

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 G O JONES	Code Number	GLY P/2021/0654
Agent	FOXALL SURVEYING MR IAN FOXALL 9 CAMPBELL CLOSE ROSSETT WREXHAM LL12 0HZ	Date Received	20/08/2019
		Decision Date	25/11/2022

Town and Country Planning Act, 1990

Location of application

TY MAWR, PONTFADOG, LLANGOLLEN, LL20 7AS

Description of application

CAIS I DROI YSGUBOR GARREG DDIDDEFNYDD YN DDAU FWTHYN GWYLIAU / PROPOSED CONVERSION OF REDUNDANT TWO STOREY STONE BUILT BARN INTO 2 NO. HOLIDAY LET COTTAGES

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
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	25/11/2022	PLANNING PERMISSION ISSUED
2	20/05/2024	P/2024/0185 - DISCHARGE OF CONDITIONS 4 AND (ARCHAEOLOGY), 7 (SCHEME OF RE-BUILD), 9 (PARKING) AND 15 (CONSERVATION PLAN) OF PLANNING PERMISSION

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

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Condition(s)

1. The development hereby permitted shall be commenced before the expiry of two years from the date of this permission.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered (003)19-001 Rev B, (003)19-002 Rev B and (003)19-004 Rev B, and as contained within the application documentation.
3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.
4. No part of the development shall commence until a programme of building recording and analysis, equivalent to an Historic England Level 2 building survey, has been secured and implemented in accordance with the brief attached to this decision, and a written scheme of investigation shall to be submitted to, and approved in writing by, the Local Planning Authority. The survey shall be completed by a professional archaeological contractor, and the programme of building analysis and recording shall meet the standards laid down by the Chartered Institute for Archaeologists in their Standard and Guidance for the archaeological investigation and recording of standing buildings or structures.

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By: Wrexham County Borough Council

5. A copy of the resulting report, in connection with condition no.4, shall be submitted to and approved in writing by the Local Planning Authority and the Development Control Archaeologist, Clwyd Powys Archaeological Trust (The Offices, Coed y Dinas, Welshpool, Powys, SY21 8RP Email: mark.walters@cpat.org.uk Tel: 01938 553670) within one month of completion of the field work. Following approval, the report and digital archive shall be submitted to the Historic Environment Records Officer at Clwyd-Powys Archaeological Trust for inclusion in the regional Historic Environment Record and to the National Monuments Record, RCAHMW, Aberystwyth.

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6. All re-bedding and re-pointing works, and any other repairs to the stone and brick work, 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.

7. No part of the development shall commence until a scheme together with cross referenced drawings detailing the full extent of re-building works has been submitted to and approved in writing by the Local Planning Authority. The works to the building shall be strictly limited to those as may be approved.

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Approved Plan Refs:

FS/003/19 – Prop BREGS 001

FS/003/19 – Prop BREGS 002

FS/003/19 – Prop BREGS 003

FS/003/19 – Prop BREGS 004

FS/003/19 – Prop BREGS 005

8. Prior to installation on the building drawings 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 and decorative/protective finishes. The works shall only be carried out in strict accordance with such details as are approved.

9. No part of the development shall commence until further details of the proposed vehicular parking and turning facilities 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 motor vehicles at all times.

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Approved Plan Ref: Site Block Plan Rev A

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10. Within three months of commencement of development, full details of a hard and soft landscaping scheme to include a scheme of Net Biodiversity Benefit (NBB), together with a plan indicating the positions, design, materials and type of boundary treatment and timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.
11. The landscaping scheme submitted and approved in connection with condition no. 10 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
12. The planting scheme implemented in connection with condition no. 11 shall be permanently retained. Any planting which becomes 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 within the next available planting season by trees or shrubs of similar size and species to those originally required to be planted.
13. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any statutory instrument revoking and re-enacting that Order with or without amendment), no part of the premises shall be used except for the precise purposes described in the application plans and documents.
14. The development hereby approved shall be carried out under an EPS Licence which shall be obtained from Natural Resources Wales (NRW) prior to commencement of any part of the development hereby approved.
15. No part of the development shall commence until a Conservation Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Conservation Plan shall include, but not necessarily be limited to:
 - o Build upon the principles outlined in the ecological report (reference. Cutmore, S. (2020). Barn at Ty Mawr, Pontfadog, Llangollen, Wrexham: Building Development - Protected Species Survey: Stephen Cutmore Arboricultural and Ecological Services);
 - * provide an up to date, appropriately timed bat survey;

