



25 August 2023

Gwyn Humphreys
Wrexham County Borough Council
Planning Services
Lambpit Street
Wrexham
LL11 1AR

By E-MAIL ONLY

Dear Gwyn

Gorse Farm, Worthenbury Road, Worthenbury, Wrexham, LL13 0AL

PLANNING PORTAL REF. P/2022/0441

The above planning application was submitted on 2 May 2022 on behalf of my client Broughton Hall Estates Ltd; the original case officer was [REDACTED]

You took over as case officer in April 2023, following a short interregnum, and we met on site to discuss and review the proposal on 31 May 2023.

Following our meeting and your feedback on curtilage, floorspace and design during the course of June and July 2023 the applicants team have worked towards an amended set of architectural and landscape drawings and I now have the pleasure of providing you with a set of revised drawings for your determination.

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DESCRIPTION OF DEVELOPMENT

The description of development on the PA forms was:

"Demolition of existing farmhouse and replace with a new dwelling. Change of use of existing outbuildings into residential accommodation. Demolition of some agricultural buildings."

The revised description (as of January 2023) was:

"Proposed replacement dwelling and conversion of existing outbuildings to form a single dwellinghouse, with detached garage unit, revised means of vehicular access (involving closure of existing access), landscaping and biodiversity net gain and demolition of existing barns and outbuildings."

In the light of our site meeting held on 30 May 2023 it was agreed that the residential curtilage needed to change and that this would result in the red line of the site being reduced.

We also agreed that the quantum of floorspace associated with the existing residential use involved a total of 449 sqm (311sqm house, 113 sqm orangery and 25sqm outbuilding).

You kindly confirmed the revised curtilage in your email of 2 June 2023. As a result, we would suggest that the description of development should be amended as follows:

"Proposed replacement dwelling, with detached garage unit, revised means of vehicular access (involving closure of existing access), landscaping and biodiversity net gain and demolition of all existing buildings and structures upon the site."

FLOORSPACE

At the same time you confirmed the curtilage demise you also agreed that the quantum of floorspace associated with the existing residential use involved a total of 449 sqm which equates to some 304sqm of footprint. You have since agreed the design solution through engagement with the applicant team.

	Existing Footprint	Proposed Footprint	Existing Floorspace	Proposed Floorspace
House	162	413	307	697
Orangery	113	0	113	0
Outbuilding	29	0	29	0
Garage	0	105	0	105
Total	304	518	449	802

The proposal represents a footprint increase of 70% and floorspace increase of 78%. We are aware of numerous examples where permission has been granted for far more significant extensions / replacement dwelling schemes that have resulted in increases of between 33 and 175%; these are shown below.

PA REF	Address	Permitted Increase
P/2022/1010	[REDACTED]	350 sqm to 562 sqm = + 60% 647sqm footprint to 1007sqm = + 60%
P/2022/0792	[REDACTED]	108 sqm to 140 sqm = + 33%
P/2022/0627	[REDACTED]	56 sqm to 122 sqm = + 125% 56 sqm footprint to 74 sqm = + 40%
P/2022/0499	[REDACTED]	+ 33% increase
P/2022/0379	[REDACTED]	+ 150%
P/2021/1170	[REDACTED]	Appears to be at least + 150%
P/2021/0916	[REDACTED]	Appears to be at least + 100% increase
P/2021/0257	[REDACTED]	Appears to be at least + 33% increase
P/2019/0779	[REDACTED]	163 sqm to 295 sqm = + 85%
P/2019/0350	[REDACTED]	Appears to be at least + 80% increase in footprint and around +175% increase in floorspace
P/2018/0593	[REDACTED]	183 sqm to 371 sqm = + 105%
P/2018/0367	[REDACTED]	+ 100% increase
P/2017/0408	[REDACTED]	88 sqm to 202 sqm = + 125% increase (excl. garage)

Many include examples where single storey dwellings have been replaced by two-storey houses and many are in far more visually open and prominent locations compared with the application site.

DESIGN SOLUTION

Since we met on site, during June and July 2023, you have provided feedback and guidance on the revised design and layout solution for the site to both me and the applicants architect (REDACTED). This has been welcomed and proven most helpful; it has ultimately shaped the scheme as now submitted.

As you will see from the drawings all the advice you have provided has been taken on board as you suggested and the new replacement dwelling is reflective of a traditional range and its single storey wings assist in minimising massing. The materiality and form is also as recommended by yourself.

The applicant considers that there are multiple benefits that this proposal will deliver, namely :

- Enhancement to the openness of the countryside
- Landscaping improvements and visual enhancements through landscape planting/restoration
- Biodiversity net gain benefits
- Acceptance that PD will be removed, thus controlling any future extensions, etc
- A tighter/reduced curtilage demise
- Highway safety benefits
- Quality replacement dwelling scheme reflective of the local vernacular and character.

