

Planning Dept,
Wrexham County Borough Council
Lord Street
Wrexham
LL11 1LG

16 September 2024

Dear Sharon,

BANK FARM, HIGHER LANES, WHITCHURCH, SY13 3AX

Alternative Scheme comprising:

Planning Application: P/2023/0360; and

Listed Building Consent Application: P/2023/0359

Notices:

Planning Enforcement Notice dated 20 June 2022 ("PEN")

Listed Building Enforcement Notice dated 20 June 2022 ("LBEN")

1. In anticipation of the recommendation of the Alternative Scheme for approval, subject to conditions, the following is a review of the requirements of the Notices, in the context of the proposed Alternative Scheme.
2. The Alternative Scheme comprises the retention of parts of the development already carried out, subject to certain alterations as agreed with the Conservation and Planning Officers, with a view to enabling the works (subject to such revisions) to be deemed acceptable.
3. The primary issue with the requirements set out in section 5 of each of the Notices, is that they specify certain construction details which will not comply with Building Regulations and consequently would result in a design for which building control approval will not be granted. If those requirements were to be included as conditions attached to the permissions granted pursuant to the Planning and Listed Building applications referred to above and/or if those requirements were otherwise required to be implemented as part of the Alternative Scheme, they would give rise to a conflict with the statutory requirements of the Building Regulations regime. As such those requirements should not be retained nor carried through to the Alternative Scheme.
4. In particular, this concern applies to the specifications stipulated for the foundations, floors, walls, roofs and lintels.
5. The following therefore identifies those elements of the Notices which are not feasible from a Building Regulations perspective, and are therefore addressed in a more appropriate way in the Alternative Scheme, such that the requirements of the Notices in that regard are superseded
6. Drawing Ref 22-141b rev e is now submitted to address these points so far as possible at this stage, and further details will be subject to approval pursuant to the conditions attached to the Alternative Scheme and/or shall be dealt with at Building Regulations stage; all elements of the requirements of the Notices as identified below are therefore superseded by the Alternative Scheme and should no longer apply.
7. The requirements at section 5 of the LBEN and the PEN are very similar, and the bullet points on the two Notices are notionally numbered below, for referencing purposes.
8. For completeness, I take each of the requirements of the Notices in turn, and comment in more detail as follows:

1. Rear Extension to Farmhouse

a. LBEN bullet point 1 and PEN bullet point 1:

- ***Demolish the new rear extension walls, floor and catslide roof. New foundations should be left in situ to prevent excessive ground disturbance. Rebuild the removed lean-to structure on the previous footprint as below.***

In the Alternative Scheme, agreement has been reached with the Conservation Officer that the rear extension walls, floor and cat slide roof can be left in situ as currently constructed; this aspect of the Notices will therefore be overridden by the Alternative Scheme.

b. LBEN bullet point 2 and PEN bullet point 2:

- ***Foundations - Walls are to be constructed off natural ground at a depth to match the existing house. Internal walls to be erected in 4" brickwork off similar foundations.***

- i. Building walls off natural ground and only using 3" concrete on 3" compacted soil will not comply with building control requirements.
- ii. In the Alternative Scheme, agreement has been reached with the Conservation Officer that the rear extension walls, floor and cat slide roof can be left in situ as currently constructed; this aspect of the Notices will therefore be overridden by the Alternative Scheme.
- iii. The existing foundations construction detail is indicated on Drawing Ref 22-141b rev e.

c. LBEN bullet point 3 and PEN bullet point 3 (part):

- ***Walls - Rebuild the side and rear 9" walls on the alignment of the original walls using brickwork in keeping with the original type, colour, bond pattern and texture of the house. Bricks are to be bedded and pointed as on the farmhouse in lime mortar (i.e. no cement to be used). Renew the high level window in rear wall of farmhouse.***

- i. In the Alternative Scheme, agreement has been reached with the Conservation Officer that the rear extension walls, floor and cat slide roof can be left in situ as currently constructed; as such, this aspect of the Notices is overridden by the Alternative Scheme.
- ii. In reference to the high level window – it is assumed this refers to the three small windows previously visible above the lean-to extension, I understand these have been retained in the existing structure and remain in situ.
- iii. Any supplemental requirement as to pointing detailing will be regulated by the proposed condition as to materials and finishing

d. LBEN bullet point 4 and PEN bullet point 3 (part)

- ***4x4" timber lintels are to be used over windows and doors in locations to match the original fenestration.***

