PP 13158296

PLANNING STATEMENT TO SUPPORT AN APPLICATION FOR THE CONVERSION OF 3 BARN BUILDINGS TO 1 DWELLINGHOUSE, ERECTION OF A SINGLE STOREY REAR/SIDE INFILL EXTENSIONS AND SINGLE STOREY EXTENSION TO EXISTING BUILDINGS, ERECTION OF A SINGLE STOREY GARAGE AND ASSOCIATED LANDSCAPING WORKS AT LOWER RACKERY HOUSE, DARK LANE, BURTON, ROSSETT, WREXHAM, LL12 0AG

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EXECUTIVE SUMMARY

i. This Statement has been made to support an application for the conversion of 3 barns to 1 dwellinghouse, erection of a single storey rear/side infill extension and single storey extension to existing buildings, erection of a single storey garage and associated landscaping works at Lower Rackery House, Dark Lane, Burton, Rossett, Wrexham, LL12 0AG.

ii. The purpose of this Statement is to clarify and expand upon the above description of development and to consider the degree to which the proposals accord with relevant planning policies. The statement also reflects upon the degree to which the proposal can be described as sustainable development.

iii. In essence, the proposal would supersede the 5 dwellings granted under application Ref. P/2013/0285. It would provide a new single residential unit through the conversion of buildings at the site. These are structurally sound and are capable of conversion without major alterations. The buildings are architecturally worthy of retention and the proposal would not significantly alter their simple, traditional, appearance. Furthermore, the new unit's curtilage would not be unduly urban in appearance, would not harm the verdant character of the immediate sub-urban setting and would integrate successfully into the wider rural landscape. Consequently, it would be acceptable for the buildings at the application site to be converted to a single residential dwelling in line with key Policy H9 of the LDP.

iv. The proposal would not result in any harm to local biodiversity, would not result in likely significant effects to designated European sites (protecting their integrity) and would result in net benefits to biodiversity. These environmental gains also weigh in favour of this proposal.

v. Furthermore, the proposal would not cause harm to living conditions, the character and appearance of the area, would not prejudice highway safety or increase flood risk. Nether would it cause any other planning harms in terms of the other material planning considerations identified within this Statement.

vi. Overall, the proposal should be approved without delay as it is in accordance with the development plan as a whole and there are no other considerations which outweigh this finding.

1. INTRODUCTION

1.1 This planning statement has been prepared by ABL Planning & Development to support a planning application for:

"The conversion of 3 barn buildings to 1 dwellinghouse erection of a single storey rear/side infill extension and single storey, extension to existing buildings, erection of a single storey garage and associated landscaping works."

1.2 To support the application, this statement has been sectioned into 8 parts:

1. Introduction
2. Site description
3. Planning history
4. Relevant planning policy
5. Proposal
6. Key material considerations
7. Assessment
8. Conclusion

1.3 This statement is to be read in conjunction with drawings and reports submitted as part of this planning application.

1.4 The development was not screened for EIA purposes as its nature and scale clearly does not meet the applicable thresholds and criteria for such development as set out in Schedules 1 and 2 to The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

2. SITE DESCRIPTION

2.1 The application site is located on the southern side of Dark Lane, a relatively short distance to the north of Llay. It comprises a series of buildings with permission to be converted into 5 residential units (see Section 3 to this Statement) and associated garages, together with sizeable areas of hardstanding. To the south, east and west the site is bound by open fields. A Public Right of Way (PRoW) (footpath Llay/19) runs close to the site's entrance, along the western side of built form and adjoins Rackery Lane to the south west.

2.2 The site falls outside of any defined settlement boundary denoted by the Council's planning policy maps associated with the development plan. It is therefore within the countryside for the purposes of planning policy. That said, the immediate area is influenced by the presence of large pockets of commercial development, together with loosely knit residential development, set close to surrounding carriageways. Indeed, there is a large, detached, residential property immediately opposite to the site's access that is readily perceptible from within the application site.

3. PLANNING HISTORY

3.1 **P/2023/0832** - Discharge of conditions 2 (materials), 6 (parking), 8 (tree protection measures), 10 (arboricultural method statement), 12 (landscaping), 16 (boundary treatment), 21 (lime mortar) and 22 (photographic survey) of planning permission p/2018/1083 , Lower Rackery Farm Dark Lane Burton, Rossett. Pending determination

3.2 **P/2023/0231** - The construction of new vehicular access including changes to boundary wall and gates, new retaining wall and fencing (partly in retrospect). Refused, appeal pending consideration.

3.3 **P/2022/1078** - Discharge of condition 23 (contamination) of planning permission P/2018/1083. Formally discharged.

3.4 **P/2018/1083** - Variation of condition no. 1 Imposed under planning permission P/2013/0285 to allow additional time for commencement of development. Granted.

3.5 **P/2013/0285** – Conversion of redundant farm buildings to five (5) residential units. Granted.

4. RELEVANT PLANNING POLICIES

4.1 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, this application should be considered against the provisions of the adopted development plan, unless material considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development.

4.2 At the time of writing, the adopted Development Plan for Wrexham County Borough Council that is relevant for this scheme comprises:

- The Wrexham Local Development Plan (LDP).
- Local Planning Guidance Notes (LPGN); 3 Conversion of Buildings, 13 Housing in the Countryside, 16 Parking Standards, 21 Space Around Buildings and 32 Biodiversity.

4.3 Other material planning considerations include Planning Policy Wales Editions 12 (PPW12), Future Wales: The National Plan 2040 and relevant Technical Advice Notes (including 5: Nature Conservation and Planning and 12: Design). It should also be noted that the identified LPGN are associated with the Wrexham Unitary Development Plan (UDP). The UDP has now been replaced by the LDP and is no longer in force. Consequently, while the LPGN can be used to guide development to a degree, the weight to be given to these documents is significantly reduced.

4.4 While the adopted Development Plan is to be read as a whole, the most relevant development plan policies are outlined below.

Wrexham Local Development Plan

4.5 **Policy SP2: Location of Development** - New development is directed to the defined settlement limits and employment areas as identified on the Proposals Map.

4.6 **Policy SP11: Transport and Accessibility** – Amongst other things, Wrexham's transport network will be developed in a safe, efficient and sustainable way through restricting development that would have an unacceptable impact on the safe and efficient operation of the transport network manner and by ensuring adequate levels of car parking.

4.7 **Policy SP12: Design Principles** – All development will be required to be of a high quality, sustainable design. Proposals must demonstrate how they have taken account of the local characteristics of surrounding areas and how innovative design solutions will enhance the quality of the built and natural environment.

4.8 **Policy SP13: Health and Wellbeing** – All development should seek to reduce health inequalities and provide opportunities for healthy lifestyles and improving health and well-being, including mental health, by addressing the physical, economic and social determinants of health.

4.9 **Policy SP14: Natural Environment** – Development will only be permitted where it seeks to protect, conserve and enhance the natural environment.

4.10 **Policy DM1: Development Management Considerations** – Amongst other things, proposals must accord with or enhance the character, local distinctiveness and appearance of the site, not have an unacceptable effect on the amenity of the occupiers of nearby properties/land, provide a satisfactory standard of amenity for the occupiers/users of the development itself and not increase the risk of flooding

4.11 **Policy NE6: Waste Water Treatment and River Quality** – All new development will only be permitted where there is no adverse effect on the integrity of the River Dee and Bala Lake SAC in particular through the treatment of waste water.

4.12 **Policy H9: Conversion of Buildings Outside Settlement Limits to Residential Use** – The change of use or conversion of buildings to residential use outside settlement limits will only be permitted where:

i. The building is structurally sound and capable of conversion without extensive alteration, rebuilding or extension; and

ii. The building is worthy of retention due its appearance, historic, architectural or landscape value; and

iii. The creation of a residential curtilage does not have a harmful effect on the character of the countryside.

4.13 **Policy MW1: Minerals Safeguarding** - Non-mineral development within Mineral Safeguarding Areas as defined on the proposals map will only be permitted where it can be demonstrated that, amongst other things, the mineral underlying the site does not merit extraction.

5. PROPOSAL

5.1 This application seeks permission for the conversion of 3 barn buildings to 1 dwellinghouse erection of a single storey rear/side infill extension and single storey, extension to existing buildings, erection of a single storey garage and associated landscaping works. The barns to be converted are shown as Barns 1, 2 and 3 on drawing Ref. 101 P4 and are set in a U-shaped arrangement. A small, single-storey, extension would also be constructed to the rear of Barn 2, replacing a former lean-to structure, and a single storey infill would be located in the corner between Barn 2 and Barn 3.A new outbuilding would be located to the rear of the site.

5.2 To facilitate conversion, the roof of the barns would be reinstated in natural grey slate and the existing brick and stonework on elevations would be repaired using a darker brown, imperial weathered hand made red brick. Repointing would be carried out using a mortar mix of 3:1 (sand:lime) using a local brown sand such as that from Borras or Cefn Mawr, with a size of 5mm and down would provide a robust mortar and reflect the local vernacular as discussed with the Council's Conservation Officer, Mr Daniel Jones (Appendix 1). As discussed later in this Statement, only limited structural repairs are considered necessary and these would not require planning permission.

5.3 The principal of residential development through conversion of the buildings has been established through the grant of planning permission P/2013/0285 The principal of an infill extension between Barn 2 and 3 has been previously permitted as has the principal of a detached outbuilding to the rear of Barn 2.

6. ASSESSMENT

6.1 It is considered that the main issues with the proposed development are:

- Whether or not the conversion of the existing buildings is acceptable, with regard to its structural capability, aesthetic quality and the effect on the character and appearance of the area; and

- The effect of the proposal on biodiversity, including local wildlife, designated European wildlife sites and net benefit.

1) The Acceptability of Conversion

Policy Context

6.2 Policies SP2 and SP11 of the LDP seek to direct development to accessible locations within settlements. Nevertheless, Policy H9 of the permits the conversion of buildings to residential use outside of settlement limits where;

i. The building is structurally sound and capable of conversion without extensive alteration, rebuilding or extension; and

ii. The building is worthy of retention due its appearance, historic, architectural or landscape value; and

iii. The creation of a residential curtilage does not have a harmful effect on the character of the countryside.

6.3 LPGN13 echoes the above criteria for the conversion of buildings in the countryside to other uses, permitting this in principle where the building makes a positive contribution to the character and appearance of the area and is structurally sound and capable of conversion without extensive rebuilding. Accordingly, the principle of development would be acceptable should relevant criteria be met. Such criteria are now considered in turn below.

