

Report of the Chief Officer Economy and Planning

Application Reference

P/2023/0360

Applicant

G AND EA MAYER

Agent

BERRYS MRS LINDSEY SPROULLE

Site Address

BANK FARM HIGHER LANES ISCOYD WHITCHURCH SY13 3AX

Description of Development

CODI ADEILAD ALLANOL I DDARPARU LLETY PRESWYL ATODOL, I GYNNWYS CYSWLLT GWYDROG I'R ANNEDD YNGHYD AG ADDASIADAU I ESTYNIAD LEAN-I / ERECTION OF OUTBUILDING TO PROVIDE ANCILLARY RESIDENTIAL ACCOMMODATION, TO INCLUDE GLAZED LINK TO DWELLING TOGETHER WITH ALTERATIONS TO LEAN-TO EXTENSION

Ward

Bronington/Bronington (Historic)

Community

Bronington/Bronington

Recommendation

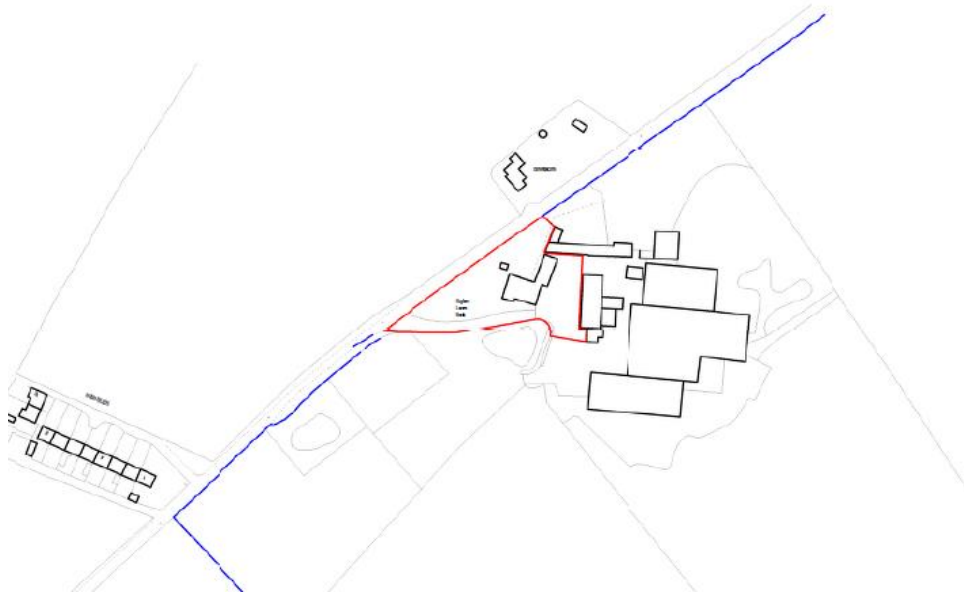
Grant

Officer Report

Site Description

The application site comprises of a Grade II listed farmhouse together with a range of separately Grade II listed barns.

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Proposal

Works have been carried out to demolish all but part of the rear wall of the Grade II listed former piggery and extend the Grade II listed farmhouse to the rear, on the footprint of the demolished piggery. These works were carried out without the required Listed Building Consent (LBC).

The application seeks to regularise the works by removing all but the catslide roof extension to the dwelling and original rear wall of the former piggery. A new outbuilding would be erected on the footprint of the former piggery and connected to the adjacent range of farm buildings. It is proposed to provide a physical glazed link to the dwelling to use it for domestic purposes (utility area).

Some remediation works are also proposed to the lean-to extension to improve its appearance.

