

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 & MRS ROBERT LATHAM	Code Number	OVE P/2020/0198
Agent	MR ROBERT BENNETT 6 LAURELS AVENUE BANGOR ON DEE WREXHAM LL13 0BQ	Date Received	23/03/2020
		Decision Date	29/07/2020

Town and Country Planning Act, 1990

Location of application

KNOLTON FARM, OSWESTRY ROAD, OVERTON, WREXHAM, LL13 0LG

Description of application

TROSI ADEILAD ALLANOL I ANNEDD A DEFNYDDIO YSGUBOR AR GYFER GAREJYS A STORIO DOMESTIG / CONVERSION OF OUTBUILDING INTO A DWELLING AND USE OF DUTCH BARN FOR GARAGING AND DOMESTIC STORAGE

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	Converting Redundant Buildings
EC6	Biodiversity
T8	Parking

Revision	Date	Description of Decision
0	29/07/2020	Planning permission issued

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(s) numbered PL-007 A, PL-008 A, PL-009 A, PL-010 A and PL-012 A, and as contained within the application documentation.

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3. Prior to their use on the development samples of all external facing, hard landscaping 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. All new and replacement rainwater goods shall be aluminium cast iron only.
5. The landscaping scheme approved as part of this application shall be fully implemented in strict accordance with approved drawing no. PL-012 A 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.
6. 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, method of opening and glazing type and include cross sections for glazing bars, sills and heads etc. The works shall only be carried out in strict accordance with such details as are approved.
7. No part of the development shall commence until a Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include (but not be limited to) details of bat mitigation and compensation measures, details of the person(s) who will implement these measures, details of post construction monitoring and record dissemination, and external lighting scheme. The approved Conservation Plan shall thereafter be fully implemented in all respects.
8. 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.
9. No works shall commence until an appropriate photographic survey (equivalent to an Historic England Photographic Survey - Understanding Historic Buildings, 2016, 5.5, p.27) of the existing building/s has been carried out by an archaeological contractor, in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority. The resulting digital photographs shall be forwarded on appropriate digital media to the Local Planning Authority and the Development Control Archaeologist (Clwyd-Powys Archaeological Trust, Coed y Dinas, Welshpool, Powys, SY21 8RP. Email: markwalters@cpat.otg.uk Tel: 01938 553670).

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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.

10. Prior to first use of the development the site shall be laid out in strict accordance with approved plan refs: PL-009 A and PL-012 A.

11. Prior to first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 120 metres to the south west and 2.4 metres x 79 metres to the north east 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.

12. A compliance audit shall be carried out by a qualified ecologist, independently of the appointed principle ecologist, in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. A copy of the completed audit reports should be submitted to and approved in writing by the Local Planning Authority after each phase of development.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2013 and 1995 (or any order revoking or re-enacting that Order with or without modification), no further development shall take place under Classes A - E of Schedule 2 Part 1 or Class A of Schedule 2, Part 2 other than the development hereby granted permission.

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

15. 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 on site except for those shown on the approved plan ref PL-012 A which shall be fully implemented in strict accordance with the plan prior to first use of the development.

16. 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), the building shown on plans ref: PL-009 A and PL-010 A shall only be used for domestic storage and for the parking of vehicles ancillary to the dwelling hereby approved. For the avoidance of doubt, the building shall not be converted for use as ancillary residential accommodation.

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17. The development shall be carried out in strict accordance with the methodology, findings and recommendations contained within the ecology reports referenced Bennett, D. (2019) Bat Activity Survey for Knolton Farm and Bennett, D. (2019) Knolton Farm – Bat/Bird Mitigation Report. Clwydian Ecology, approved as part of this application.

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 the works reflect the character and appearance of the building in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
5. 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.
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 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.
8. To ensure the works reflect the character and appearance of the building in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
9. To secure a full photographic record of the original building(s) prior to alteration, conversion or demolition in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
10. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. 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.

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12. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.
13. To comply with section 71ZA (2) of the Town and Country Planning Act 1990.
14. 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.
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 a satisfactory unit of residential accommodation is retained within the premises in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
17. In order to protect wildlife interests, which are afforded special protection in accordance with Policies GDP1 and EC6 of the Wrexham Unitary Development Plan.

Note(s) to applicant

If evidence of storage/spillage of agro-chemicals are found in or around the farm buildings/outbuildings/area, then it would be prudent to investigate the potential for residual contamination. The applicant is advised to contact the Housing and Public Protection Department of the Council on 01978 315733 for further guidance.

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.

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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.

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.



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