

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 L FITZHUGH C/O STRUTT & PARKER LLP	Code Number	COE P/2013/0093
Agent	STRUTT & PARKER LLP MISS E CHEETHAM 37 LOWER BRIDGE STREET CHESTER CH11 1RS	Date Received	07/02/2013
		Decision Date	03/04/2013

Town and Country Planning Act, 1990

Location of application

PLAS POWER HOME FARM BUILDINGS, RUTHIN ROAD, COEDPOETH, WREXHAM, LL11 3BP

Description of application

CHANGE OF USE OF FARM BUILDINGS INTO 8 NO DWELLINGS WITH ASSOCIATED GARAGING AND NEW ACCESS (RENEWAL OF PLANNING APPLICATION NO COED P/2007/1189)

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

EC1	Green Barriers
EC6	Biodiversity Conservation
GDP1	Development objectives
H3	Residential conversion of buildings outside settlement limits
T8	Parking

Revision	Date	Description of Decision
0	03/04/2013	PLANNING PERMISSION ISSUED
1	04/07/2022	P/2022/0326 - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2013/0093 – WINDOW DESIGN, ELEVATIONS, LANDSCAPING AND ECOLOGY

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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. No facing materials shall be used other than materials matching those used on the existing buildings.

S96 Non-material amendment Approved on: 01.07.2022

Reference Number: P/2022/0326

By: Wrexham County Borough Council

Amended condition:

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

3. Prior to their use on the development samples of all roofing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in strict accordance with such details as are approved.

S96 Non-material amendment Approved on: 01.07.2022

Reference Number: P/2022/0326

By: Wrexham County Borough Council

Amended condition:

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 noise survey has been undertaken to determine noise levels for both day and night having regard to Planning Policy Guidance (Wales) Technical Advice Note 11 - Noise. The detailed report to be submitted and approved by the Local Planning Authority shall include:
 - a. noise levels arising from day/night activities arising from the A525 Road adjacent to the proposed development site and the impact on the proposed accommodation.
 - b. Details of the present noise levels arising from traffic in relation to the proposed development site.

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c. A detailed scheme of noise insulation and/or attenuation measures so designed to safeguard the amenity of future occupants of the proposed accommodation as detailed above.

All data shall be representative of typical conditions for both day (0700 - 2300 hours) and night (2300 - 0700 hours).

Any mitigation measures required shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in strict accordance with the details as approved.

5. Development shall not commence until full details of the design, drainage and construction of the new access road and internal site roads have been submitted to and approved in writing by the Local Planning Authority.

6. No part of the development shall commence until a scheme for the comprehensive and integrated drainage of the site indicating how foul water, surface water and land drainage will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented in accordance with a timescale to be agreed as part of the submitted details and maintained thereafter.

7. Prior to the commencement of any works in connection with the conversion of the buildings to dwellings, the proposed new site access onto the A525 and the internal side roadways from the new access to the properties known as Cottsmoor House, no. 1 Plas Power Lodge, no. 2 Plas Power Lodge and Ty Newydd shall be constructed to at least base coat standard. Following the completion of the new access road to base coat standard the two existing vehicular accessess onto the A525 shall be permanently closed to vehicular traffic in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.

8. No external heating/ventilation flues shall be fitted/installed until details of their location, appearance and external finish have been submitted to and approved in writing by the Local Planning Authority. Heating and ventilation flues shall thereafter only be installed in strict accordance with the details as approved.

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9. 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 implemented in strict accordance with details which have been submitted to and approved in writing by the Local Planning Authority. The details should include specification and location for the fencing. 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.

10. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.

S96 Non-material amendment Approved on: 01.07.2022

Reference Number: P/2022/0326

By: Wrexham County Borough Council

Amended condition:

The landscaping scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing no. 857/26 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.

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. Prior to their installation on the building, drawings to scale 1:5 and 1:20 fully 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, decorative/protective finishes, cross sections for glazing bars, sills, heads etc, method of opening and glazing type. The works shall only be carried out in strict accordance with such details as are approved.

S96 Non-material amendment Approved on: 01.07.2022

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Amended condition:

The windows and doors approved as part of this application shall be installed prior to first use of the development. The windows and doors shall thereafter only be replaced on a like for like basis, in terms of colour (Charcoal), design and materials.

