
   Approved detail: Ecological Watching Brief received 1st April 2026
   Approved date: 15/07/2026

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

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with or without modification).

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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.

    Approved ref: P/2026/0212
    Approved by: Wrexham County Borough Council
    Approved detail: Management plan detailing the mitigation measures / remediation received 2nd April 2026
    Approved date: 15/07/2026

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.

    Approved ref: P/2026/0212
    Approved by: Wrexham County Borough Council
    Approved detail: Remediation measures received 2nd April 2026
    Approved date: 15/07/2026

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.

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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.

    Approved ref: P/2026/0212
    Approved by: Wrexham County Borough Council
    Approved detail: Decommissioning plan received 14th July 2026
    Approved date: 15/07/2026

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.

    Approved ref: P/2026/0212

Approved by: Wrexham County Borough Council
Approved detail: Badger Survey Report Ref: EE.672.26.RC
Approved date: 15/07/2026

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.

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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

Reason(s)

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.

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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.

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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.

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

Note(s) to applicant

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

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.

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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.

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.

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.

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

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Ian Jones

Prif Swyddog Dros Dro Yr Economi a Chynllunio
Interim Chief Officer Economy and Planning

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
Planning and building control | Wrexham County Borough Council