Capable of Conversion

6.4 Structural Reports have been carried out in 2004 and in 2013 pursuant to permission Ref. P/2013/0285. Amongst other things, these concluded that the buildings at the site were; in a presentable condition, had no major structural defects, were acceptable in overall structural terms and that there was no evidence of on-going damage from factors such as building movement. It was on this basis that the Council considered that the conversion of buildings to 5 residential units was acceptable.

6.5 A Visual Inspection Report (VIR) (ref:21-AGR-1434_REP_01, dated August 2023) of the structural capability of the relevant barns has been submitted with this proposal along with a set of drawing titled 'schedule of repairs'. This shows that for Barn 3 (Building 1 in the VIR), is formed of solid brickwork external walls (around 400mm thick) built on a low level stone masonry wall (around 600mm thick). It had traditional timber rafter roofing, now under transparent sheeting. For Barn 1 (Building 2 in the VIR), the external walls are solid brickwork (typically 215 to 325mm thick) and the roof was formerly traditional timber. For Barn 2 (Building 3 in the VIR), this has external brick walls that are around 215mm thick. It was formerly constructed under timber roofing, with trusses and a number of purlins remaining.

6.6 Overall, the VIR shows that there has been little appreciable change to the structural nature of buildings since 2013. There is some repair work required to walls adjacent to openings. However, roofing is generally intact. Buildings remain in a presentable condition with no major structural defects. Indeed, the structural integrity of buildings has improved since 2013, as repair works having been carried out.

6.7 It follows that, in line with the requirements of LPGN3, the buildings at the site are structurally sound. They are not entirely roofless and do not have substantial missing sections of walls. Neither are they of temporary construction nor are so ruined that only vestiges remain of the original building.

6.8 In terms of works to facilitate conversion, these would be relatively modest in nature and would not require planning permission. Sections of new roofing would be installed and the existing brickwork would be repointed. While the fenestration pattern would change marginally, there would be no substantial demolition of walls. In accordance with the LPGN3, the conversion of the buildings would not be tantamount to a new dwelling

6.9 As such, not only are the buildings still structurally sound, but they are capable of conversion without major alterations. This assertion is reinforced given that the VIR highlights that the programme of repairs required constitute works that are only minor in nature. These include localised crack repairs, repointing of mortar joints and lateral restraints to certain walls.

Worthy of Retention and Design

6.10 The application buildings are not listed. Nevertheless, they are not without architectural merit. One of the barns (Barn 2) is around 100 years old and all have interesting architectural features (including stone walls and traditional timber roofing (with elements of traditional design still remaining)). Overall, the barns at the site are typical of rural buildings of this nature and add to the aesthetic quality of this semi-rural location and. In line with the requirements of the LPG3, they are suitable to be converted.

6.11 The architectural quality of the buildings at the site has also been recognised by the Council itself. Under application Ref. P/2013/0285, it imposed a condition (condition 22) which required that an appropriate photographic survey of the existing buildings on the site is carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The resulting digital photographs have been forwarded on to the Local Planning Authority as well as Clywd-Powys Archaeology in order to discharge the condition to which no objections have been raised by Clwyd-Powys Archaeology. The reason for the imposition of this condition was in order to provide a record of buildings of local architectural or historic interest. It follows that there can be no doubt that the barns to be converted are worthy of retention due to their appearance, historic and architectural merit.

6.12 For completeness, a copy of the previously submitted photographic recording is also submitted with this application as well as Clwyd-Powys Archaeology confirmation that there is no objection to the condition on planning permission P/2018/1083 being discharged (Appendix 2).

6.13 Turning to design, the conversion would not significantly alter the appearance of the barns to the scheme approved by the Local Planning Authority, or indeed the appearance of the barns how they appear on site today. They would not be unduly perforated by openings, with rooflights being limited and modest and new openings being discretely positioned in a logical pattern. The scheme would not unduly urbanise the built form at the site, which would still retain its architectural

interest and integrate successfully into this semi-rural setting. Overall, in accordance with the requirements of Technical Advice Note 12: Design, the conversion would result in the least amount of change possible to external appearance, which would remain traditional in form. Moreover, the solid, simple, appearance of the barns would remain intact to provide an appropriate relationship with the landscape features of this semi-rural area.

6.14 Not only would this design approach be sympathetic to the existing buildings and their surroundings, but it would ensure their long term preservation and historic/architectural merit. This reinforces the assertion that the buildings at the site are worthy of retention in the manner proposed.

Residential Curtilage – Character of the Countryside

6.15 The site is positioned on the southern side of Dark Lane. While located within the countryside for the purposes of planning policy, the immediate area is comprised of pockets of loosely knit residential and commercial development adjacent to surrounding carriageways. Indeed, immediately facing the site, across Dark Lane, there is a sizeable detached residential property. This unit, together with its associated boundary treatments (which include high level stone walls), large garden areas and associated residential paraphernalia (such as parked vehicles), is readily perceptible from the public domain. This is also true for electricity infrastructure. Consequently, although divorced from larger settlements, the site is influenced by sub-urban form.

6.16 Moreover, the site has planning permission for the conversion of buildings to form 5 residential units (granted initially under application Ref. P/2013/0285 and then varied to allow for a longer implementation period under application Ref. P/2018/1083). This development remains extant and can be lawfully implemented[1]. As such, this proposal must also be seen in context with the residential development that can be lawfully implemented at this site. This includes the creation of two storey units, outbuildings/garages and associated garden areas and hardstanding for the parking of vehicles. This could considerably urbanise the site and reinforces the assertion that this is not an open countryside location. Rather, it is, and will be, influenced by the presence of residential development.

6.17 This proposal would provide a single dwelling rather than the approved 5 units. On this basis alone, the urbanising effect of the curtilage, including associated residential paraphernalia, boundary treatment and hardstanding, would be acceptable as effects would be reduced compared to consented development. Furthermore, the garden would be to the rear of the new unit. It would not be excessive in overall area for a building of this size. Neither would it be visually apparent from the carriageway, and it would be screened by existing vegetation from the nearby Public Right of Way. The curtilage itself would not appear as an unduly urban feature.

[1] with regard to case law; *East Dunbartonshire Council v SSS & Mactaggart Mickel Ltd [1999] 1 PLR 53* followed in *Riordan Communications Ltd v South Bucks DC [2000] JPL 594, Field v FSS & Crawley BC [2004] EWHC 147 (Admin), Connaught Quarries Ltd v SSETR & East Hants DC [2001] JPL 1210, R (oao) Robert Hitchens Ltd v Worcestershire CC [2015] EWCA Civ 1060, Butcher v SSE [1996] JPL 636, F G Whitley & Sons v SSW & Clwyd CC [1992] JPL 856* and *R (oao Hart Aggregates Ltd) v Hartlepool BC [2005] EWHC 840 (Admin).*

6.18 Within the curtilage, the new unit would not have an excessive footprint and would not occupy a significant proportion of the plot. The ratio of open space and soft landscaping to built form would be appropriate. The new unit, set away from site boundaries, with a modest overall physical presence, would ensure that the curtilage did not appear 'overdeveloped' or cramped. Additionally, the new garage within the curtilage would be limited in footprint and set away from the carriageway and site boundaries. It would not be a visually intrusive or dominant feature within the curtilage.

6.19 An Arboricultural Method Statement (AMS) has also been submitted with this proposal. This shows that no tree works are required. That said, protective fencing would be installed during works with details of such fencing illustrated at Appendix 2 to the AMS. Other precautions outside of fenced areas are also illustrated, including that concrete mixing will not be carried out within 10m of trees and that these trees will not be used as anchorage for equipment. Consequently, the proposal would make no material change to the verdant nature of the curtilage.

6.20 Overall, the new unit's curtilage would be a relatively small area, used intimately in association with the adjacent building. It would be entirely commensurate in size with the proposed dwelling and would not encroach beyond the development limits of the site. Domestic paraphernalia would not inappropriately draw the eye in this sub-urban area and the visual effect of the curtilage of housing at this site would be reduced compared to the consented development. There would therefore be no harmful urbanisation or detrimental effect (including to trees) on the character of the area or the wider countryside as a result of the proposal's curtilage. To ensure that this remains the case, the applicant recognises that permitted development rights for extensions to the converted dwelling, for outbuildings and boundary treatments may be removed.

Overall Conclusion – Acceptability of Conversion

6.21 Taking all of the above into account, as confirmed by multiple structural surveys of the buildings at the site, together with the Council's own assessments for previous developments, the buildings to be converted are structurally sound and are capable of conversion without major alterations. The buildings are architecturally worthy of retention, as confirmed by the Council's request for their historic photographing under previously consented schemes, and the proposal would not significantly alter their simple, traditional, appearance. Furthermore, the new unit's curtilage would not be unduly urban in appearance, would not harm the verdant character of the immediate sub-urban setting and would integrate successfully into the wider rural landscape. It should be noted that effects in this regard would be markedly reduced compared to the consented scheme of 5 units or indeed, a scheme of 3 units.

6.22 Overall, it would be acceptable for the buildings at the application site to be converted to a single residential dwelling. There would therefore be no conflict with key Policy H9 of the LDP. It should also be noted that the principle of this proposed development was considered acceptable under a recent pre-application response from the Council (Ref. ENQ/2023/0247) provided on 9 January 2024. This is provided at Appendix 3 for ease of reference. The response is clear that:

*"In principle there would **not be an objection** to the revised conversion scheme..."*

6.23 The Future Wales: The National Plan 2040 also illustrates that, over the next 20 years (2019 – 2039), the estimate of the additional housing need in Wales, under the central estimate, is around 110,000. During the initial five years (2019-20 to 2023-24) it is estimated that on average 7,400 additional homes will be required annually. This is not an insignificant requirement for new homes. The proposal would contribute to meeting such targets, albeit in a modest fashion, in a policy compliant manner. This social benefit weighs in favour of this proposal.

2) Biodiversity

Local Biodiversity

Habitats and Species

6.24 Pursuant to paragraph 6.2.12 to the PPW, an Ecology Technical Note (ETN) has been submitted. This should be read in conjunction with the submitted Bat Scoping Report (BSR).

6.25 The ecological surveys have aimed to establish the baseline biodiversity conditions of the site as far as possible. In recent years, the complex of farm buildings has gone unmanaged and disused. The existing buildings do not support any suitable features for a significant bats roost, with the interior of each building being bright and draughty. No confirmed evidence of roosting bats was identified with no bat droppings found internally or externally. Moreover, the buildings are largely considered to be of limited suitability for nesting swallow and no evidence of barn owl activity was identified at the site. That said, some crevice features in buildings are suitable for individual or low numbers of non-breeding bats. As such, the buildings were assessed as offering 'moderate' bat roosting suitability.