Reason for Committee Determination

The Community Council has objected

Site History

P/2023/0359 LISTED BUILDING CONSENT FOR INTERNAL AND EXTERNAL ALTERATIONS TO OUTBUILDING PROVIDING ANCILLARY RESIDENTIAL ACCOMMODATION, GLAZED LINK AND CAT SLIDE ROOF REAR EXTENSIONS TO DWELLING

Development Plan

Local Development Plan (LDP)

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The site is located outside of a defined settlement limit and is occupied by Grade II listed buildings. The following LDP Policies apply:

DM1 - Development Management Considerations

H7 - Housing in the Countryside

NE1 - International and National Nature Conservation Designations

NE2 - Local Designations for Nature Conservation and Geological Importance

NE6 - Waste Water Treatment and River Water Quality

SP14 - Natural Environment

SP15 - Historic and Cultural Environment

Consultation Responses

Community Council

Note the improvements over the initial submissions, but objects on the grounds that alterations to a listed building ought not to have taken place without consent as it can cause irreparable and irreversible damage to the building.

Local Ward Member

Has declared an interest on the grounds of being known personally to the applicants.

Highway Officer

Raises no objection.

Public Protection Officer

Raises no objection subject to Advisory Notes in relation to limiting the effects of construction works, noise, dust etc.

NRW

Raises no objection.

Contaminated Land Officer

Has no comments to make.

Ecology Officer

Raises no objection subject to conditions to require the ecology enhancement measures proposed in the Ecology Report are undertaken, and to secure implementation of the NBB, landscaping scheme and a lighting scheme.

Conservation Officer

Raises no objections to the amended plans. Comments that the scale of changes now proposed to the Piggery to restore it to its original position and footprint, and the changes to the lean-to extension, are a vast improvement over the unauthorised works. Recommends conditions to require samples of materials and a construction method statement.

Publicity Undertaken

Site Notice: Expired 18/07/2023

Press Notice: 19/07/2023

Notification: Letter sent to the owners / occupiers of one nearby property on 20/06/2023.

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Response to Publicity

No received

Principle of Development

The development has resulted in the change of use of the land occupied by the former piggery from agricultural use to residential curtilage associated with the farmhouse. It is important to control such development to avoid the erosion of the rural landscape. However, the extended curtilage is contained entirely within the confines of the wider farm complex and does not intrude into the rural landscape surrounding the site.

In consideration of the above matters, the proposed development complies with LDP policies DM1 and H7.

Design

The proposed outbuilding building would be of broadly similar size and scale to the former piggery. The visual perception of the scale of built environment within the site and wider rural landscape would be not different from public vantage points. The proposed development would therefore not harm the character and appearance of the site or the wider rural landscape.

The rear cat-slide roof extension to the farmhouse to be retained does not over-dominate the dwelling, is in keeping with the appearance of the dwelling and does not harm the wider rural landscape.

The proposed glazed link between the proposed outbuilding would ensure a clear distinction between farmhouse and outbuilding. Access between the structures would be retained through this lightweight glazed link, and the proposed new outbuilding (to be used as a farm office and utility area).

The more detailed aspects of the works to the building have already been discussed in the consideration of the associated application for listed building consent, being the previous item on this agenda.

In consideration of the above matters, the proposed development complies with LDP policy DM1.

Impact on Neighbouring Amenity

There are no other dwellings in close proximity to the proposed development. It therefore would not give rise to any concerns in respect of loss of light, privacy or visual over dominance. The development accords with policy DM1 of the LDP.

Highway Considerations

The extension, glazed link and outbuilding would not result in the loss of any on-site parking, increase parking demand, or increase traffic generation at the site. The development raises no highway safety issues. The Council's Highway Officer has no objections to the proposed development.

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The proposed development complies with LDP policy DM1.

Historic Environment

The impact of the works upon the Listed Building is considered in the report for the associated application for Listed Building Consent, reference No.

P/2023/0359.

Natural Environment

Subject to suitably worded conditions to secure the submission of a bat friendly lighting scheme and implementation of the ecological enhancements and NBB, the Ecology Officer raises no objections to the proposed development.

