In pursuance of its powers under the Acts an 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

wrexham
COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL
wrecsam

Applicant RE AND SM LEWIS

Reference P/2025/0019

Agent Andrew Design Service
Chilterns
Trefonen
Oswestry
SY10 9DH

Date Received 08/01/2025

Decision Date 02/09/2025

Town and Country Planning Act, 1990

Location of Application

LAND ADJACENT TO BRYN Y GROES FARM, NANTYR, LLANGOLLEN, WREXHAM, LL20 7BU

Description of Application

CODI ANNEDD GWEITHWYR AMAETHYDDOL

ERECTION OF AN AGRICULTURAL WORKER'S DWELLING

In reaching this decision the Council has had regard to the following relevant policies: -

Development Plan Policies:

Future Wales Policy 9 - Resilient Ecological Networks and Green Infrastructure

EC 4 - Hedgerows, Trees and Woodland
EC5 - Special Landscape Areas
EC6 - Biodiversity Conservation
GDP 1- Development Objectives
H5 - Housing in the Countryside
PS1 - Broad Location of Development
PS 11 - Biodiversity
PS2 - Broad Location of Development
PS 3 - Broad Location of Development
PS4 - Broad Location of Development
T8 - Parking

Revision	Date	Description of Decision
0	02/09/2025	Planning permission issued

Particulars of decision : GRANTED subject to the following:-

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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 following plan(s) and document(s):
   • PL02B BLOCK PLAN 16.12.2024.
   • PL03B SITE PLAN 16.12.2024.
   • PL04 PLAN 16.12.2024.
   • PL05 ELEVATIONS 16.12.2024.
   • EAST GABLE - BAT & BIRD BOXES 16.12.2024.

3. The external surfaces of the building(s) shall be constructed of the materials specified on Schedule Reference PL07 External Materials 16/12/2024.

4. The occupancy of the dwelling hereby approved shall be restricted to:
   a) a person solely or mainly working, or last working on a rural enterprise in the locality, or a widow, widower or surviving civil partner of such a person, and to any resident dependants; or, if it can be demonstrated that there are no such eligible occupiers,
   b) a person or persons who would be eligible for consideration for affordable housing under the local authority's housing policies, or a widow, widower or surviving civil partner of such a person, and to any resident dependants.

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5. The occupancy of the existing dwelling known as Bryn Y Groes Farm, Nantyr, Wrexham, LL20 7BU shall be restricted to:
a) a person solely or mainly working, or last working on a rural enterprise in the locality, or a widow, widower or surviving civil partner of such a person, and to any resident dependants; or, if it can be demonstrated that there are no such eligible occupiers,
b) a person or persons who would be eligible for consideration for affordable housing under the local authority's housing policies, or a widow, widower or surviving civil partner of such a person, and to any resident dependants.

6. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, and D of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no extensions shall take place to the dwelling hereby approved.

7. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no outbuildings or structures shall be constructed on any part of the application site.

8. The landscaping scheme as shown on plan references PL02B BLOCK PLAN 05.03.2025 and PL03B SITE PLAN 05.03.2025 and report reference C556-Bryn Y Groes - Walkover NBB Statement V3.0-060325, shall be fully implemented in strict accordance prior to 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. Any trees, hedgerows or plants which are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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9. No development shall take place until a scheme for the drainage of foul water has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first use/occupation of the development.

10. No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

11. No external illumination within the site shall take place before a lighting scheme has been submitted to and agreed in writing by the Local Planning Authority. The lighting scheme shall be installed and operated in accordance with the approved details. No other lighting shall be used on any external part of the development.

12. The development shall be carried out in strict accordance with the findings and recommendations contained within report reference 'Proposed Residential Dwelling adjoining Bryn Y Groes, Nantyr, Llangollen, LL20 7BU – Walkover Survey & Biodiversity Statement, Dated 17 December 2024, by Marches Ecology, ref: C556/V2.0 The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

13. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) as shown on plan references East Gable End - Bat and Bird Boxes Elevation PL06 and Site Plan PL03B have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

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14. 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.

15. Prior to first use of the development hereby permitted the vehicular access shall provide visibility splays of 2 metres x 25 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 level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.

16. The vehicular parking and turning areas as shown on the plan reference Block Plan PL02B shall be fully laid out, surfaced and drained prior to first use of the development. This area shall thereafter be permanently retained and kept free of any obstruction and made available solely for the parking of vehicles at all times.

17. 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 and thereafter permanently retained.

Reason(s)

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

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3. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

4. To ensure that the dwelling is only occupied by a rural enterprise worker or the widow, widower or surviving civil partner of such a person, and to any resident dependants or someone who qualifies for affordable housing, a widow, widower or surviving civil partner of such a person, and to any resident dependants.in accordance with Policies GDP1 and H5 of the Wrexham Unitary Development Plan.

5. To ensure that the dwelling is only occupied by a rural enterprise worker or the widow, widower or surviving civil partner of such a person, and to any resident dependants or someone who qualifies for affordable housing, a widow, widower or surviving civil partner of such a person, and to any resident dependants.in accordance with Policies
GDP1 and H5 of the Wrexham Unitary Development Plan.

6. In the interests of protecting the character and appearance of the dwelling and the surrounding area in accordance with UDP polices GDP1 and EC5.

7. To protect the character and appearance of the area in accordance with UDP Policies GDP1 and EC5.

8. 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, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

9. 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 in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

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10. To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

11. In order to protect wildlife interests in accordance with Policies GDP1, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

12. In order to protect wildlife interests in accordance with Policies GDP1, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

13. To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.

14. 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.

15. 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.

16. 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.

17. In the interests of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

Note(s) to applicant

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

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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

In line with the Welsh Government's decarbonisation targets, Welsh Government published the Electric Vehicle Charging Strategy, setting out its plans for charging electric cars and vans in Wales. In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, and to comply with the aims and objectives of the Electric Vehicle Charging Strategy, we encourage the provision of electric vehicle charge points and recommend the following minimum standard for numbers and power output:· One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 10% of parking spaces;
· A Standard Electric Vehicle Charging Point is one which is capable of providing a continuous supply of at least 16A (3.5kW) and up to 32A (7kW). The higher output is more likely to be futureproof;
· The electrical supply of the final installation should allow the charging equipment to operate at full rated capacity;
· The installation must comply with all applicable electrical requirements in force at the time of installation.

All works in relation to the implementation of this permission, including deliveries to and /or leaving the site, should be undertaken only between the hours of 07.30 to 18.00 Monday to Friday, 08.00 to 14.00 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 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.

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The applicant must adhere to the times given above wherever possible. If, however, there are urgent or unavoidable circumstances requiring work outside of the specified times, permission to proceed may be sought by contacting Environmental Health & 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 Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

The Applicant is advised that under the 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 Environmental Health & Housing Standards Team on healthandhousing@wrexham.gov.uk or 01978 292040 for further advice and information.

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David Fitzsimon
Prif Swyddog Yr Economi a Chynllunio, Cyngor Bwrdeistref Sirol Wrecsam
Chief Officer Economy and Planning, Wrexham County Borough Council

Refer to Statement of Applicant's Rights and General Information on our planning web site at:-
Planning and building control | Wrexham County Borough Council