6.26 Habitats around the remaining buildings currently comprise areas of bare ground with some short, pioneer vegetation. None of these habitats are considered to be of any significant biodiversity value. Some ruderal habitats are likely to have developed around the fringes of the site including areas of bramble, rank grassland and ruderal herb. Such habitats are of limited botanical value but can provide some refuge and foraging habitat for common wildlife. Consequently, such habitats are considered to be of minor biodiversity value.

6.27 Wider habitats are agricultural in character comprising principally improved grassland with associated hedges and scattered oak tree standards (including those located along the site's north western boundary). These are of some modest ecological value. Of similar ecological value, there is also a small lake located approximately 120m to the south west of the site. The lake measures approximately 8000m^2 in area and is enclosed within a fringe of broadleaved trees.

6.28 Overall, the site has a low ecological value, with only certain parts of existing buildings being of moderate suitability for a limited number of roosting bats. Consequently, the proposal would not result in the loss of any valued habitat. The oak trees will be retained and unharmed, with adequate mitigation measures installed to protect rooting systems. Furthermore, the landscaping proposals

(discussed in greater detail below) would more than compensate for the historic loss of areas of bramble and ruderal habitats which were likely to have been previously present at the site.

6.29 The only protected species that could be affected is bats. Nevertheless, the loss of any potential bat roosting habitat associated with conversion would be mitigated/compensated through the installation of bat and bird boxes at the site. These would be installed within the structure of the proposed converted barns and can be fitted to retained trees on the site's north western boundary.

6.30 Taking everything together, the proposal is unlikely to result in harm to valued habitats or protected species.

Net Biodiversity Benefit and Green Infrastructure

6.31 The application is supported by a Net Benefit and Green Infrastructure Statement (Mulberry, 4th March 2024). A number of opportunities to enhance the ecological value of the site would be taken. As discussed above bat and bird boxes would be installed within the buildings and within nearby trees. The locations of these boxes would be guided by an appropriately qualified ecologist.

6.32 A new 120m length of species-rich hedgerow would be planted along the existing fence line on the site's northwestern boundary. This would comprise a suitable mix of hawthorn, blackthorn, hazel, dog rose and holly hedging, planted in a double stagger.

6.33 Additionally, a 10 m wide band of wildflower grassland habitat would be created along the north western boundary of the site following the line of the hedgerow. It would be sown with a suitable wildflower seed mix (e.g. Emorsgate EM2 General Purpose Seed Mix). In addition, 11 native trees would be provided at the site including hawthorn, rowan, apple and downy birch.

6.34 All of this biodiversity enhancement would be apparent to the public given the presence of the nearby Public Right of Way network. That said, footpaths would be suitably marked with gravel or wood chippings to prevent pedestrian encroachment into the areas of wildflower grassland.

6.35 Overall, substantial net benefits would be achieved in terms of biodiversity. This could be secured and managed effectively via a condition requiring the submission and approval of a Habitat Management Plan.

Overall Conclusion – Local Biodiversity

6.36 Taking everything together the proposal would avoid and minimise impacts on biodiversity in the first instance. It would also provide considerable opportunities for enhancement within the site to allow species to adapt and/or to move to more suitable habitats. This is specifically in accordance with the advice of Chapter 6 of the PPW and TAN5: Nature Conservation and Planning.

European Wildlife Site

6.37 The site is within the catchment area of the River Dee Estuary Ramsar Site and Special Protection Area. These are designated European sites and are a considerable recreational and economic resource. The aquatic environment at these sites is sensitive to nutrient changes, with phosphates in particular noted to reduced oxygen levels via algal blooms to the detriment of aquatic flora and fauna.

6.38 Regulation 63 of The Conservation of Habitats and Species Regulations 2017 ("the Habitats Regulations") requires that the competent authority, in this case the Council's officer, *"before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which:*

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site,

must make an appropriate assessment of the implications of the plan or project for that site in view of that site's conservation objectives."

6.39 The proposal seeks permission for the conversion of buildings to form a single dwelling. This is notably fewer units (4 less) than that consented at the site. The drainage system for this approved development was also unrestricted. Consequently, the nutrient discharge from the site via the foul drainage system would be significantly lower for this current scheme than the consented development. On this basis alone, there would be no likely significantly effects in terms of nutrient imbalance at the identified European sites.

6.39 In any event, the Drainage Statement submitted in support of this scheme, together with associated appendices, shows that the foul drainage for the proposed development is to be connected into a Bio Disc sewage treatment plant. The disc filter will be specified for the removal of phosphates as part of the treatment process. This is a similar package treatment plant which has been proposed and approved by the Council on other developments in the Borough, most recently at Bowland Tractors, Westfield Depot, Buck Road, Commonwood, Holt.

6.40 Accordingly, notwithstanding a large reduction in foul water discharge compared to the consented development, this scheme on its own would not alter nutrient concentration levels, including phosphates, within European sites.

6.41 For these reasons, there would be no likely significant effects to the River Dee Estuary Ramsar Site and Special Protection Area. There is therefore no requirement for an Appropriate Assessment (Stage 2 assessment) under the Habitats Regulations and the Council can be satisfied beyond all reasonable scientific doubt that there would be no harm to the integrity of the European sites. In any event, should a Stage 2 assessment be deemed necessary, the Council can perform this based on the information provided and can conclude that there would be no harm to the integrity of any European site.

OTHER MATERIAL CONSIDERATIONS

Contaminated Land

6.42 The previous scheme (Ref. P/2013/0285) and subsequent permission (P/2018/1083) was approved subject to a condition (condition 23) that required the submission of a scheme to deal with potential contamination. However, details in this regard have subsequently been provided to, and approved by, the Council see Appendix 4 to this Statement). Consequently, it is requested that, should this development be approved, the original condition is not carried forward. Rather, that the development is simply granted in accordance with the already approved details in terms of contamination.

Living Conditions

6.43 Given the distance between the proposed dwelling and nearby residential properties, the proposal would not prejudice living conditions in terms of outlook, access to daylight or privacy. Moreover, given the limited scale of the proposal and the reduction in movements to and from the site compared to the consented development, there would be no harm to existing residents in terms of noise and disturbance.

6.44 Turning to living conditions for future occupants, the proposed unit would provide internal floor space to meet relevant standards (in excess of 40sq.m as required by LPGN3). As such, it would not be unduly cramped internally. The property would also offer a suitably sized garden area, and sufficient distance would remain between it and surrounding buildings to ensure that the new unit would not be overlooked or visually oppressed. Overall, the proposed dwelling would provide high standards of accommodation for future occupants.

6.45 The proposal would therefore accord with Policies SP13 and DM1 of the LDP insofar as they seek to ensure that developments do not result in social detriments to health, do not have an unacceptable effect on the amenity of the occupiers of nearby properties/land and provide a satisfactory standard of amenity for the occupiers/users of the development itself.

Overlapping Consents

6.46 It is acknowledged that there is an extant permission for the conversion of buildings to 5 dwellings. The Council may therefore present concern with simultaneous development.

6.47 However, it was held in *Pilkington v SSE [1973] 26 P&CR 508* that there may be any number of planning permissions covering the same area but if the implementation of one permission in accordance with its terms and conditions would make it physically impossible to implement another permission in accordance with its terms and conditions, then the latter permission cannot be lawfully implemented.

6.48 The implementation of any permission for a new residential unit under this scheme would make it physically impossible to implement the permission for the 5 dwellings. Consequently, with regard to

the above mentioned case law, there could not be simultaneous developments occurring at the site. It would not be reasonable to raise concern in this regard.

Mineral Supply

6.49 The site falls within a Minerals Safeguarding Area. However, given that the site is developed and that the proposal simply seeks to convert existing buildings, this development would have no effect upon access to any minerals. Mineral sterilisation would not occur and there would be no effect on the Council's ability to utilise finite natural resources. Minerals at the site do not merit extraction. This is in accordance with Policy MW1 of the LDP.

Flood Risk

6.50 The submitted Drainage Statement shows that the site is at very low risk from flooding from rivers, sea and surface water/small watercourses. Given the low permeability of the soils at the site, soak-a-ways are not considered appropriate. Nevertheless, the Drainage Statement shows that a drainage solution exists.

6.51 Accordingly, and as the amount of development at the site, including hardstanding, would be reduced, the proposal would not be unduly susceptible to flood events and would not increase the likelihood of such events off-site. This is in accordance with the Policy DM1 of the LDP insofar as it seeks to manage flood risk.

Highway Safety and Parking

6.52 The proposal would afford suitable off street parking for future residents on hardstanding. Turning to highway safety, sufficient space would be provided to allow vehicles to manoeuvre and exit the site in a forward gear. A scheme has been previously submitted to discharge condition 6 (parking) attached to planning permission P/2018/1083 in which the Local Highway Authority have made no objection (see appendix xx).

6.53 Additionally, the proposal would utilise the existing access arrangements previously approved by the Local Planning Authority. The proposed development would result in a lower intensification of the use of this access compared to any agricultural use or the residential use that could arise via the implementation of application Ref. P/2018/1083. Consequently, the development would result in a betterment in terms of vehicular and pedestrian safety. The scheme is therefore in accordance with Policy SP11 of the LDP.

Economic Benefits

6.54 In addition to the support for economic growth within local policy, the Future Wales: The National Plan 2040 places significant emphasis on the need to build a strong competitive economy.

6.55 Indeed, the former coalition Government stated shortly after the Framework was launched that "its number one priority is to get the economy moving again" (Ministerial statement 6th Sept 2012).

This strategic ambition remains the case once more many years later, in a post-EU Exit and COVID economic environment. As a barometer to the wider economic outlook, the Governor of the Bank of England, Andrew Bailey, has recently announced that GDP growth in the UK has slowed. It is entirely possible that the economy could soon enter a recession. Supporting the economy is therefore more important than ever.

6.56 Housing, whilst no panacea, is universally regarded as being a driver to growth and prosperity at the micro and macro level as well as serving a social role and allowing better movement of labour. Previous Planning White Papers were aimed at further bolstering housing land supply and introducing better competition in the housing market by assisting smaller builders.

6.57 The July 2020 White Paper carries the above sentiments forward and states that "Millions of jobs depend on the construction sector and in every economic recovery, it has played a crucial role." In addition, the Royal Institute of Chartered Surveyors have recently highlighted that for every £1 spend on construction a further £2.84 is generated across the wider economy (Build Back Better May 2020, University of Birmingham Paper).

6.58 Overall, there would be clear short and medium term economic benefits associated with this development both at local and regional levels. This is through factors such as the creation of a wide variety of jobs associated with the conversion of the buildings and increased local expenditure to support local services and those further afield. The weight to be attributed to this planning benefit is significant.