- i. In the Alternative Scheme, agreement has been reached with the Conservation Officer that the rear extension walls, floor and cat slide roof can be left in situ as currently constructed; as such, this aspect of the Notices is overridden by the Alternative Scheme.
- ii. The lintels need to be structurally sound to comply with Part A of the building regulations, to this end steel lintels would be required and have been used in the extension. The lintels are not visible as the walls are plastered.
- iii. A lintel construction detail is indicated on Drawing Ref 22-141b rev e which overrides this requirement.

e. LBEN bullet point 5 and PEN bullet point 4

- **Floors – Apply / Place 3" GEN3 concrete over 3" compacted sub-soil.**

- i. In the Alternative Scheme, agreement has been reached with the Conservation Officer that the rear extension walls, floor and cat slide roof can be left in situ as currently constructed; as such, this aspect of the Notices is overridden by the Alternative Scheme.
- ii. To comply with building regulations, the floors need to be insulated and have a damp proof membrane to comply with part C & Part L of the Building Regulations.
- iii. The floor specification is indicated on Drawing Ref 22-141b rev e, which overrides this requirement.

f. LBEN bullet point 6 and PEN bullet point 5

- **Roof - Use 4x2" C16 timber rafters at 450mm centres with pitch to match the existing house and 2x1" battens and roof slates to match original rear extension. Gutters and downpipes are to match the farmhouse with locations as original photographs. Apply Lead flashing between the top of roof and existing masonry below the fascia and soffit of the farmhouse.**

- i. In the Alternative Scheme, agreement has been reached with the Conservation Officer that the rear extension walls, floor and cat slide roof can be left in situ as currently constructed; as such, this aspect of the Notices is overridden by the Alternative Scheme.
- ii. It is notable that in light of the current design (forming part of the Alternative Scheme) the roof no longer abuts the wall, such that there is no requirement for lead flashing.
- iii. The location of the guttering is as per the drawings for the Alternative Scheme; the guttering is comprised of cast iron to match the farmhouse, and it is anticipated this will need approval under the materials condition of any consent. (Condition 2 of draft approval for Listed Building Consent & Condition 3 of draft approval of full planning consent).

g. Fundamentally, the Rear Extension works shall be subject to securing a building control certificate of regularisation; however, the works undertaken and which are comprised in the alternative scheme, have followed the guidance within building regulation approved documents, so that if any rectifying works are required, these are only anticipated to be very minor.

2: Piggery / Outbuilding

a. LBEN bullet point 1 and PEN bullet point 1

- **Demolish the new front, side and internal walls, floor and roof. New foundations should be left in situ to prevent excessive ground disturbance. Rebuild the piggery building on its former footprint as below.**

- i. The Alternative Scheme has been designed to replicate the original footprint of the piggery building as closely as possible whilst accommodating the addition of the glazed link.
- ii. The foundations of the relocated walls will be left in situ.

b. LBEN bullet point 2 and PEN bullet point 2

- **Foundations - Walls are to be constructed off natural ground at a depth to match the existing Shippon. Internal walls are to be erected in 4" brickwork off similar foundations.**

- i. Building walls off natural ground and only using 3" concrete on 3" compacted soil will not comply with building control requirements and it is unlikely that a contractor would agree to adopt such a non-compliant approach.
- ii. There is a risk the building would be unstable not only once constructed but also during its construction, giving rise to health and safety concerns.
- iii. To meet building control requirements, concrete foundations are required to comply with Building Regulation Document A, Section 2E and diagram 23.
- iv. Provisional details of the proposed foundations are included on Drawing Ref 22-141b rev e and more detailed specifications will be prepared for building regulations approval purposes.

- v. It would therefore be inappropriate to impose the requirements from the Notices as conditions for the Alternative Scheme; the details comprised in Drawing Ref 22-141b rev e together with the supplemental approval of the detailed specifications for Building Regulations purposes will regulate the specification and accordingly, and the requirements of the Notices will be superseded in this regard.

c. LBEN bullet point 3 and PEN bullet point 3 (part)