13. The extent of re-building works shall be strictly limited to those referred to in the letter from Strutt & Parker, 12 March 2013 and, in respect of The Cartshed, the works referred to on approved drawing no. 11 Revision A.

14. The development shall be carried out in strict accordance with Section 5: Bat Mitigation/Compensation and Section 6 Barn Owl Mitigation of the J W Ecological Limited Bat and Barn Owl Mitigation Proposals dated 14 March 2013.

S96 Non-material amendment Approved on: 01.07.2022

Reference Number: P/2022/0326

By: Wrexham County Borough Council

Amended condition:

The development shall be carried out in strict accordance with Section 7: Mitigation/Compensation and Section 6 Barn Owl Mitigation of the Stephen Cutmore Arboricultural & Ecological Service, Protect Species Survey Ref: 092021/PSS/KV, Dated 03/08/2021 and 18/08/2021, and associated PLAS POWER ESTATE DEVELOPMENT SITE PLAN

15. The dwellings hereby granted permission shall not be occupied until a report verifying the completion of the mitigation/compensation works required by condition 14 has been submitted to and approved in writing by the Local Planning Authority.

16. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 160 metres in both directions measured to the nearside edge 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 highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

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17. The internal site roads shall be constructed to at least base coat standard from the junction with A525 to and across the frontage of each dwelling hereby granted permission prior to its first occupation.

18. All new and replacement rainwater goods shall be cast iron or aluminium only.

19. 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 15 metres of the highway boundary under Class A, of Schedule 2 Part 2

20. 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 and E of Schedule 2 Part(s) 1, other than the development hereby granted permission.

21. Notwithstanding the provisions of Class G, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting that Order with or without modification), no tank or container for the storage of oils, fuels or chemicals shall be sited on any part of the site subject to this permission unless it is sited on an impervious base and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is more than one tank, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents gauges and sight glasses shall be located within the bund and all pipework shall be located above ground and protected from accidental damage. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata.

22. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 857/25, 857/26, 857/27 and 857/28, and as contained within the application documentation.

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23. No part of the conversion works to Plot 4 (Barn 2) shall commence until a copy of the EPS licence for bats has submitted to and approved in writing by the Local Planning Authority.

Reason(s)

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.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. In the interests of the amenities of future occupiers.
5. To ensure the access road is constructed to a standard capable of catering for the level of traffic likely to be generated by the development.
6. 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.
7. In the interests of highway safety.
8. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
9. To ensure that the retained trees are adequately protected during development in the interests of amenity.
10. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
11. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
12. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
13. To ensure that the development fully complies with the appropriate policies and standards.
14. In order to protect wildlife interests, which are afforded special protection.
15. In order to protect wildlife interests, which are afforded special protection.
16. To ensure that adequate visibility is provided at the proposed point of access to the highway.
17. In the interests of highway safety.
18. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.

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19. In the interests of highway safety.
20. In the interests of protecting the character of the buildings and the openness of the countryside.
21. To prevent pollution of the water environment.
22. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
23. 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.

Note(s) to applicant

You should ensure that any difference between the plans approved under the Town and Country Planning Acts and under the Building Regulations is resolved prior to commencement of development, by formal submission of amended plans.

The details required by condition 06 shall include full details of how waste water arising from conversion works will be treated/disposed of in addition to details of how foul and surface water arising from the proposed development will be treated.

Any waste material, including excavated material, generated during the activity must be disposed or used in accordance with the Waste Management Licensing Regulations 1994. Duty of Care must be adhered to. Any waste material brought onto site for use in construction must only be done so where relevant Waste Management Licenses or Exemptions are in place. All carriers transporting waste onto site must be registered carriers. All fuels, oils and chemicals must be stored in a suitably secure area and must be either banded or on drip trays.

All works in relation to the implementation of this permission, including deliveries to and / or leaving the site, shall be undertaken only between the hours of 7.30 and 18.00 Monday to Friday, and 08.00 to 14.00 on a Saturday, and at no time on a Sunday or a Bank Holiday.

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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 Housing and Public Protection Department on 01978 315300.

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 Housing and Public Protection Department on 01978 315300 for further advice and information.

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

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Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

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Ian Jones

Prif Swyddog Cynllunio a Rheoleiddio Dros Dro

Interim Chief Officer Planning & Regulatory

Refer to the Statement of Applicant's Rights and General Information enclosed
or refer to the following link:-

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