7. CONCLUSION

Planning Balance

7.1 The Government is seeking to significantly boost the supply of housing. The principle of residential development at this site has already been established through the granting of permissions for such uses could be implemented. This new unit would simply supersede the dwellings granted under application Ref. P/2018/1083.

7.2 Nevertheless, this proposal would provide a new single residential unit through the conversion of buildings at the site. These building are structurally sound and are capable of conversion without major alterations. The buildings are architecturally worthy of retention, as confirmed by the Council's request for their historic photographing under previously consented schemes, and the proposal would not significantly alter their simple, traditional, appearance. Furthermore, the new unit's curtilage would not be unduly urban in appearance, would not harm the verdant character of the immediate sub-urban setting and would integrate successfully into the wider rural landscape.

7.3 As such, it would be acceptable for the buildings at the application site to be converted to a single residential dwelling with regard to key Policy H9 of the LDP. This proposal would therefore contribute to meeting considerable housing targets within the Future Wales: The National Plan 2040 in a policy complaint manner. The social benefits associated with this carry significant weight,

particularly in the context of a national housing shortfall. This is also true for the associated economic benefits.

7.4 The proposal would not result in any harm to local biodiversity, would not result in likely significant effects to designated European sites (protecting their integrity) and would result in net benefits to biodiversity. These environmental gains also weigh in favour of this proposal. Furthermore, the proposal would not cause harm to living conditions, the character and appearance of the area, would not prejudice highway safety or increase flood risk. Nether would it cause any other planning harms in terms of the other material planning considerations identified within this Statement.

7.5 Overall, the proposal should be approved without delay as it is in accordance with the development plan as a whole and there are no other considerations which outweigh this finding.

Overall Conclusion

7.6 It is concluded that the proposal would represent sustainable development. It is therefore respectfully requested that permission be granted.

APPENDIX 1

Case No: P/2023/0832

Proposal: Rhyddhau Amod 2 (Deunyddiau), 6 (Parcio), 8 (Mesurau Amddiffyn Coed), 10 (Datganiad O Ddulliau Coedyddiaeth), 12 (Tirlunio), 16 (Triniaeth Ffin), 21(Morter Calch) A 22 (Arolwg Ffotograffig) Caniatâd Cynllunio P/2018/1083 / Discharge Of C

Location: , Lower Rackery Farm, Dark Lane, LL12 0AG.

From: DAN JONES:

Date: 12th January 2024

Policy Section: Con

This application has been screened by application type and against GIS constraints. It is thought that you may wish to comment. Please view the application and make your comments:

A site visit has been undertaken as requested to review the sample of brickwork and mortar for use.

It has been agreed with the agent to use the darker brown, imperial weathered handmade red brick for use in any repair work.

The grey Ffestiniog slate is acceptable.

Mortar mix is an acceptable sand to lime mix at a ratio of 3:1 (sand:lime). However, the sand used in the sample panel was a standard red builders sand which created a red/pink colour of mortar. It has been agreed to change the sand to a local brown sand such as that from Borras or Cefn Mawr. This will be a sharp, graded sand with a particle size of 5mm and down to provide a more robust mortar and reflect the local vernacular. Brickwork joints should be pointed flush and once the mortar is green, tamped back with a stiff bristled churn brush ,or similar, to consolidate it within the joint and expose the aggregate.

APPENDIX 2

Ellie Jones

From: Neil Bayliss <neil.bayliss@cpat.org.uk>
Sent: 15 December 2023 12:17
To: Ellie Jones; planning.consultations@powys.gov.uk
Subject: FAO: Jenni Perkins RE: P/2023/0832 at Lower Rackery Farm, Burton

Good afternoon,

I can confirm that the Photographic Survey has been approved, deposition to the archive achieved, and that condition 22 can be discharged.

Kind regards,

Neil

Mr Neil Bayliss BA, PCIfA
Swyddog Rheoli Datblygiad / Development Control Archaeologist
Ymddiriedolaeth Archaeolegol Clwyd-Powys / Clwyd-Powys Archaeological Trust

http://www.cpat.org.uk
Ffôn / Tel: +44 (0)1938 553670
Ffôn / Tel: +44 (0)7496 984393
E-bost / E-mail: neil.bayliss@cpat.org.uk

A Registered Organisation with the Chartered Institute for Archaeologists.

Ymddiriedolaeth Archaeolegol Clwyd-Powys, Y Swyddfeydd, Coed y Dinas, Y Trallwng, SY21 8RP.
Swyddfa Gofrestredig fel yr uchod. Rhif Cwmni 1212455, Rhif Elusen 508301.

Clwyd-Powys Archaeological Trust, The Offices, Coed y Dinas, Welshpool, SY21 8RP.
Registered Office as above. Company No 1212455, Charity No 508301.

Privacy Notice

From 1 April 2024 the Clwyd Powys Archaeological Trust will merge with 'Heneb: the Trust for Welsh Archaeology' (Charity Number 504616 and Company number 01198990). This will maintain our regional levels of staffing, service and expertise, and provide additional benefits from being part of a larger organisation.

Mae'n bosibl nad yw'r datganiadau a'r safbwyntiau a fynegir yn yr e-bost hwn yn cynrychioli rhai Ymddiriedolaeth Archeolegol Clwyd-Powys.
Statements and opinions expressed in this e-mail may not represent those of the Clwyd-Powys Archaeological Trust.

APPENDIX 3

Wrexham County Borough Council / Cyngor Bwrdeistref Sirol Wrecsam
Guildhall, Wrexham. LL11 1AY
Neuadd y Dref, Wrecsam. LL11 1AY
DX: 721924 - Wrexham 4
www.wrexham.gov.uk www.wrecsam.gov.uk

wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

RACHAEL EVANS

Your Ref/Eich Cyf	
Our Ref/Ein Cyf	ENQ/2023 /0247
Date/Dyddiad	09/01/2024
Ask for/Gofynner am	Simon Greenland
Direct Dial/Rhif Union	01978 298743
E-mail/E-bost	simon.greenland@wrexham.gov.uk

Dear Madam,

Town and Country Planning Act 1990

CONVERSION OF 3 BARN BUILDINGS TO ONE DWELLING HOUSE AND EXTENSION GARAGE AND LANDSCAPING
LOWER RACKERY HOUSE DARK LANE, BURTON, ROSSETT.

I refer to the enquiry for this proposal.

Planning Policies
The site is outside settlement limits as set out in the Wrexham Local Development Plan and is within a mineral protection area.
The following policies are relevant:
SP2 Location of development
SP11 transport and accessibility
SP12 Design principles
SP13 health and wellbeing
SP14 Natural environment
DM1 development management Considerations
NE6 waste water treatment and river quality
H9 Conversion of buildings outside settlement limits to residential use
MW1 minerals safeguarding

The following Local Planning Guidance Notes are relevant:
3 Conversion of buildings
13 Housing in the countryside
16 parking standards
21 space around dwellings
32 Biodiversity

Details are available on our website:

Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.

We welcome correspondence in Welsh.
We will respond to any correspondence in Welsh and this will not lead to any delay.

https://www.wrexham.gov.uk/service/planning-application-guidance/development-plans-and-other-planning-policy

Planning History
The following applications are recorded:
P/2013/0285 Conversion to 5 dwellings Granted 10/3/2014
P/2018/1083 extension of time for 2013 Granted 1/5/2019
P/2022/1078 Discharge of c3 (contamination) of the above granted 29/9/2023
P/2023/0165 Variation of conditions Withdrawn
P/2023/0231 Vehicular access refused 8/9/2023

Main issues
Conversions policies
Policy H9 of the LDP states:

> The change of use or conversion of buildings to residential use outside settlement limits will only be permitted where:
>
> i. The building is structurally sound and capable of conversion without extensive alteration, rebuilding or extension; and
>
> ii. The building is worthy of retention due its appearance, historic, architectural or landscape value; and
>
> iii. The creation of a residential curtilage does not have a harmful effect on the character of the countryside.

The guidance in LPGN3, although based on the former Wrexham Unitary Development Plan, is also relevant.

The building is in a poor state of repair and the LPA has previously advised that the works carried out at the site fall outside of the scope of the previous permission.

In principle there would not be an objection to the revised conversion scheme, but given the condition of the building, the reports and plans should clearly detail the extent of re-building required. The garage is a large structure but is still subservient to the barn.

Ecology
A survey of the buildings for bats and breeding birds would be required.

Phosphates and the River Dee catchment
This issue is preventing any permissions involving private treatment plants at the present time. Details are available on our website:
https://www.wrexham.gov.uk/service/development-plans-and-other-planning-policy/new-river-phosphate-level-targets

Information required for planning application
Location Plan
Site layout plan
Existing and proposed floor plans and elevations, detailing the extent of new work

Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.

We welcome correspondence in Welsh.
We will respond to any correspondence in Welsh and this will not lead to any delay.

Structural report
Ecology report and proposals for providing a net biodiversity benefit
Drainage proposals
Applications can be made via our website.
https://www.gov.wales/apply-planning-permission

Conclusion
The proposals are likely to be acceptable in principle but the phosphates issue is likely to be a problem at the present time.

These comments are made without prejudice to any formal decisions of the Local Planning Authority

Yours faithfully,

Simon Greenland

Economi a Chynllunio

Economy and Planning

Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.

We welcome correspondence in Welsh.
We will respond to any correspondence in Welsh and this will not lead to any delay.

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

APPENDIX 4

wrexham COUNTY BOROUGH COUNCIL CYNGOR BWRDEISTREF SIROL wrecsam

Applicant	MR DONALD SHONE	**Code No**	ROS P/2018/1083
Agent	MR DONALD SHONE STRYT ISA FARM STRYT ISA PENYFFORDD CHESTER CH4 0JY	**Date Received**	28/12/2018
		Decision Date	01/05/2019

Town and Country Planning Act, 1990
Section 73

Location of application

LOWER RACKERY FARM, DARK LANE, BURTON, WREXHAM, LL12 0AG

Description of application

VARIATION OF CONDITION NO. 1 IMPOSED UNDER PLANNING PERMISSION P/2013/0285 TO ALLOW ADDITIONAL TIME FOR COMMENCEMENT OF DEVELOPMENT

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

EC4	Hedgerows, Trees and Woodland
GDP1	Development objectives
H3	Residential conversion of buildings outside settlement
H5	limits
PS2	Housing in the countryside
T8	Development and the environment
	Parking

Revision	Date	Description of Decision
0	01/05/2019	Planning permission issued
1	29/09/2023	P/2022/1078 Discharge of Condition 23

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

Condition(s)

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
2. No part of the development shall commence until samples of all external facing and roofing materials have been submitted to and approved in

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		Decision Date	01/05/2019

writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

3. The development shall be carried out strictly in accordance with the conclusions and recommendations as set out in the Protected Species Survey dated 10 October 2011 compiled by Clwydian Ecology and the Great Crested Newt Reasonable Avoidance Scheme dated 24 July 2012 complied by Clwydian Ecology approved as part of planning permission P/2013/0285.