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- o Submission of further details including plans for proposed bat roost retention, enhancement or compensation measures;
- o Details of timing, phasing and duration of construction activities and conservation measures;
- o Timetable for implementation and demonstrating that works are aligned with the proposed phasing of the development;
- o Actions to be taken in the event that previously unidentified species of bat are found;
- o Measures designed to minimize or prevent incidental capture or killing of bats post construction;
- o Ecological Compliance Audit, including key performance indicators;
- o Persons responsible for implementing the works;
- o Post construction monitoring and record dissemination for a period of not less than 3 years;
- o Further details concerning any external lighting scheme together with plans illustrating projected bat emergence points and dispersal corridors between bat roost access points and features planned to be functionally used by bats for foraging/dispersal purposes. We advise that proposals accord with Institute of Lighting Professionals/Bat Conservation Trust Guidance Note 08/18: Bats and Artificial lighting in the UK).

The development shall be carried out in strict accordance with the details contained with the Conservation Plan as may be approved.

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Approved Document Ref: Bat Conservation Plan by Stephen Cutmore, 052023/BCP/MLJ

16. The wastewater drainage scheme as shown on plan ref: SA44651 BRY XX PI A 0002 and SA44651 BRY XX PL A 0001 hereby approved shall be implemented in all respects prior to first use of the building and thereafter remain in perpetuity. The method of wastewater drainage shall not thereafter be changed.

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17. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment as carried out by Stephen Cutmore, Referenced 102020/PSS/GJ and dated 24/11/2019, approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.
18. All new and replacement rainwater goods shall be aluminium coloured black or silver only.

Reason(s)

1. To ensure that works are carried out before the condition of the building deteriorates further in accordance with Policies H3 and H5 of the Wrexham Unitary Development Plan.
2. To comply with section 71ZA (2) 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 and PS2 of the Wrexham Unitary Development Plan.
4. To secure adequate analytical record of the building prior to alteration, conversion or demolition in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. To secure adequate analytical record of the building prior to alteration, conversion or demolition in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. To ensure the works reflect the character and appearance of the building in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
7. To ensure that the works are carried out in a manner that accords with Policy H3 of the Wrexham Unitary Development Plan.
8. To ensure the works reflect the character and appearance of the building in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. To provide for the parking and turning of vehicles clear of the highway and to ensure that reversing by vehicles into or from the highway is rendered unnecessary in the interest of traffic safety in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan

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10. 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 and PS2 of the Wrexham Unitary Development Plan.
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12. 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 and PS2 of the Wrexham Unitary Development Plan.
13. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
14. 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.
15. 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.
16. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment in accordance with Policies GDP1, EC6 and EC13 of the Wrexham Unitary Development Plan.
17. 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.
18. To ensure the works reflect the character and appearance of the building in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Note(s) to applicant

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places.

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If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

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

All works 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 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 works outside of the specified times, permission to proceed may be sought by contacting the Council's Environmental Health and Housing Standards at: healthandhousing@wrexham.gov.uk or on 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;

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- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

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

The Applicant is advised that under the Environmental Protection Act 1990, 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 01978 292040 for further advice and information.

The Applicant/Developer is advised that to operate a private sewerage system, you will need to apply for an environmental permit or register an exemption with NRW.

Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met. Please note, should a permit be required, further information may be required as part of that application and the Applicant is therefore advised to hold pre-application discussions with NRW's Permitting Team on 0300 065 3000, at the earliest opportunity, to try to ensure that there is no conflict between any planning permission granted and the permit requirements.

It is important to note that a grant of planning permission does not guarantee that a permit will be granted, should a proposal be deemed to be unacceptable (either because of environmental risk or because upon further investigation, a connection to mains sewer was feasible). The Applicant should ensure that they have all the required permissions, consents, permits and any other approvals in place prior to commencement of works on the site.

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More information, including a step by step guide to registering and the relevant application forms are available on NRW's website. Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations. NRW also refer the Applicant to Guidance for Pollution Prevention 4 on the NetRegs website, which provides further information.



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