HIGHWAY ACCESS

The Highway officer provided earlier comments (dated 23 May 2022 and 27 February 2023) where it was remarked that if the existing access was to be used and retained that it should be widened. The applicant considered this but feels that trying to improve an already deficient access onto the highway would be counter-productive especially since visibility is sub-standard and instead he is now proposing to seal up the current access through landscaping and make a better new access further along the highway at a far superior point where visibility is much safer; this access will be wider than the existing and there is no need for any passing place. The Highways officer now needs to review the revised plans and provide a response.

PLANNING POLICY : WREXHAM UDP

The applicant has also sought to consider planning policy; involving both the former UDP (adopted in February 2005 and covering a plan period of 1996 to 2011) and the emerging LDP, whose plan period is 2016 to 2028.

This is quite a strange situation since the LDP was found to be sound by the Plan Inspector but the Authority have failed to adopt their own plan. As such the weight afforded available policy is somewhat unusual, but we believe that the weight of the UDP is now (overall) significantly diminished and likewise any former SPG is also effectively limited.

It is accepted that the UDP development management policies (such as Policy H10) still generally accord with Future Wales and PPW11, but that this policy would be replaced by LDP Policy H8. So, notwithstanding any reservations one might have with respect weight of UDP policy versus LDP policy, we have duly assessed the proposal against the UDP, LDP and SPG policies as follows:

UDP POLICY H10 "Replacement Dwellings in the Countryside" : provides the ability to propose replacement dwellings subject to a set of criteria.

- Criteria (a) states that the existing dwelling must be habitable or capable of being made habitable without substantial reconstruction or substantial increases in floor area. The Pre-app confirmed that it met this criteria from the start and nothing has changed to alter this view.
- Criteria (b) states that the existing dwelling is not of architectural or historic interest or is a prefabricated or temporary structure. The current dwelling does not fall within this description/category, as confirmed by the pre-app guidance letter and the case officer has also confirmed that the dwelling is not of any heritage asset value.
- Criteria (c) states that new dwelling should be located on the site of the original dwelling (the plans show that this is indeed the case) **OR** that it is located within the curtilage of the existing dwelling (which it now clearly is as per the agreement over curtilage) and where it reflects the floor area, form, bulk, and character of the original dwelling (which it further does through the agreed design solution); and where it satisfies Policy GDP1 (which again it meets). Having met the first criteria there is no need to satisfy the other criteria, but we have shown that it meets all four sub-criteria of (c).

The Policy does not provide any recommended floorspace or volume increase levels.

LDP POLICY 8 "Replacement Dwellings in the Countryside" continues from where UDP Policy H10 left off and similarly states that the erection of replacement dwellings outside of settlement limits will only be permitted where:

- i. The existing dwelling is a permanent building and is habitable or capable of being made habitable without substantial reconstruction; and*
- ii. The new dwelling is located on the site of the existing dwelling; or*
- iii. Exceptionally where a planning constraint can be overcome, located within the curtilage of the existing dwelling.*

The proposal clearly meets all three criteria, so to be proven acceptable.

LPGN13 "Housing in the Countryside" (October 2011) : this guidance note generally reflects and repeats the sentiment of UDP Policy H10 but further states (under **section "g"**) that house extensions / replacement dwellings should not result in an increase of more than one third (33%) in the floor area of the original dwelling.

The agreed baseline floorspace is 449 sqm and the proposal involves 515 sqm; this represents a 15% increase; therefore it is well within the tolerances of this guidance so as to be acceptable.

The applicant considers that relying upon the LPGN13 comes with a health warning and degree of caution with respect the question of what weight can realistically be afforded it, not least because the relevant Planning Acts (2004 and 2012) are clear as to the Regulations under which such guidance is published and the fact is that unless a document has been through "examination" (which it hasn't) its weight is tempered and diluted. In view of this, the applicant considers that only very limited weight can be given to this document.

SUMMARY

We sincerely hope that this submission now aligns with your expectations and meets planning policy requirements.

I imagine that you may now wish to re-consult for completeness but the applicant hopes that this can be limited so as not to delay a positive determination.

In the meantime, I look forward to receiving your acknowledgement and notification that this information has been safely received at your very earliest convenience.

Please contact me at any time on either the office number or my mobile (07971 446630) should you need me to clarify any particular aspect of this application.

Yours sincerely



Justin Paul BA BTP MRTPI

Cc D Hopkins
 R Dewhurst
 J Pritchard

Encs drawings pack