4. The existing westerly vehicular access as identified on the approved plan numbered 130506 dated June 2013 shall be permanently closed up prior to the first use of the development hereby approved in accordance with a scheme of enclosure details of which have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details as may be approved.

5. Prior to the first use of the development, the easterly access shall be fully laid out in strict accordance with the layout as detailed on the approved plan numbered 130506 dated June 2013. The visibility splays as indicated on the aforementioned plan shall be retained permanently clear of all obstruction in excess of 1 metre in height.

6. No part of the development shall commence until further details of the proposed vehicular parking and turning facilities and internal circulation spaces have been submitted to and approved in writing by the Local Planning Authority. The facilities as are approved shall be fully laid out, surfaced and drained prior to first use of the development, and shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking and turning of vehicles at all times.

7. Prior to the first use of development a verge crossing to the site shall be constructed in strict accordance with a scheme which has been submitted and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details as may be approved.

8. No equipment, machinery, plant or materials of any kind in connection with the development shall be brought onto the site until tree protection fencing and ground protection measures have been implemented in strict accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The details should include specification and location for the fencing. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made.

9. The tree protection fencing and ground protection measures approved in connection with condition no. 8 shall be kept in place until all external site

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works have been completed and the removal of the fencing has been approved in writing by the Local Planning Authority.

10. No part of the development shall commence until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in strict accordance with the Method Statement as is approved. The Method Statement shall include the following:

a) A specification for tree protection fencing and ground protection measures that comply with British Standard 5837:2012;

b) A Tree Protection Plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones, and location of protective fencing and ground protection measures accurately plotted;

c) A full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zone, including any related sections and method for avoiding damage to retained trees;

d) Details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;

e) Details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the Local Planning Authority;

f) Method for protecting retained trees during demolition works;

g) Details of all proposed tree works, including felling and pruning.

11. The following activities should not be carried out under any circumstances:

1)No fires should be lit within 10 metres of the nearest point of the canopy of any retained tree.

2)No works, including earth works and the bringing onto site of machinery or materials shall proceed until the approved tree protection measures are put in place, with the exception of the approved tree works.

3)No equipment, signage, fencing, tree protection barriers, materials, components, vehicles or structures shall be attached to or supported by a retained tree.

4) No mixing of cement or use of other materials or substances shall take place within tree root protection areas or tree construction exclusion zones, or close enough to these that seepage or displacement of those materials or substances could cause them to enter tree root protection areas or tree construction exclusion zones.

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5) No alterations or variations to the approved works or tree protection schemes shall be carried out without the prior written approval of the Local Planning Authority.

12. No part of the development shall commence until full details of both hard and soft landscape works, to include some native planting has been submitted to and approved in writing by the Local Planning Authority. The plan shall include a timescale for the implementation of works, and shall provide for ecological improvement / habitat creation and enhancement in the soft landscape areas for the benefit of biodiversity conservation specifically tailored to the landscape features.

13. The landscaping scheme submitted and approved in connection with condition no. 12 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.

14. The landscaping scheme as carried out in connection with condition no. 12 shall be permanently retained. Any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.

15. The approved landscaping scheme shall be maintained in strict accordance with the five year Maintenance Plan as approved in connection with condition no 12.

16. No part of the development shall commence until a scheme of boundary treatments has been submitted to and approved in writing by the Local Planning Authority. The scheme shall fully specify the treatments proposed for the full boundary of the development site and also all boundaries between the proposed residential units as well as a timescale for their implementation and shall be carried out strictly inaccordance with those details as may be approved.

17. Prior to their installation on the building, drawings to scale 1:5 and 1:20 fully detailing all new or replacement windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The details shall fully describe the proposed materials, decorative/protective finishes, cross sections for glazing bars, sills, heads etc, method of opening and glazing type. The works shall only be carried out in strict accordance with such details as are approved.

18. All rainwater goods shall be cast iron or aluminium only.

19. Prior to their installation on the buildings, details of all new plumbing, pipes, flues, vents, ductwork, handrails and balustrades shall be submitted to

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and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details as may be approved.

20. All roof lights hereby approved shall be 'conservation type' only fitted flush with the adjoining roof surface.

21. All re-pointing works shall be carried out using a lime based mortar only. The Council's Conservation Officer shall be given 5 days notice in writing of a meeting on site to approve the mix and finish. Works shall only be carried out in strict accordance with such details as are approved.

22. No works shall commence until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The resulting digital photographs should be forwarded on a CD or DVD to the Local Planning Authority, and the Development Control Archaeologist at Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR (Tele no. 01938 553670).

23. No part of the development shall commence until a scheme to deal with potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a phased investigation approach to identify the extent of contamination and any measures required to remediate the site, including post-development monitoring. Alternatively, gas protection measures should be installed in all new buildings. A methodology of these works (including specification details, design plans, installation, inspection and validation details etc...) should be submitted in writing to the Council for approval prior to any works commencing on site.

Application Reference: P/2022/1078 **Details Approved :** Email from Rachael Evans, Discharge of Condition 23 – Contaminated Land attached to P/2018/1083 Dated 29th August 2023, Cordek, Tri-Gas Membrane Data Sheet, Cordek, Drawing of Cordek Methane /CO2 Protection System, Typical Existing Wall Abutment Detail, Cordek, E20 formwork for in-situ concrete, Cordek, J40 Flexible Sheet Tanking / Damp Proofing, Cordek, Drawing of Cordek VOC/Ground Gas Venting System – Ground Bearing Slab – Vent Box, Cordek, Ventform Data Sheet, GroundSolve Ltd, Letter report RE: Lower Rackery Farm, Llay – Contamination Assessment. Dated 10th May 2021, Cordek, Radon Sump Data Sheet, Cordek, Drawing of Cordek Radon Protection System, Typical Radon Sump Detail, Cordek, Drawing of Cordek Radon Protection System - Typical Radon Sump Layout, Cordek, VOC & Ground Gas Protection Brochure

□ Email from Steel 4 Structures Limited, Re: Discharge of Condition at Lower Rackery House, Dated 17th April 2023, Barron Design, Site Entrance and Land Management Existing Site Block Plan, Cordex, VOC/Hydrocarbon Protection

Applicant	MR DONALD SHONE	**Code No**	ROS P /2018 /1083
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System Typical Existing Wall Abutment Detail, Cordex, VOC/Hydrocarbon Protection System Typical Ground Slab with Perimeter Thickening Detail, Cordex, VOC/Hydrocarbon Protection System Typical RC slab Edge Detail, Cordex, Puraflex VOC Membrane Data Sheet. **Approved By:** Wrexham CBC **Date Approved:** 29/09/2023

24. No part of the development shall be occupied until a Verification Report which demonstrates that the remedial works approved as part of condition no. 23 above have been satisfactorily carried out, has been submitted to and approved in writing by the Local Planning Authority.

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification), no further development shall take place under Classes A to G of Schedule 2, Part 1 or Class A of Schedule 2, Part 2, other than the development hereby granted permission.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
3. In order that full consideration and protection is given to biodiversity interests on the site.
4. In the interests of highway safety.
5. To ensure the formation of a safe and satisfactory access.
6. To provide for the parking and turning of vehicles clear of the highways and to ensure that all hard surfacing is carried out in the interests of the visual amenities of the area.
7. In the interests of highway safety.
8. To ensure that the retained trees are adequately protected during development in the interests of amenity.
9. To ensure that the retained trees are adequately protected during development in the interests of amenity.
10. To ensure the work is carried out to accepted arboricultural practices for the long term well being of the tree(s).
11. To ensure that hard surfacing does not cause harm to retained trees in the interests of visual amenity.
12. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect biodiversity

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		Decision Date	01/05/2019

interests which would otherwise be damaged or lost by the development hereby permitted.
13. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
15. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
16. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to protect biodiversity interests or lost by the development hereby permitted.
17. To ensure the works reflect the character and appearance of the building.
18. To ensure the works reflect the character and appearance of the building.
19. To ensure the works reflect the character and appearance of the building.
20. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
21. To ensure the works reflect the character and appearance of the building.

22. To provide for a record of a building or buildings of local architectural or historic interest
23. In the interests of the amenities of the future occupants of the buildings
24. In the interests of the amenities of the future occupants of the buildings
25. In order that the Local Planning Authority may have control over future development at the site to ensure that special character of the building is retained.

Note(s) to applicant

The applicant is reminded that Public Right of Way Llay 19 passes through the site and the requirement of condition no. 4 should take this into account. A gap of at least 1.5 metres should be retained and a level surface provided between the site and the adjoining highway.
You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

Applicant	MR DONALD SHONE	**Code No**	ROS P /2018 /1083
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You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control Section on 01978 292050.

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

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

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

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

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during

Applicant	MR DONALD SHONE	**Code No**	ROS P /2018 /1083
Agent	MR DONALD SHONE STRYT ISA FARM STRYT ISA PENYFFORDD CHESTER CH4 0JY	**Date Received**	28/12/2018
		Decision Date	01/05/2019

construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

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

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

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

All works relating to this development which are audible beyond the site boundary should be carried out only between 7.30 and 18.00 hrs Monday to Friday, and 08.00 to 14.00 hrs 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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

A licence should be obtained (as required by section 184 of the Highways Act

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		Decision Date	01/05/2019

1980) from the Highway Authority in order to lower the kerbline and cross the footpath at the new access position. Further guidance can be obtained from the Highways Department of Wrexham County Borough Council on telephone 01978 729690.
This permission is granted subject to the above conditions. Some conditions may require your attention prior to you carrying out any work on the proposal. These conditions are known as ""conditions precedent"". You should be aware that it is important that you comply with any ""conditions precedent"". If you do not, then any work you undertake on the development subject of this permission would not have planning permission.

If evidence of storage/spillage of agro-chemicals are found in or around the farm buildings/outbuildings/area, then it would be prudent to investigate the potential for residual contamination. The applicant is advised to contact the Housing and Public Protection Department of the Council on 01978 315733 for further guidance.

