

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

|                  |                                                            |                      |                 |
|------------------|------------------------------------------------------------|----------------------|-----------------|
| <b>Applicant</b> | MR TIM PLUVES                                              | <b>Code Number</b>   | CHI P/2022/0352 |
| <b>Agent</b>     | MR TIM PLUVES<br>BLAENAU UCHAF<br>FRONCYSYLLTE<br>LL20 7RY | <b>Date Received</b> | 07/04/2022      |
|                  |                                                            | <b>Decision Date</b> | 12/09/2022      |

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### **Town and Country Planning Act, 1990**

#### **Location of application**

BLAENAU UCHAF, FRONCYSYLLTE, WREXHAM, LL20 7RY

#### **Description of application**

TRAWSNEWID ADEILAD I ANNEDD / CONVERSION OF BUILDING TO DWELLING

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

|      |                                                               |
|------|---------------------------------------------------------------|
| EC13 | Surface water run-off                                         |
| EC5  | Special Landscape Areas                                       |
| EC6  | Biodiversity Conservation                                     |
| H3   | Residential conversion of buildings outside settlement limits |
| PS2  | Development and the environment                               |

| Revision | Date       | Description of Decision                                                                                                                      |
|----------|------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| 0        | 12/09/2022 | PLANNING PERMISSION ISSUED                                                                                                                   |
| 1        | 04/11/2022 | P/2022/0939 - DISCHARGE OF CONDITIONS 11 AND 12 (BUILDING RECORDING) OF PLANNING PERMISSION P/2022/0352                                      |
| 2        | 19/05/2023 | P/2023/0223 - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2022/0352 TO REMOVE EXTENSION FROM THE EAST ELEVATION ON THE APPROVED DRAWINGS |

|                  |                                                            |                      |                 |
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**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.
2. The development shall only be carried out in strict accordance with the details shown on the approved drawing refs:
  - Proposed Elevation Plan Ref: 1065 Dated 09/09/2022
  - Water Treatment Plant Ref: 1067 Dated 14/03/2022
  - Windows Ref: 1069 Dated 09/09/2022
  - Windows Ref: 1070 Dated 14/03/2022
  - Proposed Driveway Ref: 1069 Dated 14/03/2022
  - Boundary Treatment Plan Ref: 1098 Dated 14/03/2022
  - Biodiversity Net Gain Report and Plan Ref 1099 Dated 31/05/2022
  - Star Ecology - Bat and Nesting Bird Assessment Ref: TP/2696/21.1 Dated 30 March 2022,
 and as contained within the application documentation.

**S96 Non-material amendment Approved on: 19.05.2023**

**Reference Number: P/2023/0223**

**By: Wrexham County Borough Council**

**Approved Amended Plans:**

- Proposed West Elevation Plan Ref: 2002
- Proposed East Elevation Plan Ref: 2003
- Proposed north Elevation Plan Ref: 2004
- Proposed South Elevation Plan Ref: 2005
- Proposed Elevation Plans Ref: 2001
- Proposed Plan View Elevation Ref: 2006
- Parking Plan Ref: 2000
- Site Plan Ref: 277
- Proposed First Floor Plan Ref: 2008
- Proposed Ground Floor Plan Ref: 2007

3. No facing or roofing materials shall be used other than those detailed on the application form and within the approved application documentation.

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4. The landscaping scheme, boundary treatments and Net Biodiversity Gain, approved as part of this application, shall be fully implemented in strict accordance with approved drawing ref: Boundary Treatment Plan Ref: 1098 Dated 14/03/2022 and approved report Biodiversity Net Gain Report and Plan Ref 1099 Dated 31/05/2022, within three months of the first use of the development with the exception of soft landscaping which shall be carried out in the first planting season (November to March) or seeding season (April to September) following the first use.
5. Notwithstanding the details on the submitted application form, the windows and doors shall only be made of timber and shall be installed in strict accordance with plan refs: Proposed Elevation Plan Ref: 1065 Dated 09/09/2022, Windows Ref: 1069 Dated 09/09/2022 and Windows Ref: 1070 Dated 14/03/2022 hereby approved. The windows and doors shall thereafter only be replaced on a like for like basis.
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 further development shall take place under Classes A, B, C, D, E, F, G or H of Schedule 2 Part 1, other than the development hereby granted permission.
7. 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 within the application site under Class A, of Schedule 2 Part 2, other than the development hereby granted permission.
8. With the exception of those shown on the approved plans and 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 windows or other openings shall be inserted in any elevation of the building, including the roof.
9. The wastewater drainage scheme as shown on plan ref: Water Treatment Plant Ref: 1067 Dated 14/03/2022 hereby approved, shall be implemented in all respects prior to first use of the building. The method of wastewater drainage shall not thereafter be changed.
10. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment as carried out by Star Ecology - Bat and Nesting Bird Assessment Ref: TP/2696/21.1 and Dated 30 March 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.

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11. No part of the development / works shall commence until a programme of building and analysis, equivalent to an Historic England Level 2 building survey, has been secured in accordance with a brief and written scheme of investigation which has been prepared and to be carried out by a suitably qualified archaeologist, has been submitted to and approved in writing by the Local Planning Authority. 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 archaeological investigation and recording of standing buildings or structures.

**Approved on:** 04/11/2022 **Reference Number:** P/2022/0939

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12. A copy of the programme of building recording and analysis report, approved in connection with condition no.11, 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: [neil.bayliss@cpat.org.uk](mailto:neil.bayliss@cpat.org.uk) Tel: 01938 553670), within 2 months of completion of the fieldwork. On approval the digital archive shall be submitted to the Historic Environment Records Officer at Clwyd-Powys Archaeological Trust and the National Monuments Record, RCAHMW, Aberystwyth. ([nmr.wales@rcahmw.gov.uk](mailto:nmr.wales@rcahmw.gov.uk)).

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13. Prior to first use of the development hereby approved, the roof lights shall be fitted with internal blackout blinds, which shall be closed to cover the openings at all times during the hours of darkness.

### **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 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 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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5. To ensure the works reflect the character and appearance of the building in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
6. Due to the application site outside of the settlement limit and within an AONB 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 Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
7. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area, and to ensure that the building does not become separate from the main dwelling in accordance with Policies PS1, H5, GDP1 and PS2 of the Wrexham Unitary Development Plan.
8. 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.
9. To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system in accordance with Policies GDP1, EC6 and EC13 of the Wrexham Unitary Development Plan.
10. 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.
11. To allow an adequate analytical record of the building to be made, before it is converted, to ensure that the buildings origins, use and development are understood and the main features, character and state of preservation are recorded in accordance with Policies GDP1 and EC11 of the Wrexham Unitary Development Plan.
12. To allow an adequate analytical record of the building to be made, before it is converted, to ensure that the buildings origins, use and development are understood and the main features, character and state of preservation are recorded in accordance with Policies GDP1 and EC11 of the Wrexham Unitary 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 Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.

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### **Note(s) to applicant**

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](mailto: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;
- 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;

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- 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.

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](https://www.wrexham.gov.uk/english/planning_portal/sab/sab.htm) or by contacting the SAB Team directly at [SAB@wrexham.gov.uk](mailto:SAB@wrexham.gov.uk)

Council records indicate the property may be on a private water supply. The applicant is therefore advised to contact the Council's private water supplies officer to discuss whether the proposed dwelling will have any requirements under these regulations.



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](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)