

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 P TAYLOR	Code Number	HAN P/2022/0221
Agent	BLEAZARD AND GALLETTA LLP D WRIGHT MAYPOLE COURT 2 HIGH STREET WEM SY4 5AA	Date Received	31/01/2022
		Decision Date	21/03/2024

Town and Country Planning Act, 1990

Location of application

HALGHTON NEW MILL, HANMER, WREXHAM, SY13 3DT

Description of application

TROSI YSGUBOR YN ANNEDD A CHREU TRAC MYNEDIAD NEWYDD /
CONVERSION OF BARN TO DWELLING AND CREATION OF NEW
ACCESS TRACK

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

DM1	Development Management Considerations
H7	Housing in the Countryside
H9	Conversion of Buildings Outside of Settlement Limits to Residential
NE1	Use
NE3	International and National Nature Conservation Designations
NE6	Trees, Woodlands and Hedgerows
SP12	Waste Water Treatment and River Water Quality
SP14	Design Principles & Masterplanning Framework
SP19	Natural Environment
	Green Infrastructure

Revision	Date	Description of Decision
0	21/03/2024	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 three years from the date of this permission.

Applicant	MR P TAYLOR	Code Number	HAN P/2022/0221
Agent	BLEAZARD AND GALLETTA LLP D WRIGHT MAYPOLE COURT 2 HIGH STREET WEM SY4 5AA	Date Received	31/01/2022
		Decision Date	21/03/2024

2. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered HL-AA-100, 20 32 D 12C Rev C and 20 32 D 11B 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. All window frames and doors shall be of timber construction only and all external joinery shall receive a painted finish in accordance with a colour which shall first be submitted to, and approved in writing by, the Local Planning Authority. The colour of the painted finish shall be applied prior to first beneficial use of the development, and the windows and doors shall thereafter only be replaced on a like for like basis.
5. No development shall take place until a phased site investigation of the nature and extent of contamination has been carried out and submitted to and approved in writing by the Local Planning Authority. If any contamination is found during the site investigation, no part of the development shall commence until a scheme specifying the measures that will be taken to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be remediated in accordance with the approved scheme. If during the course of development any contamination is found that has not been identified in the site investigation, no further development shall take place on those parts of the site where that contamination has been found until an additional scheme of remediation has been submitted to and approved in writing by the Local Planning Authority for those parts of the site. The relevant parts of the site shall thereafter be remediated in accordance with the additional scheme of remediation.
6. Each part of the site subject to the remediation under the scheme(s) approved as part of condition no.5 shall not be occupied/used until a Validation Report has been completed in respect of that part of the site and submitted to and approved in writing by the Local Planning Authority.

Applicant	MR P TAYLOR	Code Number	HAN P/2022/0221
Agent	BLEAZARD AND GALLETTA LLP D WRIGHT MAYPOLE COURT 2 HIGH STREET WEM SY4 5AA	Date Received	31/01/2022
		Decision Date	21/03/2024

7. No part of the development shall commence until a GCN Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The Method Statement shall include, but not necessarily be limited to:
 - the submission of details and plans concerning GCN reasonable avoidance and mitigation measures;
 - details of timing, phasing and duration of construction activities and conservation measures;
 - a timetable for implementation demonstrating that works are aligned with the proposed phasing of the development;
 - persons responsible for implementing the works.
 The development shall be carried out in strict accordance with the Method Statement as may be approved.
8. No development shall commence until a detailed plan to provide net benefit for biodiversity (NBB) has been submitted to, and approved in writing by, the Local Planning Authority. The measures shall be fully implemented as approved prior to the first beneficial use of the development and shall be retained thereafter for the lifetime of the development.
9. No part of the development shall commence until details of an ecological clerk of works has been submitted to, and approved in writing by, the Local Planning Authority. The clerk as approved shall thereafter oversee the management of the risks during the conversion of the building and implementation of the vehicular access.
10. No part of the development shall commence until a Biosecurity Risk Assessment has been submitted to, and approved in writing by, the Local Planning Authority. The Assessment shall include, but not necessarily be limited to:
 - appropriate measures to control any identified Invasive Alien Species (IAS) Invasive Non-native Species (INNS) on site;
 - measures or actions that aim to prevent INNS/identified diseases being introduced to the site for the duration of construction (and operational phases) of the scheme.
 The development shall be carried out in strict accordance with the Biosecurity Risk Assessment as may be approved.

