

In pursuance of its powers under the Acts and 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

Applicant	MR COLIN JONES	Code Number	BRN P/2022/0761
Agent	MR COLIN JONES BRUNETT FARM TY BROUGHTON WHITCHURCH WREXHAM SY13 3BA	Date Received	11/08/2022
		Decision Date	19/07/2023

Town and Country Planning Act, 1990

Location of application

BRUNETT FARM, TY BROUGHTON, WHITCHURCH, WREXHAM,
SY13 3BA

Description of application

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CONVERSSION OF TIMER FRAMED SHIPPON BUILDING INTO ONE DWELLING, CONVERSION OF BRICK SHIPPON BUILDING TO ONE DWELLING

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

EC6	Biodiversity Conservation
EC9	Listed buildings of special architectural or historic interest
GDP1	Development objectives
H3	Residential conversion of buildings outside settlement limits
H5	Housing in the countryside
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	19/07/2023	Planning permission issued

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.

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2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered Site Plan Drawing Three dated 06/07/2023, Barn 2 Drawing 2a dated 06/07/2023, Barn 1 Drawing 1a dated 06/07/2023 and as contained within the application documentation.
3. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Mitigation Strategy as carried out by Greenscape Environmental and dated 06/04/2023 approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.
4. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 43m in both directions measured to the centreline of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the nearside edge of the adjoining carriageway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
5. Prior to first use of the vehicular accesses hereby approved, the accesses shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.
6. 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 gate, fence, wall or other means of enclosure shall be erected, constructed or placed across the access within 5 metres of the highway boundary under Class A, of Schedule 2 Part 2
7. The existing vehicular access as shown on approved plan no. three shall be permanently closed up prior to first use of any part of the development in accordance with a specification of works which has been submitted to and approved in writing by the Local Planning Authority.
8. Prior to first use of development a verge crossing to the site shall be constructed in strict accordance with Highway Authority adoptable standards.
9. Notwithstanding the provisions of Classes A, B, C and D of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking, re-enacting that Order with or without modification), no development under Classes A, B, C and D of Schedule 2 Part shall take place.

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Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
3. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
4. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
8. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. In the interests of protecting the character of the building and rural landscape in accordance with Policies GDP1, EC9 and PS2 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 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.

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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.

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.

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.

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

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 Council's Contaminated Land Officer on 01978 298771 or 298333 for further guidance.

You are advised that this permission does not in itself authorise the carrying out of the development hereby permitted until the necessary Listed Building Consent has been obtained. Your concurrent application for Listed Building Consent has now been forwarded Cadw.



David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio
Chief Officer Economy and Planning

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