

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 R OWEN	Code Number	BRY P/2017/0758
Agent	MR R OWEN PLAS MOSTYN BACH MINERA ROAD MINERA WREXHAM LL11 3AJ	Date Received	12/09/2017
		Decision Date	21/03/2018

Town and Country Planning Act, 1990

Location of application

PLAS MOSTYN BACH, MINERA ROAD, MINERA, WREXHAM, LL11 3AJ

Description of application

CONVERSION OF REDUNDANT FARM BUILDING TO 1 NO. DWELLING
(DEMOLITION OF ATTACHED MILKING PARLOUR)

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

GDP1	Development objectives
H3	Residential conversion of buildings outside settlement limits
H5	Housing in the countryside
PS1	Settlement limits
PS2	Development and the environment

Revision	Date	Description of Decision
0	21/03/2018	Planning permission issued
1	22/4/2022	Discharge of conditions 6, 7, 8, 12 and 15 approved P/2022/0217

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. Prior to their installation on the building, drawings to the 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 and decorative/protective

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finishes. The works shall only be carried out in strict accordance with such details as are approved.

3. Prior to first use of the development, all external joinery shall receive a painted finish in accordance with a colour which has been submitted to and approved in writing by the Local Planning Authority. The colour of the painted finish shall not thereafter be changed without the prior written consent of the Local Planning Authority.

4. All roof lights hereby approved shall be 'conservation type' only fitted flush with the adjoining roof surface.

5. Prior to the first use of the development any external flues required as part of the heating / plumbing shall have a black finish. This finish shall not thereafter be changed without the prior written consent of the Local Planning Authority.

6. Prior to commencement of works the applicant must provide the Local Planning Authority with either

a) a licence issued by Natural Resources Wales pursuant to Regulation 53 of the Conservation Of Habitats and Species Regulations 2010 authorising the specified development to go ahead; or

b) a statement in writing from the relevant licensing body to the effect that it does not consider the specified development will require a licence.

Date Approved: 22/4/2022 **Reference Number:** P/2022/0217

By: Wrexham County Borough Council

Approved Details: Wake, K. (2022). PLAS MOSTYN BACH, MINERA: CONSERVATION PLAN. Enfys Ecology. (Unpublished Report No. EE.1013.22.KW

7. No part of the development shall commence until a bat friendly lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with the approved details prior to first use / occupation of the development.

Date Approved: 22/4/2022 **Reference Number:** P/2022/0217

By: Wrexham County Borough Council

Approved Details: Wake, K. (2022). PLAS MOSTYN BACH, MINERA: CONSERVATION PLAN. Enfys Ecology. (Unpublished Report No. EE.1013.22.KW

8. No part of the development shall commence until a scheme to deal with potential contamination at the site has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include a phased investigation approach to identify the extent of contamination and any measures required to remediate the site, including post-development monitoring. Alternatively, gas protection measures should be installed in all new buildings. A methodology of these works (including specification details,

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design plans, installation, inspection and validation details etc.) should be submitted in writing to the Council for approval prior to any works commencing on site.

Date Approved: 22/4/2022 **Reference Number:** P/2022/0217

By: Wrexham County Borough Council

Approved Details: Groundsure, Phase 1 Preliminary Risk Assessment, Report Ref: GSP-2021-1913-3, dated 05th April 2022

9. Each part of the site subject to the remediation under the scheme(s) approved as part of condition 08 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.

10. The vehicular parking and turning areas as shown on approved site layout plan shall be fully laid out, surfaced and drained prior to first use of the development. These areas 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.

11. Prior to any commencement of development or any works to the buildings the recommendation for measures to be undertaken before and during the works included within the (Marches, Ecology, Preliminary Roost Assessment (2017) shall be carried out and fully implemented and the measures set out in the recommendations of the bat emergence survey report by Marches Ecology issued on 28th July 2017.

12. No part of the development shall commence until the Local Planning Authority has been provided with details of a post construction monitoring and surveillance scheme which has been approved by the Local Planning Authority. Works as approved shall be carried out strictly in accordance with the approved details.

Date Approved: 22/4/2022 **Reference Number:** P/2022/0217

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13. The development shall be carried out in strict accordance with the approved drawing 542/6, 542/4, 542/3, 542/4 (floor plans) and application documentation.

14. Boundary treatment of the proposed new garden should be post and rail which could be supplemented by hedgerow to give privacy to the garden.

15. Development shall not begin until an appropriate photographic survey, equivalent to an Historic England Level 1 study of the existing buildings has been carried out in accordance with details to be submitted to and approved by the Local Planning Authority and the Development Control Archaeologist

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(Clwyd Powys Archaeological Trust for inclusion in the regional Historic Environment Record Officer, Clwyd Powys Archaeological Trust for inclusion in the regional Historic Environment Record.

Date Approved: 22/4/2022 **Reference Number:** P/2022/0217

By: Wrexham County Borough Council

Approved Details: CPAT Report No. 1825

16. Prior to the first occupation of the new dwelling a scheme of measures to prevent farm vehicles using the private lane between Plas Mostyn Bach and the B5102 Cefn y Bedd to Minera Road shall be submitted, to and approved by the Local Planning Authority and implemented by the applicant in accordance with the approved scheme and retained thereafter.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure the works reflect the character and appearance of the building.
3. To ensure the works reflect the character and appearance of the building.
4. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
5. To ensure the works reflect the character and appearance of the building.
7. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
8. In the interests of the amenities of the future occupants of the buildings
9. In the interests of the amenities of the future occupants of the buildings
10. 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.
12. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
13. To ensure works are carried out in accordance with the approved plans.
14. In the interests of the visual amenities of the area.
15. To secure a full photographic record of the original building prior to alteration / conversion.
16. To ensure traffic movements are not increased at the access to the road in the interests of highway safety.

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Note(s) to applicant

See attached comments / information / advice notes from NRW and CPAT and Welsh Water.

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 Environment and Planning Department on 01978 315300 for further advice and information.

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 should adhere to the times given above wherever possible. For further information and advice regarding construction noise please contact the Council's Housing and Public Protection Department on 01978 315300.

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

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



Officer Appointed for this purpose
Head of Environment 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