PPW12 requires development to provide a net benefit for biodiversity (NBB) i.e. a better outcome than if the site was left undeveloped. The submitted scheme will not only mitigate any negative impacts of the development, but will also have a positive benefit for biodiversity which will be in place for the lifetime of the development. A suitably worded condition could secure implementation of the proposed NBB measures.

Planning Policy Wales (PPW12) requires all development proposals to be supported by a Green Infrastructure (GI) Statement. The submitted Statement describes how the green infrastructure of a site (trees, hedges, etc.) has been incorporated into the development proposal. A condition can be attached to secure the proposed GI as part of a wider landscape scheme for the site.

The development would not generate any additional foul water flows entering the River Dee and Bala Lake SAC as it will remain part of a single household. The development is not likely to have a significant impact on the SAC.

In consideration of the above matters, the proposed development complies with LDP policies SP14, NE1, NE2 and NE6

Conclusion

It is considered that the proposed development would address any harm caused by the authorised works and would not have an unacceptable impact in respect of visual amenity or highway safety. It is considered that the proposal would not have a significant adverse impact on health or quality of life, having particular regard to residential amenity. Subject to the conditions set out below and taking into account the provisions of the development plan and all other material planning considerations, it is recommended that planning permission be granted.

Conditions

1. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):

22-141b Rev H;

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22-141c Rev E;

22-141d.

2. No further development shall take place until samples of the materials to be used in the construction of the external surfaces of the development shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
3. Within three months of the further commencement of the development hereby permitted, a scheme of landscaping shall be submitted for the written approval of the Local Planning Authority.
4. Landscaping shall be undertaken in accordance with the scheme submitted and approved in connection with condition no.4. 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. The net benefit for biodiversity (NBB) measures as shown on plan ref: 22-141b Rev F shall be implemented in full, prior to first occupation / use of the development, and thereafter maintained for the lifetime of the development.
6. No external illumination within the site shall take place before a lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall be installed and operated in accordance with the approved details. No other lighting shall be used on any external part of the development.
7. The development shall be carried out in strict accordance with the findings and recommendations contained within the Preliminary Ecology Appraisal Ref: SC:695 PEA v2, as carried out by Salopian

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Consultancy, and dated 12/01/2023. The mitigation and compensation measures including the removal of any breathable membrane in the roof of the extension hereby approved, shall be fully implemented prior to first use of the development.

8. Within 2 years of the date of this decision, a compliance audit in connection with the ecological mitigation and enhancements works shall be carried out by a qualified ecologist, independently of the principal ecologist, and a copy of the completed audit report shall be submitted in writing for the approval of the Local Planning Authority.
9. No further development shall take place until a scheme for the drainage of foul water has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first use/occupation of the development.

Reasons

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 in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local Development Plan.
3. To secure the provision of the proposed Green Infrastructure and a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DM1, SP12 and SP14 of the Wrexham Local 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 DM1, SP12 and SP14 of the Wrexham Local Development Plan.

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5. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.
6. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
7. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
8. In order to protect wildlife interests in accordance with Policies DM1 and SP14, NE1 and NE2 of the Wrexham Local Development Plan.
9. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment in accordance with Policy DM1 of the Wrexham Local Development Plan.

Notes

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday. Outside these times, any works which are audible beyond the site boundary have the potential to cause unreasonable disturbance to neighbouring premises.

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

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

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

Notes

Burning of waste generated from construction activities is not considered to be an appropriate method of disposal and action may be taken as follows:

- Under the Environmental Protection Act 1990 anyone found disposing of construction site waste by burning is likely to be in breach of their duty of care with regard to waste disposal;
- Under the same Act an abatement notice may be served where smoke is judged to be causing a nuisance to neighbouring properties. Failure to comply with the requirements of the notice can result in prosecution;
- Under the Clean Air Act 1993 it is an offence for a commercial activity to burn anything that gives rise to dark smoke.

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

Notes

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.