Applicant	MR P TAYLOR	Code Number	HAN P/2022/0221
Agent	BLEAZARD AND GALLETTA LLP D WRIGHT MAYPOLE COURT 2 HIGH STREET WEM SY4 5AA	Date Received	31/01/2022
		Decision Date	21/03/2024

11. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment ref: Land at New Mill, Halghton near Whitchurch. Zoe Adlington-Munro Arborist & Ecological Services Ltd. 06/01/2022, approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.
12. No part of the development shall commence until full details of both hard and soft landscape works for the site, including the access driveway and passing places, to include native tree and hedge 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 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. 13 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 of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.
15. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 43 metres 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 adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
16. The vehicular access hereby approved shall be a minimum width of 5 metres.

Applicant	MR P TAYLOR	Code Number	HAN P/2022/0221
Agent	BLEAZARD AND GALLETTA LLP D WRIGHT MAYPOLE COURT 2 HIGH STREET WEM SY4 5AA	Date Received	31/01/2022
		Decision Date	21/03/2024

17. Prior to first use of the vehicular access hereby approved, the access shall be surfaced with hard bound materials (e.g. bituminous macadam) for a minimum distance of 5 metres behind the adjoining highway.
18. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.
19. Prior to first use of development a verge crossing to the site shall be constructed in strict accordance with Highway Authority adoptable standards.
20. No part of the development shall be occupied until the foul water drainage scheme hereby approved has been completed in strict accordance with plan and reports refs:
 - * Grundfos Unilift AP50B.50.11 Water Pump Installation and Operation Instructions, *
 - Drainage Field Plan 2032D12C,
 - * GRAF one2clean (4-5 inhabitant) small packaged sewage treatment plant,
 - * GRAF one2clean logbook, maintenance and management plan,
 - * Foul Drainage Assessment to Accompany Planning Application for the Barn Conversion at Halghton New Mill, Mill Lane, Hanmer SY13 3DT,

The drainage scheme shall be managed and maintained thereafter in strict accordance with the agreed management and maintenance plan.
21. Prior to first use of the development hereby approved, details of a qualified engineer and annual inspection plan (engaged to complete an annual inspection of the drainage pump, motor, and surrounding components for visible damage or signs of wear and tear, and to examine all connections, pipes, and fittings for any leaks, and upkeep of the maintenance logbook) shall be submitted to, and approved in writing by the Local Planning Authority. The annual inspections shall thereafter be carried out for the whole life of the development and any signs of damage must be repaired immediately and the maintenance log-book retained for inspection by the Local Planning Authority at all times.
22. The development shall be carried out in strict accordance with the following plans and report(s) submitted and approved as part of this application:

Applicant	MR P TAYLOR	Code Number	HAN P/2022/0221
Agent	BLEAZARD AND GALLETTA LLP D WRIGHT MAYPOLE COURT 2 HIGH STREET WEM SY4 5AA	Date Received	31/01/2022
		Decision Date	21/03/2024

- 1) Arboricultural Implication Assessment, Tree Supervision and Method Statement ref no. Zoe Adlington MSc, MArborA, Dated 01.02.2022, and
2) Tree Protection Plan ref no. Zoe Adlington MSc, MArborA, Dated 01.02.2022, Appendix 2,
No development or other operations shall take place except in strict accordance with the reports as approved.
23. 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 fully implemented. The fencing shall consist of a scaffold framework in accordance with Figure 2 of British Standard 5837:2012 comprising a vertical and horizontal framework, well braced to resist impacts, with vertical tubes spaced at a maximum interval of 3 metres. Onto this, 2.1 metre weldmesh panels shall be securely fixed with wire or scaffold clamps. This fencing shall be erected at the extent of each tree(s) Root Protection Area, as set out in British Standard 5837:2012 or as shown as the Construction Exclusion Zone on the approved Tree Protection Plan Ref. Zoe Adlington MSc, MArborA, Dated 01.02.2022, Appendix 2. 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.
24. The tree protection fencing and ground protection measures approved in connection with condition no. 23 shall be kept in place until all external site works have been completed and the removal of the fencing has been 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, B, C, D, E, F, G of Schedule 2 Part(s) 1 and 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.

Applicant	MR P TAYLOR	Code Number	HAN P/2022/0221
Agent	BLEAZARD AND GALLETTA LLP D WRIGHT MAYPOLE COURT 2 HIGH STREET WEM SY4 5AA	Date Received	31/01/2022
		Decision Date	21/03/2024

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 Policy DM1 of the Wrexham Local Development Plan.
4. To ensure the works reflect the character and appearance of the building in accordance with Policy DM1 of the Wrexham Local Development Plan.
5. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.
6. In the interests of the amenities of the future occupants of the buildings in accordance with Policy DM1 of the Wrexham Local Development Plan.
7. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.
8. To ensure the development delivers net benefit to biodiversity in accordance with Policy 9 of Future Wales and Paragraph 6.4.5 of Planning Policy Wales (Edition 12).
9. In order to protect wildlife interests, which are afforded special protection in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.
10. To prevent the spread of AIS and INNS in accordance with policy SP14 of the Local Development Plan.
11. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.
12. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted in accordance with Policies DM1 and SP14 of the Wrexham Local Development Plan.
13. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.

