

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 ANDREW MACGLASHAN	Code Number	ABE P/2021/1134
Agent	MR A THOMPSON LIGHTWATER TPC 10 KILMOREY PARK AVENUE CHESTER CH2 3QU	Date Received	23/11/2021
		Decision Date	13/05/2022

Town and Country Planning Act, 1990

Location of application

HULLAH FARM, CEFN ROAD, WREXHAM, LL13 9TT

Description of application

NEWID DEFNYDD O DDOSBARTH C3 (CARTREF) I DDOSBARTH C2 (CARTREF GOFAL) A NEWIDIADAU I YMDDANGOSIAD ALLANOL Y GAREJ DAU FAE PRESENNOL / CHANGE OF USE FROM CLASS C3 (DWELLINGHOUSE) TO CLASS C2 (CARE HOME) AND MATERIAL ALTERATIONS TO THE EXTERNAL APPEARANCE OF THE EXISTING TWO-BAY GARAGE

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
EC13	Surface water run-off
EC6	Biodiversity Conservation
GDP1	Development objectives
H11	Residential and nursing homes
H3	Residential conversion of buildings outside settlement limits
H5	Housing in the countryside
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	13/05/2022	Planning permission issued

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**Particulars of decision that permission be GRANTED
Subject to the following:-**

Condition(s)

- The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.
- The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered:
3513-19 - Location Plan
3513-10.5 – Site plan existing
3513-10A – Site plan proposed
3513-17 - Farmhouse - Existing elevations
3513-17.5 - Farmhouse - Existing elevations
3513-18 - Farmhouse - Proposed elevations
3513-18.5 - Farmhouse - Proposed elevations
3513-08 - Farmhouse and Office - Proposed ground floor
3513-20 - Ty Newydd - Existing elevations
3513-12.1 - Ty Hen – Existing floor plans
3513-12.2 - Ty Hen - Existing elevations
3513-12 - Ty Hen – Proposed floor plans
3513-12.3 - Ty Hen - Proposed elevations, and
Image of proposed bin store
Technical Note Prime Transport Planning RevA with drawing P22001-001A
Planning statement Lightwater Dated 23/11/2021 amended by agent's email dated 28/3/2022 and as contained within the application documentation.
- The existing northern vehicular access as shown on approved plan no. 3513-10 Rev A and P22001-001A shall be permanently closed up to motor vehicles prior to first use of any part of the development in accordance with a specification of works which has been submitted to and approved in writing by the Local Planning Authority.
- The vehicular access and parking area as shown on approved drawing numbers(s) P22001-001A and 3513-10A shall be fully laid out, surfaced and drained prior to first use of the development. This parking area shall thereafter be permanently retained and kept free of any obstruction, and made available solely for the parking of motor vehicles at all times.

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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. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
4. To provide for the parking of vehicles clear of the highway in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan

Note(s) to applicant

Your attention is drawn to Highway Supplementary Notes - 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.h
tm](http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm)

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.

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.

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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.

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 Environmental Health and 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.

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 Planning & Regulatory Department on 01978 292040 for further advice and information.

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 be served requiring that any dust nuisance is abated and failure to comply

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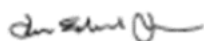
with the requirements of the notice can result in prosecution. The applicant should contact the Council's Planning & Regulatory Department on 01978 292040 for further advice and information.

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. 3. Further guidance can be obtained from the Highway Authority of Wrexham County Borough Council on telephone 01978 729670.

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Many trees, grassland and buildings contain wildlife such as newts, bats and nesting birds that are protected by law. The consent given by this notice does not override the protection afforded to these species and their habitats. The applicant is advised to take steps to ensure that all works do not cause harm to any protected species, and it would be advisable to contact Natural Resources Wales on 0300 065300 or email: enquiries@naturalresourceswales.gov.uk, prior to carrying out the work. For further information on protected species, please contact either the Local Planning Authority's Ecologist or Natural Resources Wales.



Ian Jones

Prif Swyddog Cynllunio a Rheoleiddio Dros Dro

Interim Chief Officer Planning & Regulatory

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