

D.S. Jones & Co.

Architectural & Planning Consultants.

The Studio, 26, Prospect Drive, Coedpoeth, Wrexham, LL11 3PE.
T: 01978 750195 M: 07880 874522 E: dsjonesandco@live.co.uk

Mr. D. Fitzsimon
Head of Economy & Planning
Wrexham County Borough Council
Guildhall
WREXHAM
LL11 1AY

Our Ref : DSJ/10645 23.09.08(01)

8th September 2023

Dear Sir,

PROPOSED LIVESTOCK BUILDING – IN RETROSPECT At PENRHOS FARM, PENRHOS, BRYMBO, LL11 5LU.

I refer to the above and am pleased to submit an application for planning permission in retrospect in order to regularizes matters on behalf of my client, Mrs Valerie Rogers.

A statutory Design and Access Statement is not required in this case. However, when considering the proposal I would be grateful if you would take the following supporting information into account.

Planning permission is sought for a new livestock building measuring around 30m long by 13m wide and 6m high. The building is of steel portal framed construction with an open front, partly open sides and walls formed of concrete panels and Yorkshire timber boarding, under a pitched, natural grey cement fibre clad roof that includes several rooflights. It is therefore of typical design and appearance for a modern agricultural building and completely appropriate for the setting.

The application is supported by the following drawings and documents :

1. Dwg No. 10645.01 – Location Plan.
2. Dwg No. 10645.02 – Proposed Site Layout Plan.
3. Dwg No. 10645.03 – Proposed Floor Plan and Elevations.
4. Doc No. C524 – Biodiversity Statement.

This application follows a decision by the Council on 21 November 2022 to determine under reference BRY P/2015/0457 that a building of identical scale, siting and appearance was not permitted development under Schedule 2, Part 6 of The Town and Country Planning (General Permitted Development) Order

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1995, as amended, as it was located within 400m of a protected building, so conflicted with criterion A.1(h) to Class A of Part 6.

The building is required to meet an urgent need to provide additional shelter during adverse weather conditions, for the applicant's herd of c150 suckler cows on their c121ha farm, as there is insufficient capacity inside the existing buildings (estimated to accommodate only around 40 cows).

From email correspondence with the applicant and her son, it is noted that the planning officer who dealt with the previous application appeared to be concerned with two main issues :

- 1) the proximity of the new building to a so-called protected building (albeit in relation to a determination on whether the proposal was permitted development and not in connection with its impact); and
- 2) the effect of the development on the setting of the nearby Penrhos Engine House, which is a scheduled monument (but not in relation to a determination on whether the proposal was permitted development under the 1995 GPDO).

The new building is located around 190m from the nearest dwelling, which is Penrhos Villa. There are no other dwellings in close proximity. I am told the positioning of the building was because of the presence of underground mains water pipes that serve Brymbo. These run through the land generally to the rear (north) of the existing farm buildings, meaning that the new building cannot be sited alongside the existing farmyard complex. Notwithstanding this, the nestles extremely appropriately at the bottom of a bank and adjacent to a mature hedge and is therefore unobtrusive in its impact upon the landscape.

In July 2015 the Council granted planning permission under reference P/2015/0457 for the erection of a livestock building that is sited around 130m from Penrhos Villa. No concerns were raised by the Case Officer over the impact of that building on the living conditions of Penrhos Villa in terms of odour, flies, vermin, noise or other nuisance. The applicant is not aware of any complaints being subsequently made to the Council by the occupiers of that dwelling on such grounds. We therefore have no reason to believe that the proposed building would cause any material harm to the living conditions of neighbouring residents.

Turning to the impact of the proposed building on the setting of the Engine House and the landscape more generally, it is noted that the new building would be sited c60m further away from the scheduled monument than the livestock building that the Council permitted in 2015. Intervisibility between the Engine House and the proposed building is also mitigated by the presence of an intervening mature hedgerow that runs along a field boundary to the west of the application site. Moreover, while it is acknowledged that the countryside should be protected for its own sake, the landscape here is not afforded any special protection by virtue of it being included within any national or local landscape designation.

Consequently, it is considered that the new livestock building would not have an unacceptable impact on the landscape, the setting of the nearby scheduled monument, or on the living conditions of neighbouring residents. The development would therefore accord with Policy EC3 of the Council's UDP, which deals with agricultural buildings, as well as with Policy EC11 (on scheduled monuments) and with the relevant requirements of Policy GDP1 (general development principles).

I trust that I have included sufficient information to enable you to validate and register the application and look forward to hearing from you in due course. Please note that in terms of payment of the requisite application fee, payment was made earlier this year for a previous application which was in the event, not validated due to a lack of information. I trust that the fee previously paid will therefore be allocated to this new submission.

Yours faithfully,

Steve Jones

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For and on behalf of Mrs. V. Rogers.