Applicant	MR P TAYLOR	Code Number	HAN P/2022/0221
Agent	BLEAZARD AND GALLETTA LLP D WRIGHT MAYPOLE COURT 2 HIGH STREET WEM SY4 5AA	Date Received	31/01/2022
		Decision Date	21/03/2024

14. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DM1 of the Wrexham Local Development Plan.
15. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy DM1 of the Wrexham Local Development Plan.
16. To ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.
17. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
18. In the interest of the free and safe movement of traffic on the adjacent highway and to ensure the formation of a safe and satisfactory access in accordance with Policy DM1 of the Wrexham Local Development Plan.
19. In the interests of highway safety in accordance with Policy DM1 of the Wrexham Local Development Plan.
20. To prevent pollution of the water environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
21. To prevent pollution of the water environment in accordance with Policy DM1 of the Wrexham Local Development Plan.
22. To protect trees which are of significant amenity value to the area in accordance with Policies DM1, SP14 and NE3 of the Wrexham Local Development Plan.
23. To ensure that the retained trees are adequately protected during development in the interests of amenity in accordance with Policies GDP1, SP14 and NE3 of the Wrexham Local Development Plan.
24. To ensure that the retained trees are adequately protected during development in the interests of amenity in accordance with Policies GDP1, SP14 and NE3 of the Wrexham Local Development Plan.
25. Due to the restricted application site and its relationship with adjoining properties it is considered important to ensure that no additional development as described in the condition is carried out without the permission of the Local Planning Authority in accordance with Policy DM1 of the Wrexham Local Development Plan.

Applicant	MR P TAYLOR	Code Number	HAN P/2022/0221
Agent	BLEAZARD AND GALLETTA LLP D WRIGHT MAYPOLE COURT 2 HIGH STREET WEM SY4 5AA	Date Received	31/01/2022
		Decision Date	21/03/2024

Note(s) to applicant

A licence must be obtained (as required by section 184 of the Highways Act 1980) from the Highway Authority in order to lower the kerblin and cross the footpath in connection with condition no. 19. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council on telephone 01978 729670.

Further advice on compliance with condition nos. 4 and 5 may be obtained by contacting the Council's Contaminated Land Officer on 01978 298771 or 298333, or contaminatedland@wrexham.gov.uk

Should the investigation identify contamination issues that may affect receptors other than the site users e.g. groundwater, then it is recommended that these works are also addressed in consultation with the Council's Contaminated Land Officer prior to commencement of works on site.

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. For further information and advice regarding construction noise please contact the Council's Environmental Health & Housing Standards Team on 01978 292040

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.

Applicant	MR P TAYLOR	Code Number	HAN P/2022/0221
Agent	BLEAZARD AND GALLETTA LLP D WRIGHT MAYPOLE COURT 2 HIGH STREET WEM SY4 5AA	Date Received	31/01/2022
		Decision Date	21/03/2024

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.

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.

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.

Following the commencement of Schedule 3 of the Flood and Water Management Act, the works as proposed are required to obtain approval from the SuDS Approving Body (SAB) prior to commencement of those construction works. Further details of the SAB, the new national standards, the pre-application advice service and the application for approval process can be found on the Wrexham CBC's SAB webpage: https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm or by contacting the SAB Team directly at SAB@wrexham.gov.uk

Detailed advice has been issued by Natural Resources Wales (NRW) which is available on the Council's planning applications website.
An European protected species (EPS) Licence may be required for this development. This planning permission does not provide consent to undertake works that require an EPS licence.

Applicant	MR P TAYLOR	Code Number	HAN P/2022/0221
Agent	BLEAZARD AND GALLETTA LLP D WRIGHT MAYPOLE COURT 2 HIGH STREET WEM SY4 5AA	Date Received	31/01/2022
		Decision Date	21/03/2024

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

In view of the nature and location of the development, the applicant may wish to consider incorporation of flood resistance/resilience measures into the design and construction of the development. These could include flood barriers on ground floor doors, windows and access points, implementation of suitable flood proofing measures to the internal fabric of the ground floor and locating electrical sockets/components at a higher level above possible flood levels.



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