

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	MS E LEWIS	Code Number	CHI P/2014/0752
Agent	KBJ ARCHITECTS KATHERINE JONES CARTREF RHANDIRMWYN LLANDOVERY CARMARTHENSHIRE SA20 0PB	Date Received	10/10/2014
		Decision Date	04/12/2014

Town and Country Planning Act, 1990

Location of application

TY MAEN FARM, PENTRE, CHIRK, WREXHAM, LL14 5AW

Description of application

REPLACEMENT, RESTORATION AND REBUILDING OF BARN BUILDING (IN PART), TO BE USED AS RESIDENTIAL ACCOMMODATION (2 BEDROOMS) PLUS CARER ACCOMMODATION.

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

EC6	Biodiversity Conservation
GDP1	Development objectives
H3	Residential conversion of buildings outside settlement limits
H5	Housing in the countryside
PS2	Development and the environment
T8	Parking

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 hereby permitted shall only be occupied by family members of the occupiers of Ty Maen Farm or those designated as carers for the occupiers of Ty Maen Farm.
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.

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

4. 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.

5. All pointing works shall be carried out using a lime based mortar only.

6. No land drainage run-off or surface water shall be permitted to discharge or connect to the public sewerage system, either directly or indirectly, and foul and surface water shall be drained separately from the site.

7. The development shall be carried out strictly in accordance with Sections E and F of the approved Ty Maen Farm Bat Mitigation Method Statement numbered KBJAr-287-002 dated 10 October 2014 and as detailed on drawing numbers 5 Rev B and 6 Rev B. The measures as implemented shall be retained thereafter.

8. Prior to the installation, on site details of any external lights shall be submitted to and approved in writing by the Local Planning Authority. External lighting shall only be installed with such details as are approved.

9. Any works to the roof of the building to which this permission relates shall only be carried out in a precautionary manner to include the following:

- Any weather boarding, hanging tiles, soffits, fascia and barge boarding shall be removed by hand, and

- Should any bats be discovered all works on the building shall cease and Natural Resources Wales contacted for further advice.

10. 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, E, F, G of Schedule 2 Part 1, other than the development hereby granted permission.

11. The development shall only be carried out in strict accordance with the details shown on the approved drawing(s) numbered 1 Rev B, 2 Rev B, 3 Rev A, 4 Rev B, 5 Rev B and 6 Rev B and contained within the application documentation.

12. All soffits and fascia boards shall be constructed of timber.

13. Prior to their installation on the building, a specification of rainwater goods shall be submitted to and approved in writing by the Local Planning

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Authority. The details shall fully describe the proposed materials, fixing method, decorative/protective finishes and include cross sections. Works shall only be carried out in strict accordance with such details as approved.

14. 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.

15. 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.

16. No new pipework, extracts, meter boxes, flues, vents or ductwork shall be fixed to or formed through the external walls or roofs of the building until their exact position, type, number and finish has been submitted to and approved in writing by the Local Planning Authority. Works shall only be carried out in strict accordance with such details as approved.

17. No works shall commence until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The resulting digital photographs should be forwarded on a CD or DVD to the Local Planning Authority, and the Development Control Archaeologist at Clwyd-Powys Archaeological Trust, 41 Broad Street, Welshpool, Powys, SY21 7RR (Tele no. 01938 553670).

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. Using the barn as a separate dwelling would result in substandard level of amenity and an adverse impact upon highway safety.
3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
4. To ensure the works reflect the character and appearance of the building.
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6. To protect the integrity of the public sewerage system and prevent hydraulic overloading of the public sewerage system. To protect the health and safety of existing residents and to ensure no detriment to the environment.
7. To help conserve a protected species.
8. To help conserve a protected species.
9. To protect named species/habitats/biodiversity which would otherwise be damaged/lost by the development hereby permitted.
10. Due to the restricted application site and its relationship with adjoining properties as well as its prominent position and careful traditional design 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.
11. To ensure that the development fully complies with the appropriate policies and standards.
12. To ensure the works reflect the character and appearance of the building.
13. To ensure the works reflect the character and appearance of the building.
14. To protect the amenities of the occupiers of nearby properties.
15. To ensure the works reflect the character and appearance of the building.
16. To ensure the works reflect the character and appearance of the building.
17. To provide for a record of a building or buildings of local architectural or historic interest

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.

You are advised that building work which involves work on an existing wall shared with another property, building on the boundary with a neighbouring property or excavating near a neighbouring building may require the separate consent of the neighbour under the provisions of the Party Wall Act. If you require further information or advice please contact the Building Control

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Section on 01978 292050.

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.

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

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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

The applicant is advised that compliance with condition no. 14 does not provide an exemption from the statutory noise nuisance provisions of the Environmental Protection Act 1990. Any complaints received relating to noise from the development during the permitted hours may still be investigated using the Council's Standardised Procedure for Dealing with Noise Nuisance Complaints and legal action may be taken where appropriate.

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

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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 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
Head of Community Wellbeing and Development

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.htm