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 Mr Thomas Phillips

Reference P/2025/0471

Decision Date 04/02/2026

Town and Country Planning Act, 1990

Location of Application

LOWER RACKERY, DARK LANE, BURTON, ROSSETT, WREXHAM, LL12 0AG

Description of Application

TRAWSNEWID ADEILADAU AMAETHYDDOL I 1 ANNEDD, ADEILADU GAREJ A TIRLUNIO

CONVERSION OF AGRICULTURAL BUILDINGS TO 1 DWELLING, ERECTION OF GARAGE AND LANDSCAPING

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

Development Plan Policies:

EC6 - Biodiversity Conservation
GDP 1- Development Objectives
H3 - Conversion of Buildings Outside Settlement Limits
PS1 - Broad Location of Development
PS 11 - Biodiversity
PS2 - Broad Location of Development

Revision	Date	Description of Decision
0	04/02/2026	Planning permission issued

Particulars of decision : 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.

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2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s):
Application form
Existing site plan (dwg no. 101 REV P4)
Proposed site plan (dwg no. 107 REV P5)
Existing elevations (dwg no 201 REV P4 and 202 REV P4)
Existing floor plans (dwg no. 200 REV P3)
AMENDED Proposed elevations (dwg nos. 301 REV P6)
Proposed elevations (dwg no. 302 REV P5)
Proposed floor plan (dwg no. 300 REV P6)
Proposed garage plan (dwg no. 400 REV P2)
Proposed site entrance plan (dwg no. 103 REV P1)
Proposed drainage plan (dwg no. 104 REV P1)
Hard and soft landscaping plan (dwg no. M703.03/LRB/LAND 01A)
Planting schedules and specifications (dwg no. M703.03/LRB/LAND 02)
Drainage Statement Issue 04
Percolation Test Report
Drainage detail (dwg no. 23161-001 REV E)
Cordek VOC/Ground Gas Venting System - Ground Bearing Slab - Vent Box (dwg no. ENG/GP/VENT/06 REV A)
Cordek Methane / CO2 Protection System Typical Existing Wall Abutment Detail (dwg no. . ENG/GP/MEM/TRIG/19 REV B)

3. Development shall be undertaken in strict accordance with the approved Statement of Reasonable Avoidance Measures (RAMs) for Great Crested Newt, Richard Roe, 22/08/2025

4. The development shall not be occupied/used until a Validation Report has been completed in respect of the installation of gas protection measures in the building (as per those details submitted with the planning application), and submitted to and approved in writing by the Local Planning Authority.

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5. The development shall be carried out in strict accordance with the findings and recommendations contained within Lower Rackery Farm 2025 Bat Dusk Surveys, date 10th June 2025 by Mulberry. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

6. Prior to first use of the development hereby permitted the vehicular access shall provide visibility splays of 2.4 x 33m 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.

7. Notwithstanding the provisions of Schedule 2, Part 1, Classes A-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 extensions shall take place to the dwelling nor shall any outbuilding be erected within the curtilage of the dwelling

8. 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.

9. 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.

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

11. Prior to first use of the development the site shall be laid out in strict accordance with the Proposed Site Entrance Plan (Drg. No. 103 Rev P1)

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12. The development shall be carried out in strict accordance with the submitted Arboricultural Method Statement ref: (TRE/LRFW/Rev C: 01/12/25) approved as part of this application. No development or other operations shall take place except in strict accordance with the report as approved.

13. Landscaping shall be undertaking in accordance with approved plans M703.03/LRB/LAND/01A and M703.03/LRB/LAND/02. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting (November to March) and seeding seasons following the first use of the development (April to September). Any trees, hedgerows or plants which, within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

14. The development hereby permitted shall not be occupied until the measures to deliver net benefit for biodiversity (NBB) shown in Ecology Technical Note dated 4th March 2024 have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

15. 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.

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

4. To ensure that the risks to the future occupants/users of the site and to the local environment associated with contamination at the site have been assessed and, where necessary, appropriately remediated, in accordance with Policy GDP1 of the Wrexham Unitary Development Plan and paragraph 6.9.17 of PPW12.

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

6. 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.

7. In the interest of protecting the character of the open countryside in accordance with Policies PS1 and GDP1 of the Wrexham Unitary Development Plan

8. 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.

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

10. In the interest of Highway Safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

11. In the interest of highway safety in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

12. To preserve the health, safety and amenity value of the tree(s) in accordance with Policies GDP1, PS11, EC4, EC5 and EC6 of the Wrexham Unitary Development Plan.

13. 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.

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

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

Note(s) to applicant

The applicant's attention is drawn to item nos. 1, 2, 3, 4 & 5 of the supplementary notes below.

Highways Development Control Standard Advisory Note

In the interests of maintaining highway safety, and to avoid obstruction of the public highway (in contravention of the Highways Act), The Applicant is advised to coordinate with the highway authority at highwayroadworks@wrexham.gov.uk in advance of commencement of the development/works with respect to: 1. Skip, scaffolding, hoarding or A frame/signage (Permit required for these items, if on the public highway); 2. Use of a parking space for a set down/delivery area; 3. Record a dilapidation survey of the adjacent carriageway prior to commencement (to avoid being ask to repair damage by the Applicant whilst carrying out their works); 4. If any lane closure or obstruction of the highway is required for a crane or similar; 5. Protection against dust and debris blowing onto the public highway 6. Construction traffic parking locally avoiding nuisance to others; 7. If the Applicant's scope of work includes new apparatus in the highway, such as new mains services then a Section 50 licence will be required. Insurances and demonstration of competency to carry out works in the public highway will be required. 8. Lowering of kerbs or minor pavement alterations require Section 184 agreement. Insurances and demonstration of competency to carry out works in the public highway will be required. 9. A section 278 agreement works agreement is required for more significant alterations to the existing highway 10. Any temporary works affecting traffic lights, [pedestrian/cycle road crossings, or bus stops require pre-planning and permits; 11. For applications with a private driveway (either existing or proposed) connecting onto the public highway, the following conditions of approval

apply: • No surface water from the applicants site should be allowed to drain onto the public highway, • The first 5m* minimum (for residential property) should be hard paved, avoiding gravel or loose chippings form spreading. • No gate should be built in a location where it would result in a car obstructing the highway whilst being unlocked, and it should not swing out and over a pavement or any other part of the highway. *The hard paved length and set back if required is subject to the applicants proposed vehicular length The applicants should allow a minimum of 4 weeks' notice for any of the above standard requirements, and 6-8 weeks for lane closures & road closures (lead times may change without notice subject to workload and complexity). Any works involving Trunk roads should be coordinated separately and directly with the North & Mid Wales trunk Road Agency. For larger sites with a significant impact upon the highway, a Construction Traffic Management Plan will be required.

Warning: An European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang+en

Detailed advice has been issued by Natural Resources Wales which is available on the Council's planning applications website.

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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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.

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.

Public Right of Way footpath LLAY No: 19 which should not be diverted or blocked by the development, nor during its construction.

Ian Jones

Prif Swyddog Dros Dro Yr Economi a Chynllunio
Interim Chief Officer Economy and Planning

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