- ***Walls - Rebuild the side and rear 9" walls on the alignment of the original walls using brickwork in keeping with the original type, colour, bond pattern and texture of the outhouse. Bricks are to be bedded and pointed as in the farmhouse in lime mortar (i.e. no cement to be used).***
 - i. The Alternative Scheme has been designed to replicate the original footprint of the piggery building as closely as possible whilst accommodating the addition of the glazed link.
 - ii. It is intended that the materials and finishing will match the original and will be regulated by condition in any event.
 - iii. The walls will need to be insulated to comply with Part L of the building regulations, to this end a provisional wall specification has been shown on Drawing Ref 22-141b rev e which complies with current building regulations requirements and more detailed specifications will be prepared for building regulations approval purposes.
 - iv. It would therefore be inappropriate to impose the requirements from the Notices as conditions for the Alternative Scheme; the details comprised in Drawing Ref 22-141b rev e together with the supplemental approval of the detailed specifications for Building Regulations purposes will regulate the specification and accordingly, and the requirements of the Notices will be superseded in this regard.

d. LBEN bullet point 4 and PEN bullet point 3 (part) and bullet point 4

- ***Dentil course to be applied along the elevation facing the farm yard as on the Shippon. The pathway between the outhouse and the farmhouse should be maintained as in the original photographs, with door openings and high-level window to be formed.***
 - i. A dentil eaves course to the yard elevation of the rebuilt piggery is noted on the Notices, which one assumes should match the dentil eaves detail of the Shippon barn, which is adjacent to the piggery. However, for clarification, from the old photographs the piggery does not appear to have had a dentil course along the yard elevation. In contrast, the farmhouse eaves detail is exposed rafter feet (rather than a dentil course), and in the email from Jennifer Chambers to Sharon Holman on the 13th July 2023 it was suggested a rafter feet detail should be replicated in the piggery barn, which seems a more appropriate approach given otherwise there would be dentil course along one eaves and exposed rafter along the other eaves of the piggery.
 - ii. Accordingly drawing 22-141b rev e shows exposed rafter feet, but this can be easily changed to a dentil course if required; we also happy for the approval of the eaves details to be a condition; this not uncommon.
 - iii. The Alternative Scheme provides for a glass link between the piggery barn and the farmhouse, which supersedes the requirements for the retention of the pathway, door openings and high level window.

e. LBEN bullet point 5 and PEN bullet point 5

- ***The rebuild walls should about the existing Shippon but not be toothed Open-up the bricked up doorway into the Shippon. Renew timber lintel over the door opening with timber section of the same size if the existing it significantly deteriorated. Use 4x4" timber lintels over windows and doors in locations to match the original fenestration. Build an internal wall between the blocked up door opening and timber garage doors to form a 'Milking Parlour' room. Walls to be erected in 4" brickwork off similar foundations.***

- i. Draft Condition 6 of the listed building consent will regulate the tying in of the piggery barn to the Shippon so more complete details will be provided at that stage, so this requirement of the notice shall be superseded by the details agreed under that condition.
- ii. The Alternative Scheme provides for the piggery barn layout and doorway and fenestration locations as shown on drawing 22-141b rev e and therefore supersedes these requirements as to the layout of the piggery barn.
- iii. As to the lintels, they need to be structurally sound to comply with Part A of the building regulations, to this end steel lintels would be required. The lintels are not visible as the walls are plastered. The lintel construction detail is indicated on drawing 22-141b rev e and the Building Regulations approval process will further regulate the construction detail, and accordingly, the requirements of the Notices will be superseded in this regard.
- v. As to the walls and foundations, please refer to the points raised as to building regulations requirements at paras b and c above. The details comprised in Drawing 22-141b rev e together with the supplemental approval of the detailed specifications for Building Regulations purposes will regulate the specification and accordingly, and the requirements of the Notices will be superseded in this regard.