Officer Appointed for this purpose
Chief Officer Planning & Regulatory

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm

PP 13158296

FLOOD FLOW LTD

CONSULTING CIVIL AND STRUCTURAL ENGINEERS

36 Holdenbrook Close
Leigh
WN7 2HL

Tel 07940 523819
Website: www.floodflow.co.uk
Email: mail@floodflow.co.uk

Project No: 23161

Project: Lower Rackery,
near Llay
Wrexham
LL12 0AG

Subject: Drainage Statement

Date: 17th April 2024 (Issue 04)

1.0 GENERAL

This drainage statement has been prepared to support a planning application for the conversion of a agricultural building to a residential dwelling (barn conversion).

The site is currently featuring an existing barn as shown below.

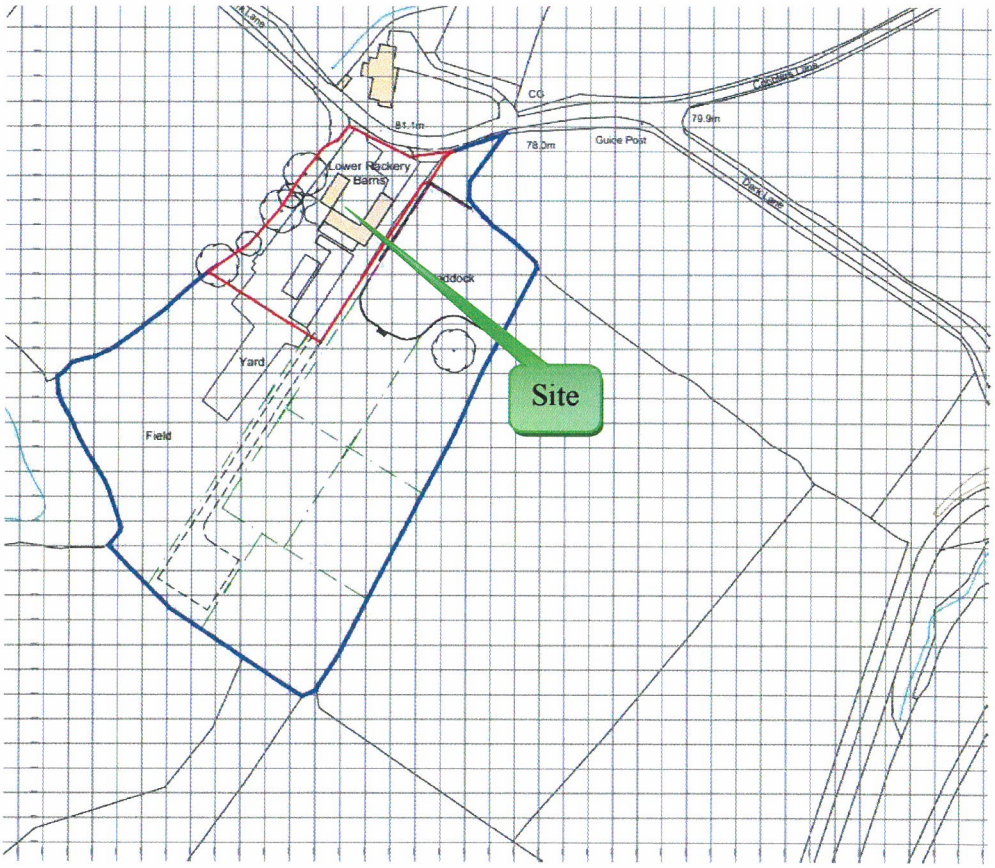


Figure 1 – Site Location Plan

2.0 DRAINAGE DESIGN

2.1 Surface Water Drainage

2.1.1 Flood Risk

Flood risk map show high risk of surface water flooding.

LOWER RACKERY, DARK LANE, BURTON, ROSSETT, WREXHAM, LL12 0AG

Very low risk	**Flooding from rivers** Risk less than 0.1% chance each year
Very low risk	**Flooding from the sea** Risk less than 0.1% chance each year
Very low risk	**Flooding from surface water and small watercourses** Risk less than 0.1% chance each year

Table 2 – Flood Risk (Source: Natural Resouces Wales)



Figure 3 – Flood Map (Source: Natural Resouces Wales)

2.1.2 Drainage Strategy

1st Choice - Discharge to Soakaway

In accordance with the Building Regulations hierarchy for the disposal of surface water drainage, the initial consideration will be for a soak-a-way system.

Percolation tests have not been carried out at the development site. From online soil data using the BGS website it states Till, Devensian - Diamicton superficial deposits.

In view of the low permeability of the soils indicated at the site, soak-a-ways are not considered a viable option for the proposed development.

2nd Choice - Discharge to Watercourse

The second consideration is disposal of surface water to watercourses/ ditches. There are ditches running to the north of the proposed development site and should be considered as the preferred option for the drainage design – see Figure 4 below.



Figure 4.1 – Location of Watercourse



Figure 4.2 – Long Section

3rd Choice - Discharge to Sewer

The third option in the drainage hierarchy is to discharge into the existing public sewers. From investigations of the surrounding area there are no public sewers within an economically viable distance from the proposed development.

Surface water from the existing barn naturally falls towards the ditch located adjacent to the site. The impermeable area for the proposed development has been calculated at 1695m^2, which is less than that of the existing. Therefore, attenuation proposed for the development has been calculated to accommodate climate change.

The surface water runoff of 24.2 l/s generated from the existing buildings and pave areas has been calculated using the modified rational method, existing impermeable area of 2495m^2, a rainfall rate of 50mm/hr and 30% betterment.

The volume of storage has been calculated at 47m^3 using the proposed discharge rate and a proposed impermeable area of 1695m^2 has been used to estimate the required attenuation in Appendix C.

The design criteria for network modelling to be used for the site is:

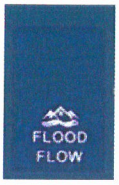
- 1 in 30 year no surcharging of the surface water network.
- 1 in 100 year (plus climate change 40% in accordance with TAN15) will be contained within the attenuation, and the volume has been indicated for the development site.
- The roof water for the proposed development will also enter the combined public sewer.
- A bypass separator upstream of the proposed attenuation structure is not considered a requirement due to the size of the parking area for the proposed development.

2.2 Foul Drainage

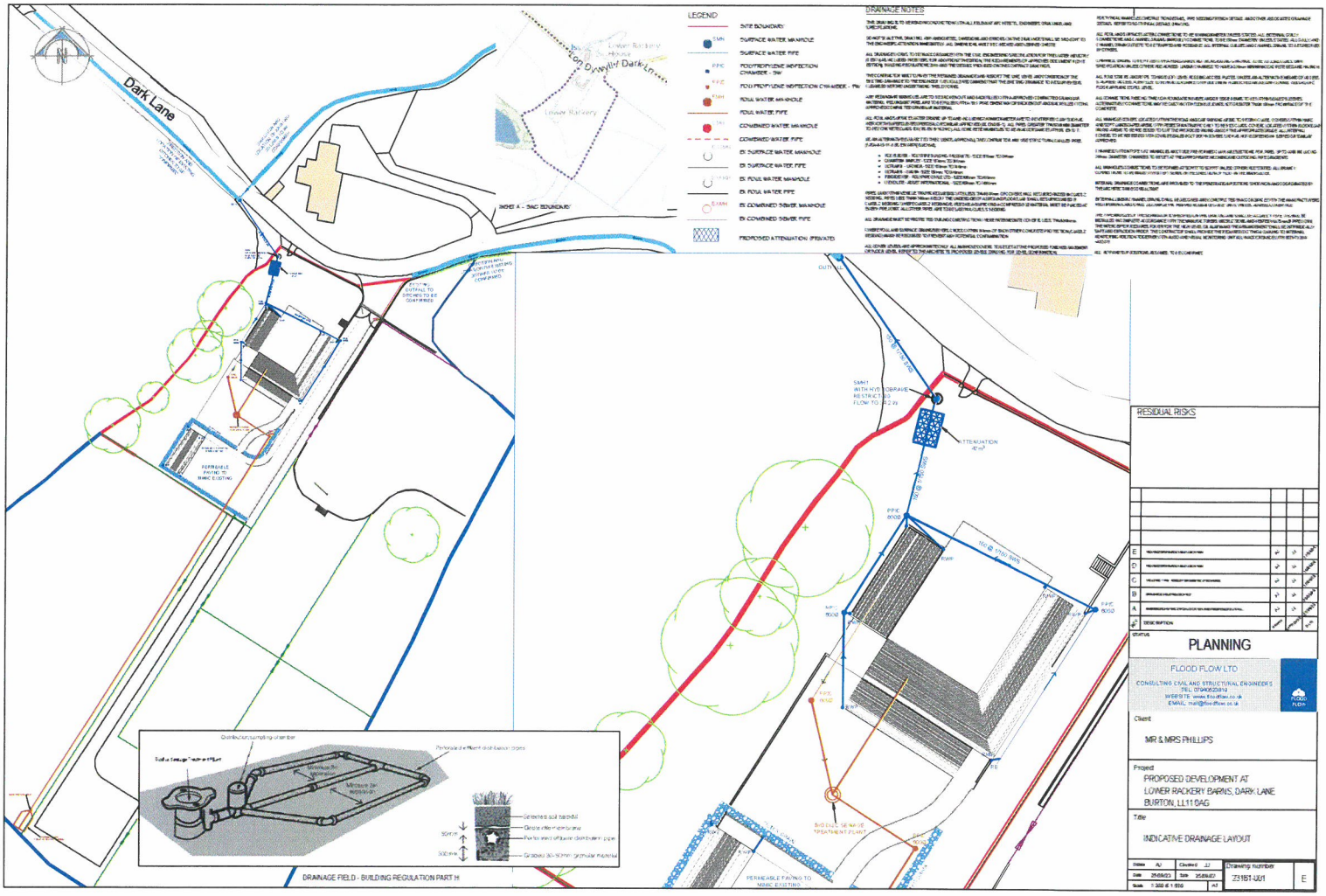
The foul drainage for the proposed development is to be connected into a proposed Bio Disc sewage treatment plant with chemical dosing equipment (BioDisc +P) as shown on the drainage layout. The disc filter will be specified for the removal of phosphates as part of the treatment process.

