

REPORT OF THE HEAD OF COMMUNITY WELLBEING AND DEVELOPMENT –
7 May 2013

APPLICATION NO:
P/2013 /0113

LOCATION:
LLANGWRYD UCHAF LLWYNMAWR
LLANGOLLEN WREXHAM
LL20 7BD

DATE RECEIVED:
14/02/2013

COMMUNITY:
Glyntrian

DESCRIPTION:
CONVERSION OF FORMER BARN
INTO DWELLING, CONSTRUCTION
OF DOUBLE GARAGE AND STORE
AND ASSOCIATED EXTERNAL
WORKS

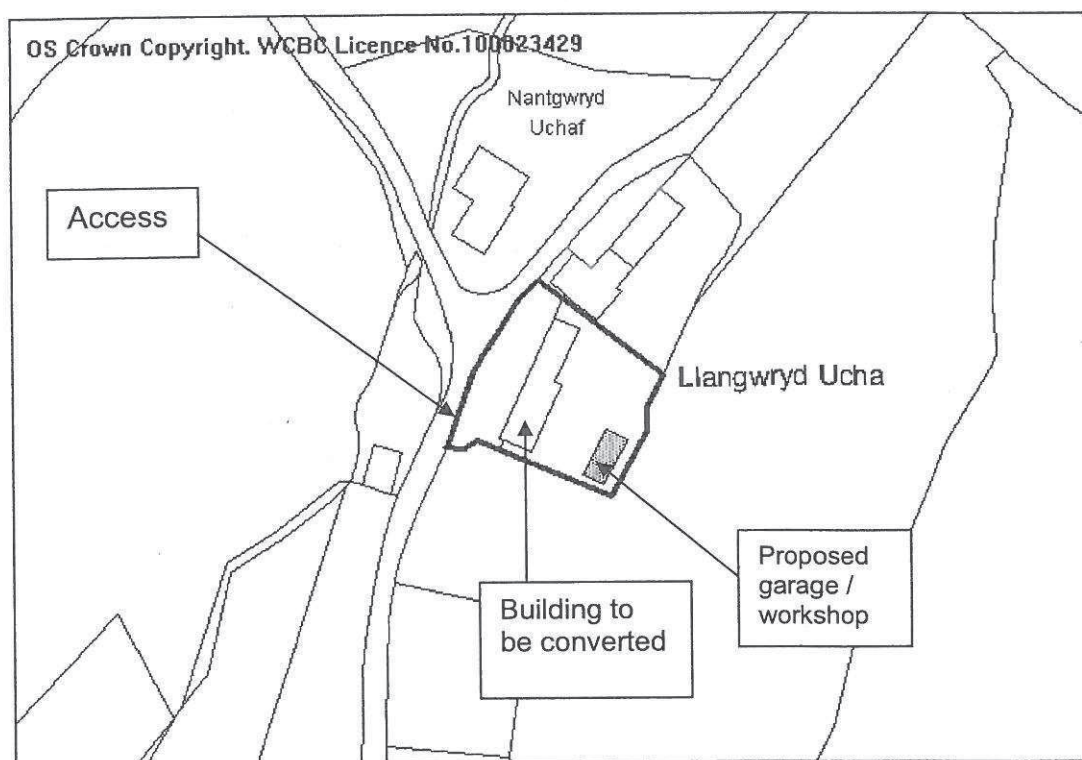
CASE OFFICER:
KH

WARD:
Ceiriog Valley

AGENT NAME:
ADS ARCHITECTURAL
DESIGN SERVICES
MR ANDREW STOREY

APPLICANT(S) NAME:
MR & MRS STUART CUTTER

THE SITE



Located approximately 2 km due south of Pontfadog. Bounded by an existing barn conversion to the immediate north east and a dwelling to the immediate north.

PROPOSAL

As above.

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RELEVANT HISTORY

P/20113/0114	Listed Building Consent for conversion of barn to dwelling, double garage and store and associated external works. Next application on this Agenda.
P/2005/1480	Listed Building Consent to convert former agricultural building to dwelling. Granted 7.8.2006.
P/2005/1479	Conversion of former agricultural building to dwelling. Granted 5.6.2006.

DEVELOPMENT PLAN

Outside settlement. Policies PS2, H3, GDP1 and EC9 of the Wrexham Unitary Development Plan are relevant. Grade II Listed Building.

CONSULTATIONS

Community Council:	Consulted 15.2.13.
Local Member:	Notified 15.2.13.
Public Protection:	No objection.
Highways:	No objection subject to conditions requiring adequate visibility splays, provision of parking areas indicated on drawings and location of gates at access.
CCW:	No objections as the site has been subject to survey and assessment in respect of statutory protected species. The precautionary recommendations outlined in the submitted Protected Species Report should be undertaken.
Welsh Water:	No foul / surface water sewers in the immediate vicinity.
Environment Agency:	No objections, standard advice note applies.
CPAT:	Photographic record required.
Other Representations:	Two letters of concern but not in principle objections to the scheme: • Adequate drainage arrangements need to be provided. • Surface water should not enter the highway drains as a potential for flooding of nearby farmland. • The septic tank on the adjoining house within the same family ownership appears to have some seepage which would soak away into the public highway and ultimately into a watercourse on adjoining land. The existing tank would appear inadequate to cater for the additional dwelling.