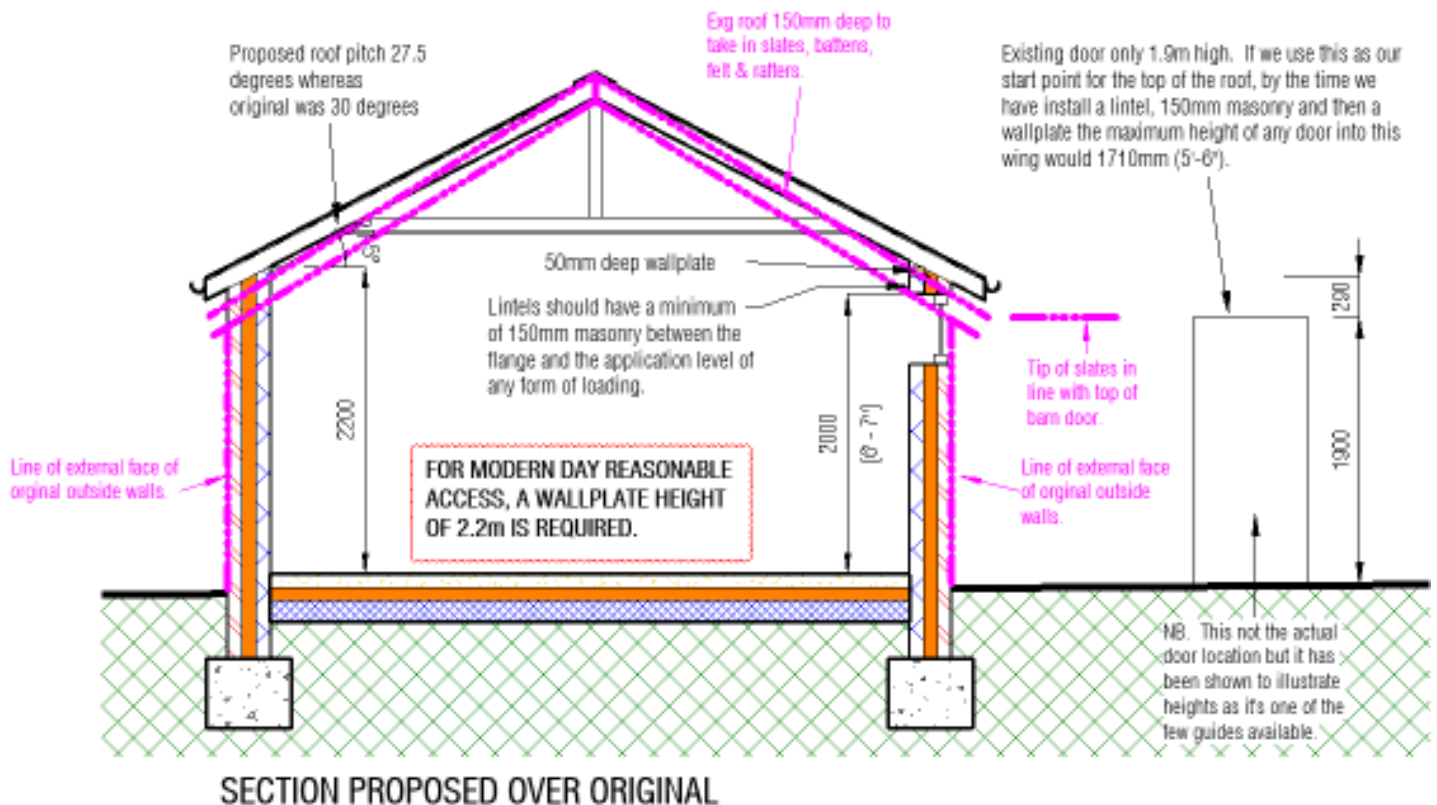
f. LBEN bullet point 6 and PEN bullet point 6

- ***Floors - Apply 3" GEN3 concrete over 3" compacted sub-soil.***

- i. To comply with building regulations, the floors need to be insulated and have a damp proof membrane to comply with part C & Part L of the Building Regulations.
- ii. A proposed floor specification has been specified on Drawing 22-141b rev e - this complies with current Building Regulations requirements and should therefore be utilised and supersedes the requirements in the Notices.

- **Roof - Use 4x2" C 16 timber rafters at 450mm centres with pitch to match the existing Shippon. The roof profile and ridgeline to be as the outline on the Shippon wall. 2no. braced king-post timber trusses are to be formed using 8x4" primary rafters, the king-post and bottom chord with 4x4" braces and 8x4" timber purlins at approximately mid-span of each pitch. Trusses are to be located between windows, but at approximately third-points between the Shippon wall and the internal Milking Parlour wall. 2x1" battens and roof slates are to match the original rear extension. Seal between outbuilding roof and Shippon wall using lime mortar haunching**

- As agreed with the Conservation Officer, the Alternative Scheme provides for a roof height which replicates the original, with a roof profile which differs very slightly from the original alignment in order to achieve a useable internal height within the building, see detail below



- The specification for the roof will need to comply with building regulations, to this end calculations justifying the design will need submitting to building control in course to justify the size of timber members to be used. Indicative details for the king post trusses are given on Drawing 22-141b rev e
- Lime mortar will be used where required and will be regulated as part of the pointing condition in any event.

Finally, if you require any clarification on any points, please do not hesitate to contact me.

Yours sincerely,

Gary Chesters

Gary Chesters BSc MRICS