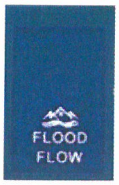
Appendices

- Appendix A – Flood Flow Drawing Number 23161.001 E – Drainage Layout.
- Appendix B – Flood Maps (Source: Natural Resources Wales)
- Appendix C – Surface water runoff and attenuation calculations.
- Appendix D – Check Your Flood Risk
- Appendix E – Kingspan Bio Disc with Chemical Dosing Equipment Certificate

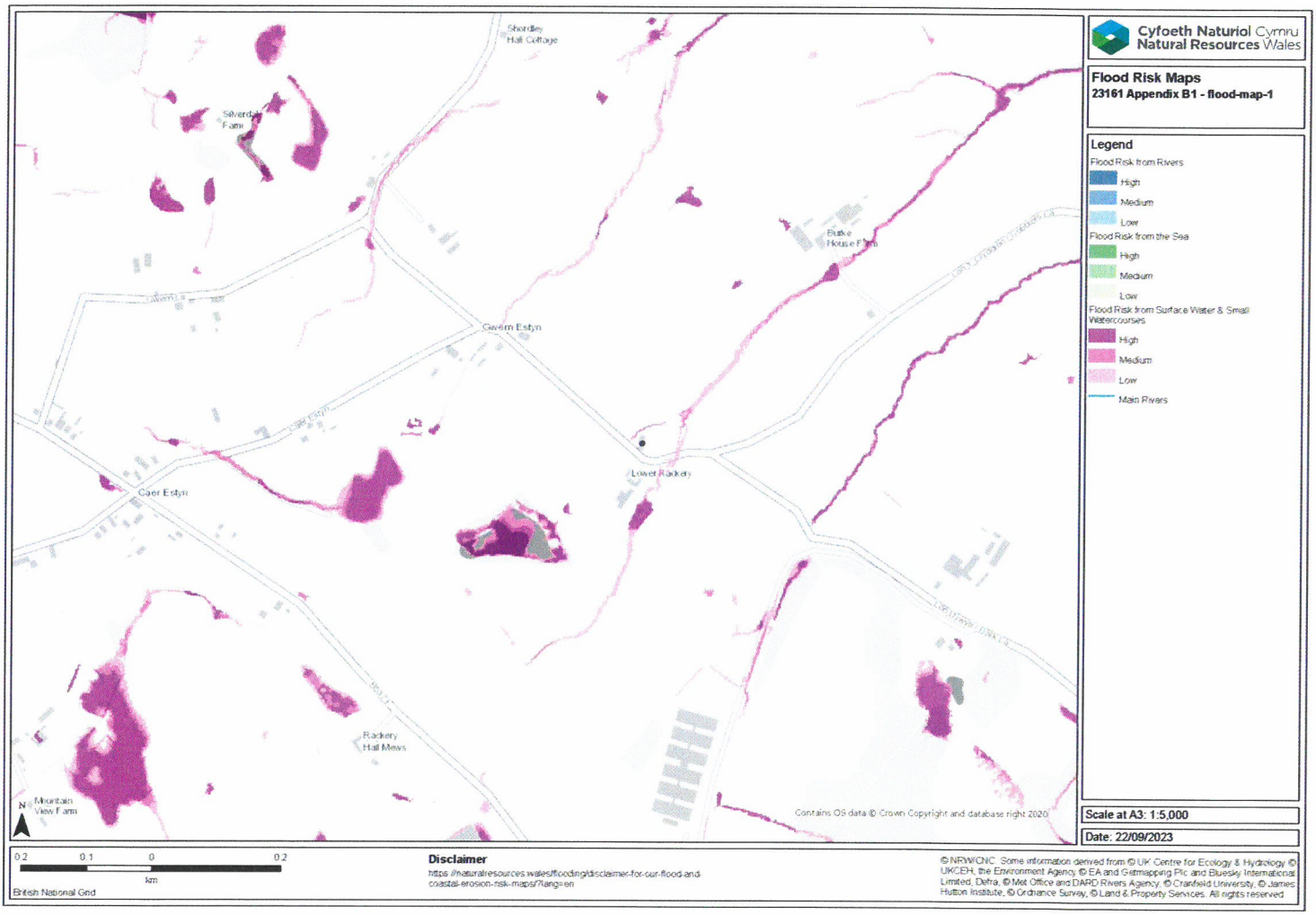


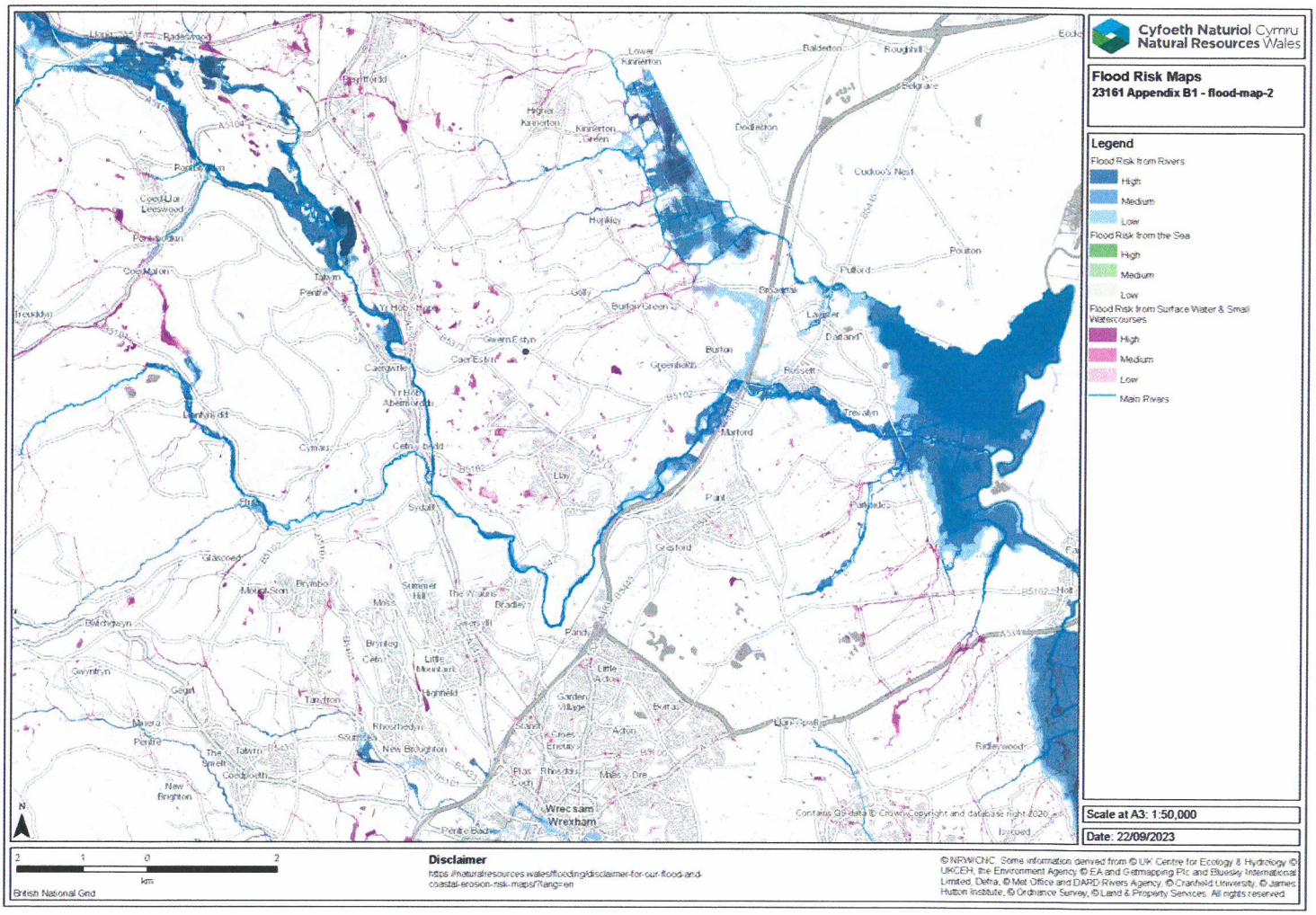
APPENDIX A

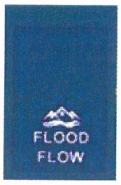

Dark Lane
Lower Rackery
Lon Dywyll / Dark Ln
Lower Rackery
SHEET A - SAC BOUNDARY
LEGEND
SITE BOUNDARY
SURFACE WATER MANHOLE
SURFACE WATER PIPE
POLYPROPYLENE INSPECTION CHAMBER - 750
POLYPROPYLENE INSPECTION CHAMBER - 750
FOUL WATER MANHOLE
FOUL WATER PIPE
COMBINED WATER MANHOLE
COMBINED WATER PIPE
ES SURFACE WATER MANHOLE
ES SURFACE WATER PIPE
ES FOUL WATER MANHOLE
ES FOUL WATER PIPE
ES COMBINED SEWER MANHOLE
ES COMBINED SEWER PIPE
PROPOSED ATTENUATION (PERVIOUS)
DRAINAGE NOTES
RESIDUAL RISKS
PLANNING
FLOOD FLOW LTD
CONSULTING CIVIL AND STRUCTURAL ENGINEERS
Client
MR & MRS PHILLIPS
Project
PROPOSED DEVELOPMENT AT
LOWER RACKERY BARNS, DARK LANE
BURTON, LL11 0AG
Title
INDICATIVE DRAINAGE LAYOUT
Drawing number
Z3187-U01
E
DRAINAGE FIELD - BUILDING REGULATION PART H



APPENDIX B


Shordley Hall Cottage
Silverdale Farm
Burke House Farm
Gwern Estyn
Lower Rackery
Caer Estyn
Rackery Hall Mews
Mountain View Farm
N
Contains OS data © Crown Copyright and database right 2020
Cyfoeth Naturiol Cymru
Natural Resources Wales
Flood Risk Maps
23161 Appendix B1 - flood-map-1
Legend
Flood Risk from Rivers
High
Medium
Low
Flood Risk from the Sea
High
Medium
Low
Flood Risk from Surface Water & Small Watercourses
High
Medium
Low
Main Rivers
Scale at A3: 1:5,000
Date: 22/09/2023
0.2 0.1 0 0.2
km
British National Grid
Disclaimer
https://naturalresources.wales/flooding/disclaimer-for-our-flood-and-coastal-erosion-risk-maps/?lang=en
© NRW/CNC. Some information derived from © UK Centre for Ecology & Hydrology © UKCEH, the Environment Agency, © EA and Getmapping Plc and Bluesky International Limited, Defra, © Met Office and DARD Rivers Agency, © Cranfield University, © James Hutton Institute, © Ordnance Survey, © Land & Property Services. All rights reserved


Cyfoeth Naturiol Cymru
Natural Resources Wales
Flood Risk Maps
23161 Appendix B1 - flood-map-2
Legend
Flood Risk from Rivers
High
Medium
Low
Flood Risk from the Sea
High
Medium
Low
Flood Risk from Surface Water & Small Watercourses
High
Medium
Low
Main Rivers
Scale at A3: 1:50,000
Date: 22/09/2023
Wrecsam
Wrexham
N
2 1 0 2
km
British National Grid
Disclaimer
https://naturalresources.wales/flooding/disclaimer-for-our-flood-and-coastal-erosion-risk-maps/?lang=en
Contains OS data © Crown copyright and database right 2020
© NRW/CNC. Some information derived from © UK Centre for Ecology & Hydrology © UKCEH, the Environment Agency, © EA and Getmapping Plc and Bluesky International Limited, Defra, © Met Office and DARD Rivers Agency, © Cranfield University, © James Hutton Institute, © Ordnance Survey, © Land & Property Services. All rights reserved.