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- The three roof lights, steps and kick wall proposed for the North-West elevation, the extra window on the ground floor on the South-West elevation and the single ground floor level would all compromise the character of the building.
 - Careful consideration required over the erection of the timber clad outbuilding / double garage in terms of its impact on the setting of the Listed Building and general character of the area. Could set a precedent in the area. Materials are not 'traditional' to the area or locally sourced.
 - Seven parking spaces appears excessive.
- Expired 22.3.13.

Site Notice:

SPECIAL CONSIDERATIONS/ISSUES

Policy: No objections in principle to a residential use for the former barn. Its proximity to two existing properties and access to the site along narrow country lanes would make it unsuitable for alternative uses.

Impact on the character of the Listed Building: The barn is a Grade II listed building. Planning Permission and Listed Building Consent have previously been granted but have subsequently expired. The building is considered to be 'vulnerable' on the Council's Register of Buildings at Risk and the proposals provide a suitable long-term use of the building.

The structural survey has indicated that the building in its existing condition is capable of re-use without substantial works. The main works involve dismantling / rebuilding the South-West gable elevation and the North-West corner and provision of a new slate roof. The scheme and elevational treatment provided are generally acceptable but some limited additional information / clarification and amendments have been requested. This includes relatively minor elevational treatment, proposed means of insulation, extent of replacement roof timbers and modifications to the Conservation Method Statement. The additional submissions and planning conditions will ensure the character and integrity of the building is not compromised.

A garage / workshop is also proposed to the rear of the building. Its location, limited scale, largely open frontage and materials ensure it is subservient to the main building and ensures it does not detrimentally impact on the character and setting of the Listed Building.

Highways: The development site is located on a narrow unclassified road subject to the national speed limit. Typical vehicle speeds are estimated at being at no more than 15 mph given the geometry of the road in the vicinity. Adequate parking is provided with 3 spaces to the front of the building and an

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existing gated access to the rear of the property which would enable parking for another 4 vehicles if required. A condition will be required to improve visibility at the access.

Ecology: A Protect Species Report has been submitted with the application. CCW and the Council's Ecologist are satisfied the survey and assessment are acceptable and the recommendation of the ecological report will be conditioned.

Other considerations: Concerns have been raised regarding drainage of the development. A condition will require details of surface and foul water proposals to ensure the works do not exacerbate any potential flooding issues or pollution to the environment. I am satisfied generally that the elevational treatment is sympathetic but minor alterations have been requested.

Distance and orientation to the other existing properties ensures no loss of privacy.

Conclusion: I am satisfied that the proposal is acceptable. The building is capable of being converted without substantial works to the building and the conversion scheme protects the character of the Listed Building. The additional information requested will be reported on the addendum prior to Committee. Highway safety and ecological interests are not compromised.

RECOMMENDATION: That permission be **GRANTED**

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 use on the development samples of all external facing 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.
3. The development shall be carried out in strict accordance with the recommendations contained within the Protected Species Report as carried out by Jane Atkinson and dated August 2012 approved as part of this planning application. The mitigation and compensation measures hereby approved shall be fully implemented prior to the first use of the development.
4. 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.
5. There shall be no gates or other means of enclosure across the vehicular access point within 5 metres of the highway boundary.
6. Prior to the first use of the development hereby approved the vehicular access shall provide visibility splays of 2.4 metres x 17 metres in both directions measured to the centreline of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the

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level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

7. No part of the development shall commence until full details of the foul and surface water drainage have been submitted to and approved by the Local Planning Authority. The development shall only be carried out in strict accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority and prior to the first occupation of the dwelling hereby approved.

8. 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).

9. Details of boundary means of enclosure shall be submitted to and approved, in writing, by the Local Planning Authority. Works shall only be carried out strictly in accordance with the details as approved and retained thereafter unless otherwise agreed, in writing.

REASON(S)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.
2. To ensure the works are sympathetic to the character of the building.
3. To protect named species / habitats / biodiversity which would otherwise be damaged / lost by the development hereby permitted.
4. To protect the amenities of the occupiers of nearby properties.
5. 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.
6. To ensure that adequate visibility is provided at the proposed point of access to the highway.
7. To ensure the development does not exacerbate any flooding in the area or cause pollution to the local water environment.
8. To provide for a record of a building or buildings of local architectural or historic interest
9. To ensure the works are sympathetic to the character of the building.

NOTE(S) TO APPLICANT

The applicant is advised that compliance with Condition No. 4 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

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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 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.

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.

Your attention is drawn to the Standard Advice Note from the Environment Agency attached to this decision.
