

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	MRS RUTH EDWARDS	Code Number	RUA P/2020/0576
Agent	CADNANT PLANNING MISS GEORGIA CRAWLEY 20 CONNAUGHT HOUSE RIVERSIDE BUSINESS PARK BENARTH ROAD CONWY LL32 8UB	Date Received	23/06/2020
		Decision Date	24/03/2021

Town and Country Planning Act, 1990

Location of application

JAMES FARM, , RUABON, WREXHAM, , LL14 6DW

Description of application

TROSI ADEILADAU ALLANOL YN 5 ANNEDD / CONVERSION OF OUTBUILDINGS TO 5 DWELLINGS

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

EC1	Green Barriers
EC11	Archaeology
EC13	Surface water run-off
EC6	Biodiversity Conservation
GDP1	Development objectives
GDP2	Capacity of infrastructure and community facilities
H3	Residential conversion of buildings outside settlement limits
H5	Housing in the countryside
MW9	Protection of mineral resources
PS2	Development and the environment
T8	Parking

Revision	Date	Description of Decision
0	24/03/2021	Planning permission issued
1	17/03/2026	P/2026/0066 – Discharge of Condition 10

Particulars of decision that permission be GRANTED
Subject to the following:-

Condition(s)

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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 JFR-LAW-X:
X-DR-A-069-001-P03 Location Plan
X-DR-A-069-002-P03 Site Masterplan
GOO-DR-A-031001 Existing ground floor GA Plan
GOO-DR-061001 Proposed ground floor Plan
U01-DR-A-031002 Existing first floor GA Plan
U01-DR-061002 Proposed first floor Plan
X-DR-A-032001 Existing external elevations east
X-DR-A-062001 Proposed external elevations east
X-DR-A-032002 Existing external elevations south and west
X-DR-A-062002 Proposed external elevations south and west
X-DR-A-032003 Existing courtyard elevations north and south
X-DR-A-062003 Proposed courtyard elevations north and south
and as contained within the application documentation.
3. Prior to their use on the development details of all external facing materials and fenestration 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. Within three months of commencement of development, full details of a hard and soft landscaping scheme together with a timescale for implementation of works shall be submitted to and approved in writing by the Local Planning Authority.
5. The landscaping scheme submitted and approved in connection with condition no. 4 shall be fully implemented in all respects within the agreed timescale and in strict accordance with the approved scheme.
6. The landscaping scheme as carried out in connection with condition no. 5 shall be retained for a minimum of 5 years. Within this timescale, any planting becoming severely damaged or seriously diseased, or is in poor physiological condition and/or are removed without the written permission of the Local Planning Authority shall be replaced with trees or shrubs of similar size and species to those originally required to be planted and within a timescale all to be submitted to and approved in writing by the Local Planning Authority.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-

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enacting that Order with or without modification), no extensions or additions to the dwelling as approved shall be erected under Classes A-E of Schedule 2 Part 1.

8. The areas indicated for vehicular manoeuvring space and parking on the approved drawing(s) No(s). A-061001-P01 shall at all times be kept free of obstruction and be available solely for those purposes.

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: mark.walters@cpat.otg.uk Tel: 01938 553670). 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. No part of the development shall commence until an air quality assessment for the road traffic pollutants of Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀) has been carried out, submitted to and approved in writing by the Local Planning Authority. The assessment shall use appropriate modelling methods, as described in Local Air Quality Management Technical Guidance LAQM TG(16).

Condition 10 Discharged – P/2026/0066 – 17/03/2026

11. The development shall be carried out in strict accordance with the findings and recommendations contained within the Ecology Assessment as carried out by Yorke Associates and dated August 2020 approved as part of this application. The mitigation and compensation measures hereby approved shall be fully implemented prior to first use of the development.