APPENDIX C

FLOOD FLOW LTD

CONSULTING CIVIL AND
STRUCTURAL ENGINEERS

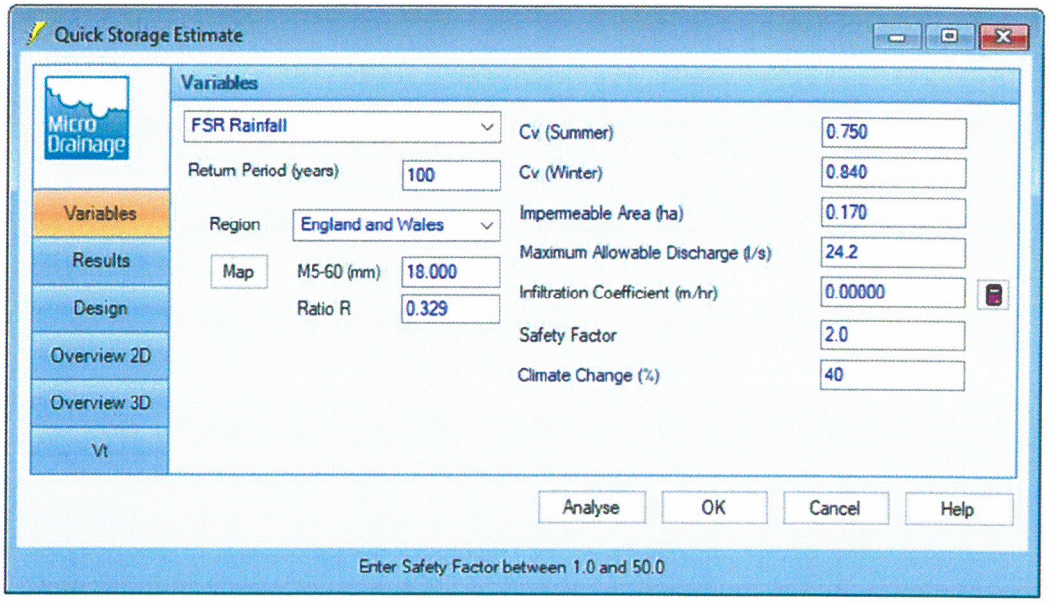
Tel 07940 523819
Website: www.floodflow.co.uk
Email: mail@floodflow.co.uk

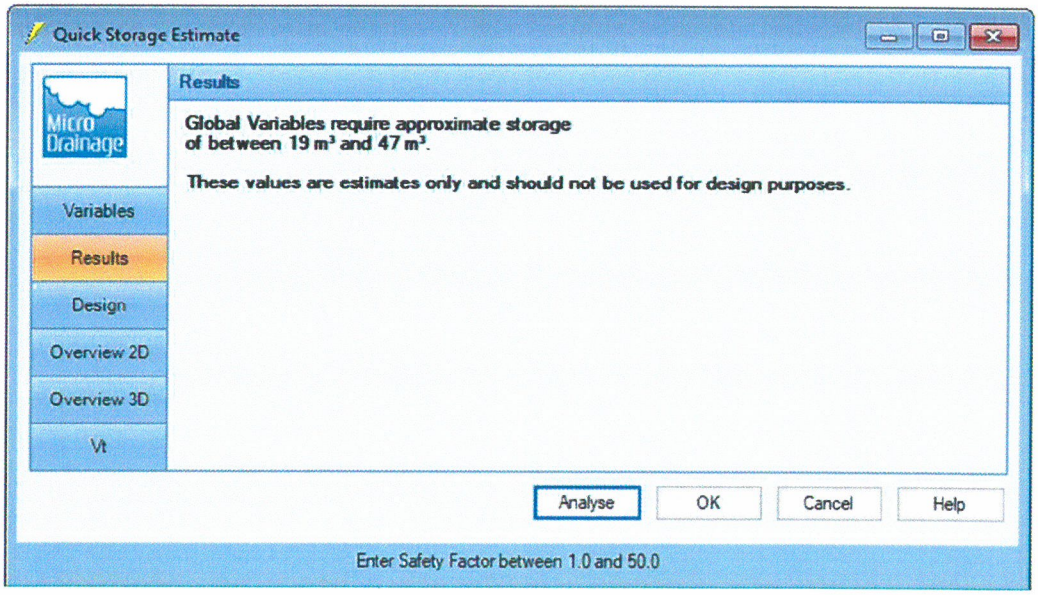
23161 Lower Rackery, near Llay, Wrexham, LL12 0AG

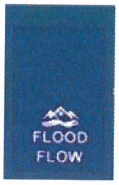
Surface Water Runoff & Attenuation

The discharge rate has been calculated at 24.2l/s has been used to calculate the required attenuation.

Attenuation







APPENDIX D

https://check-your-flood-risk.naturalresources.wales 07/09/2023 13:30

Flood risk report for the area within 10 metres of:

LOWER RACKERY, DARK LANE, BURTON, ROSSETT, WREXHAM, LL12 0AG

Very low risk	**Flooding from rivers** Risk less than 0.1% chance each year
Very low risk	**Flooding from the sea** Risk less than 0.1% chance each year
Very low risk	**Flooding from surface water and small watercourses** Risk less than 0.1% chance each year

The risk levels are: High, Medium, Low and Very low.

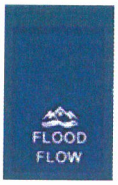
This area:

- Does not benefit from flood defences
- Has no recorded flooding

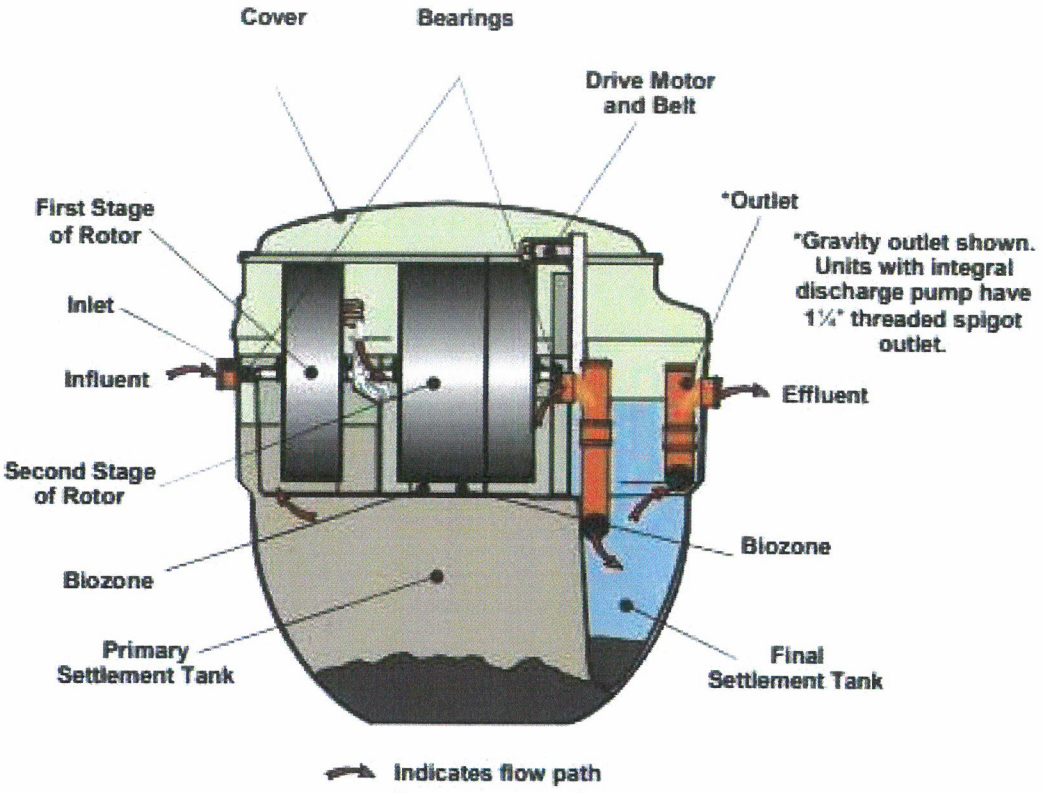
This risk level takes into account the effect of any flood defences that may be in this area. Flood defences reduce, but do not completely stop the chance of flooding as they can be overtopped or fail.

Please note

We cannot give the flood risk for individual buildings because this depends on building features and other local factors like drainage conditions.



APPENDIX E



Director: Jason Jones B.Eng (Hons) MCIHT NMICE.
Associate Director: Adam John Jones B.Eng (Hons) MEng CIWEM

Flood Flow Ltd Registered in England and Wales No. 5548911

Certificate

353.02C02

Kingspan Water & Energy Ltd.
College Road North, Aston Clinton, Aylesbury, HP22 5EW, UK

EN 12566-3, Annex B
Small wastewater treatment systems for up to 50 PT

Small wastewater treatment system BioDisc +P
Rotating Biological Contactor (RBC) in a GRP tank with chemical dosing equipment

Test report PIA2019-353B47.02
This test certificate is a revised version of test certificate no. 353.02C01.

Nominal organic daily load (influent)	0.28 kg BOD_5/d		
Nominal hydraulic daily load	0.9 m^3/d		
Material	GRP		
Treatment efficiency		Efficiency	Effluent
(nominal sequences)	COD	95.9 %	31 mg/l
	BOD_5	98.0 %	6 mg/l
	N_{tot}*	71.1 %	17.9 mg/l
	NH_4-N*	92.1 %	3.0 mg/l
	P_{tot}	95.4 %	0.3 mg/l
	SS	95.6 %	15 mg/l
Electrical consumption	1.5 kWh/d		

**determined for temperatures ≥ 12 ° C in the bioreactor*

Performance tested by:

PIA – Prüfinstitut für Abwassertechnik GmbH
Hergenrather Weg 30
52074 Aachen
Germany

This document replaces neither the declaration of performance nor the CE marking.

PIA - Sustainable Certification

geprüft - tested - testé

Notified Body No.: 1739

DAkkS Deutsche Akkreditierungsstelle D-PL-17712-01-00

Martina Wermter December 2020