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

wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

Applicant Mr & Mrs Daytun and Kate Unitt

Agent Mr Stephen Locke
Barcaldine, Barrack Lane, Lilleshall, Newport, Shropshire, TF10 9ER

Reference P/2025/0044

Date Received 17/01/2025

Decision Date 18/07/2025

Town and Country Planning Act, 1990

Location of Application

HAFRYN, OLD ROAD, BWLCHGWYN, WREXHAM, LL11 5UH

Description of Application

CODI YSGUBOR AT DDIBENION AMAETHYDDOL (STORIO) A NEWID DEFNYDD TIR I GWRTIL PRESWYL I DDARPARU MYNEDIAD CERBYDAU NEWYDD I WASANAETHU'R YSGUBOR A'R ANNEDD

ERECTION OF BARN FOR AGRICULTURAL PURPOSES (STORAGE) AND CHANGE OF USE OF LAND TO RESIDENTIAL CURTILAGE TO PROVIDE REPLACEMENT VEHICULAR ACCESS TO SERVE THE BARN AND DWELLING

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

Development Plan Policies:

Future Wales Policy 1 - Where Wales will grow
Future Wales Policy 4 - Supporting Rural Communities

EC3 - Agricultural Buildings
EC6 - Biodiversity Conservation
PS1 - Broad Location of Development
PS 11 - Biodiversity
EC3 - Agricultural Buildings
GDP 1- Development Objectives
PS2 - Broad Location of Development
T8 - Parking

Revision	Date	Description of Decision
0	18/07/2025	Planning permission issued

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.

2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
2446-01- New Access Plan
2446-01- Barn Plans

3. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority.

4. Landscaping shall be undertaking in accordance with the scheme submitted and approved in connection with condition 3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting (November to March) and seeding seasons following the first use of the development (April to September). Any trees, hedgerows or plants which, within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

5. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no outbuildings shall be permitted to be erected on the land without the prior written approval of the Local Planning Authority.

6. The development hereby permitted shall not be brought into use until the measures to deliver net benefit for biodiversity (NBB) contained in approved document 'Net Biodiversity Benefit Statement, Version 2' have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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7. The existing vehicular access as shown on the plan numbered 2446-01 REVISION 1 shall be permanently closed up prior to first use of the new vehicular access hereby approved in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.

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 a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

5. In the interest of protecting the open countryside from inappropriate development in accordance with policy GDP1 of the Unitary Development Plan

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

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

Note(s) to applicant

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

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18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

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

The applicant is further advised that any complaints received relating to noise of any type from the development may also be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints. This is done under the Statutory Nuisance provisions provided within the Environmental Protection Act 1990, and legal action may be taken where appropriate.

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

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

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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.

Highways Development Control Standard Advisory Note
In the interests of maintaining highway safety, and to avoid obstruction of the public highway (in contravention of the Highways Act), The Applicant is advised to coordinate with the highway authority at highwayroadworks@wrexham.gov.uk in advance of commencement of the development/works with respect to:
1. Skip, scaffolding, hoarding or A frame/signage (Permit required for these items, if on the public highway);
2. Use of a parking space for a set down/delivery area;
3. Record a dilapidation survey of the adjacent carriageway prior to commencement (to avoid being ask to repair damage by the Applicant whilst carrying out their works);
4. If any lane closure or obstruction of the highway is required for a crane or similar;
5. Protection against dust and debris blowing onto the public highway
6. Construction traffic parking locally avoiding nuisance to others;
7. If the Applicant's scope of work includes new apparatus in the highway, such as new mains services then a Section 50 licence will be required. Insurances and demonstration of competency to carry out works in the public highway will be required.
8. Lowering of kerbs or minor pavement alterations require Section 184 agreement. Insurances and demonstration of competency to carry out works in the public highway will be required.
9. A section 278 agreement works agreement is required for more significant alterations to the existing highway
10. Any temporary works affecting traffic lights, [pedestrian/cycle road crossings, or bus stops require pre-planning and permits;
11. For applications with a private driveway (either existing or proposed) connecting onto the public highway, the following conditions of approval apply:

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- No surface water from the applicants site should be allowed to drain onto the public highway,
- The first 5m* minimum (for residential property) should be hard paved, avoiding gravel or loose chippings form spreading.
- No gate should be built in a location where it would result in a car obstructing the highway whilst being unlocked, and it should not swing out and over a pavement or any other part of the highway.

*The hard paved length and set back if required is subject to the applicants proposed vehicular length

The applicants should allow a minimum of 4 weeks' notice for any of the above standard requirements, and 6-8 weeks for lane closures & road closures (lead times may change without notice subject to workload and complexity). Any works involving Trunk roads should be coordinated separately and directly with the North & Mid Wales trunk Road Agency. For larger sites with a significant impact upon the highway, a Construction Traffic Management Plan will be required

David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wrecsam
Chief Officer Economy and Planning, Wrexham County Borough Council

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