

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 RONALD SMITH	Code Number	GLY P/2019/0828
Agent	ARCHLECTIC ARCHITECTURAL SERVICES MR RONALD GEORGE 2 JONES COURT JONES STREET RHOSLLANERCHRUGOG WREXHAM LL14 1AS	Date Received	05/11/2019
		Decision Date	11/12/2019

Town and Country Planning Act, 1990

Location of application

CAPEL SION, PONTFADOG, LLANGOLLEN, WREXHAM, LL20 7AS

Description of application

CONVERSION OF FORMER CHAPEL INTO 2 BED HOUSE TOGETHER WITH EXTENSION TO FORM UTILITY ROOM AND NEW ACCESS ARRANGEMENTS

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
EC6	Biodiversity Conservation
GDP1	Development objectives
H2	Residential development within settlements
PS1	Settlement limits
PS2	Development and the environment
PS3	Brownfield Land
PS4	Settlement Pattern
T8	Parking

Revision	Date	Description of Decision
0	11/12/2019	PLANNING PERMISSION ISSUED
1	12/10/2020	P/2020/0334 - DISCHARGE OF CONDITIONS 8 AND 13 (WINDOWS AND DOORS) 9 (PHOTOGRAPHIC SURVEY) AND 16 (VISIBILITY SPLAYS) OF PLANNING PERMISSION P/2019/0828

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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 three 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(s) numbered 1725-01, 1725-03, 1725-04, 1725-07, 1725-7A and 1725-08 and as contained within the application documentation.
3. Prior to their use on the development samples of all external facing and 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.
4. 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 or E, of Schedule 2 Part 1, other than the development hereby granted permission.
5. 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.
6. All new and replacement rainwater goods shall be cast iron only.
7. All roof lights hereby approved shall be 'conservation type' only fitted flush with the adjoining roof surface.
8. Prior to commencement of any alterations / works to the windows, full details for their repair or replacement shall be submitted to and approved in writing by the Local Planning Authority. The repair / replacement works shall thereafter be carried out in strict accordance with the details as are approved.

Approval: 12/10/2020 **Reference Number:** P/2020/0334

By: Wrexham County Borough Council

Approved Window and Door Plan Refs: 1725-14 and 1725-14B

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9. No works shall commence until an appropriate photographic survey, equivalent to an English Heritage Level 1 study, of the existing building/s has been carried out in accordance with details to be submitted to, and approved by, the Local Planning Authority. The resulting digital photographs should be forwarded on a CD to the Local Planning Authority and the Development Control Archaeologist, Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR. Email: markwalters@cpat.otg.uk Tel: 01938 553670. After approval by the Local Planning Authority, a copy of the photographs should also be sent to the Historic Environment Record Officer, Clwyd Powys Archaeological Trust for inclusion in the regional Historic Environment Record.

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Approved Survey Ref: Historic Building Record Level 1, Report No. 0265, Dated September 2020, Version 1.0

10. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.

11. No private surface water run off shall be permitted to flow from the development site onto the adjoining highway. An Aco drain or similar shall be provided across the approved access to intercept any such run off prior to first use of the development.

12. 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.

13. No works shall commence until drawings to scale 1:5 and 1:20 fully detailing all new or replacement windows and doors have been submitted to and approved in writing by the Local Planning Authority. The details shall fully describe the proposed materials and decorative/protective finishes. The works shall only be carried out in strict accordance with such details as are approved.

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Approved Window and Door Plan Refs: 1725-14 and 1725-14B

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14. 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), any window or opening in the elevation facing South West shall only be glazed or re-glazed using obscure glass which shall thereafter be permanently retained.

15. Any new boundary treatments shall be constructed using local stone only and pointed using a traditional lime and sand mortar, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to implementation on the site.

16. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.0 metres x 17 metres to the south east and 2.0 metres x 25 metres to the north 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 adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

Approval: 12/10/2020 **Reference Number:** P/2020/0334

By: Wrexham County Borough Council

Approved Visibility Splay Plan Ref: 1725-13

17. The vehicular parking and turning areas as shown on approved drawing(s) No(s). 1725-01 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.

18. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

19. The development shall be carried out in strict accordance with the recommendations and mitigation measures as detailed with the ecology report carried out by 'Gerald Longley Ecological Consultants' and dated 11 September 2019 approved as part of this application.

20. No part of the development shall commence until a detailed method statement, together with timings, has been submitted to and approved in writing by the Local Planning Authority. The bat mitigation measures etc. shall be completed in all respects in strict accordance with the statement as may be approved.

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21. The dwelling shall not be occupied until a report prepared by a suitably qualified ecologist, verifying the completion of the mitigation/compensation works required by condition no. 20 has been submitted to and approved in writing by the Local Planning Authority.

22. Within one month of the commencement of development, a post construction long term monitoring strategy for the bat mitigation measures approved in connection with condition no. 21 shall be submitted to and approved in writing by the Local Planning Authority. The bat mitigation shall thereafter be monitored in strict accordance with the strategy as is approved.

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. 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 Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
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. To ensure the works reflect the character and appearance of the building in accordance with Policy GDP1 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 in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan.
8. To ensure the works reflect the character and appearance of the building in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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9. To provide for a record of a building or buildings of local architectural or historic interest in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. 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 GDP1 of the Wrexham Unitary Development Plan.
11. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
12. To ensure that no deleterious material is carried onto the highway, in the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
13. To ensure the works reflect the character and appearance of the building in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
14. To protect the amenities of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
15. 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.
16. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
17. 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 in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan
18. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
19. 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.
20. 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.

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21. 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.

22. 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

The applicant is advised that in addition to planning permission, a protected species licence must be obtained from NRW. Further advice can be found at: <https://naturalresources.wales/permits-and-permissions/species-licensing/?lang=en>

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.

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

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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.

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 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.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication ""Sewers for Adoption""- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

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The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.



Officer Appointed for this purpose
Chief Officer Planning & Regulatory

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