12. No development shall commence until a Conservation Plan has been submitted to and approved in writing by the LPA. The Conservation Plan should build upon the principles outlined in the ecological report (Yorke, D; 2020; James Farm, Ruabon: Protected Species Survey; Yorke Associates Ecological Consultants; Unpublished) and include, but not necessarily be limited to the: o submission of further details concerning bat mitigation and compensation measures including plans;

a. details of timing, phasing and duration of construction activities and conservation measures;

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- b. timetable for implementation demonstrating that works are aligned with the proposed phasing of the development;
- c. actions to be taken in event previously unidentified species of bat are found;
- d. persons responsible for implementing the works;
- e. post construction monitoring and record dissemination for a period of not less than 3 years; and
- f. further details concerning external lighting proposals including plans that illustrate current or proposed bat emergence points and features that currently or are proposed to be functionally used by bats for foraging/dispersal purposes (with reference to Institution of Lighting Professionals and Bat Conservation Trust: Guidance Note 08/18: Bats and Artificial Lighting in the UK is advocated).

The Conservation Plan shall be carried out in accordance with the approved details.

13. Prior to occupation of the proposed dwellings an ecological compliance audit (ECA) scheme shall be submitted to and approved in writing by the Local Planning Authority (LPA).

14. The development shall be carried out in accordance with the drainage report 20201/E03 dated September 2020.

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.
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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.
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7. To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies GDP1 and T8 of the Wrexham Unitary Development Plan.
8. This is a non-standard reason
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. To protect the amenities of the occupiers of the properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
11. 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.
12. In the interests of biodiversity
13. In the interests of biodiversity
14. To ensure satisfactory drainage of the site and to avoid flooding in accordance with Policies GDP1 and EC13 of the Wrexham Unitary Development Plan.

Note(s) to applicant

Your attention is drawn to Highway Supplementary Notes - 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

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.

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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.

The applicant must adhere to the times given above wherever possible. If however there are urgent or unavoidable circumstances requiring works outside of the specified times, permission to proceed may be sought by contacting Environmental Health and Housing Standards at: heathandhousng@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 Planning & Regulatory Department on 01978 292040 for further advice and information.

The development site is in close proximity to the A483 and the developer is therefore advised to carry out a noise survey in order to determine noise levels for both day (07:00 – 23:00 hours) and night (23:00 – 07:00 hours) having regard to Planning Guidance (Wales), Technical Advice Note (TAN) 11 – Noise. The report of the noise survey findings should include:

- a) Noise levels arising from day/night time activities in the vicinity of the proposed development site and the impact upon the proposed accommodation, and

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b) A detailed scheme of noise insulation and / or attenuation measures so designed to safeguard the amenity of the future occupants of the proposed accommodation hereby approved.

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 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

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/europeanprotected-species/?lang=en>

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

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.

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Natural Resources Wales Advice for the Developer Works near Watercourse

Due to the proximity of the site to watercourses, all works at the site must be carried out in accordance with GPP5 and PPG6: 'Works in, near or over watercourses' and 'Working at construction and demolition sites' which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Pollution Prevention

During the construction phase you should take any precaution to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages.

For further guidance please refer to GPP 5 and PPG 6 at the following link: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

Environmental Management

All works at the site must be carried out in accordance with PPG6: 'Working at construction and demolition sites' which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

The activity of importing waste into the site for use as, for example hardcore, must be registered with Natural Resources Wales as an exempt/permittable activity under the Environmental Permitting Regulations 2016. The developer should contact Natural Resources Wales to discuss the necessity for an exemption/permit for any material imported to and exported from the site.

If during construction/excavation works any contaminated material is revealed, then the movement of such material either on or off site should be done in consultation with Natural Resources Wales. Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

Waste produced during construction

Waste produced during the construction phase of your development must be dealt with appropriately and be in line with all relevant waste legislation

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including Duty of Care Regulations and Hazardous Waste Regulations. As part of your waste duty of care you must classify the waste produced:

- before it is collected, disposed of or recovered;
- to identify the controls that apply to the movement of the waste;
- to complete waste documents and records;
- to identify suitably authorised waste management options; and
- to prevent harm to people and the environment.

Any waste removed from site will be subject to waste management controls. The links below provide information on how to classify waste and register as a waste carrier or hazardous waste producer:

<https://naturalresources.wales/permits-and-permissions/waste/?lang=en>

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/?lang=en>

Further guidance can be found on the GOV website here:

<https://www.gov.uk/managing-your-waste-an-overview/duty-of-care>



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