

Planning Statement

For Mr G Fielding | 23-147

Removal of 2 existing first floor windows and replacement with 3 new first floor windows and minor roof alterations (part retrospective) – The Barn, Pentre Saeson Farm, Brymbo Road, Wrexham, LL11 5TY, LL11 5TY

Project: 23-147
Site Address: The Barn, Pentre Saeson Farm, Brymbo Road, Wrexham, LL11 5TY,
LL11 5TY
Client: Mr G Fielding
Date: 23 March 2023
Author: Victoria Wood
Approved by: Alison Freeman

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1. Introduction

- 1.1 This Planning Statement has been prepared on behalf of our client Mr G Fielding (the applicant) in support of an application for planning permission for removal of 2 existing first floor windows and replacement with 3 new first floor windows, including minor roof alterations (part retrospective).
- 1.2 The application has been submitted following correspondence from Wrexham County Borough Council (the LPA) Enforcement Officer, Jo Last, dated 17 February 2023. The applicant had commenced works in accordance with planning permission P/2015/0957, granted on appeal. However, they had not appreciated that planning permission had lapsed. Therefore, this application seeks to effectively renew the previous planning permission P/2015/0957.
- 1.3 This Planning Statement will demonstrate that the planning policy framework in which the previous application was considered, and planning permission granted on appeal, has not materially changed and that planning permission should be granted.



2. The application

- 2.1 The application seeks planning permission for the removal of 2 existing first floor windows and replacement with 3 new first floor windows, including minor roof alterations (part retrospective), the application seeks planning permission for the same development as that already approved under planning permission reference P/2015/0957, granted on appeal (reference APP/H6955/D/16/3145732).
- 2.2 Works have commenced on site with the installation of one dormer window and therefore the application seeks part retrospective permission. The image below shows the extent of the works already undertaken.



Image 1. Works underway

- 2.3 As shown in the image provided, the materials used are indistinguishable from the those of the subject building and the works are being carried out to a high standard.



3. Context

Site location and description

- 3.1 The property known as The Barn is a detached dwelling located off Minors Road, on the north side of Brymbo Road behind what would have been the original farmhouse. It was converted in approximately 2003 to a separate dwelling. It is set in a substantial garden. It is well screened from Brymbo Road by the original farmhouse, and its principal elevation does not front onto or face the highway. It is a dwelling that has been much altered and extended, as evident within the extensive planning history as set out below. It is no longer a barn and has no agricultural purpose, and its appearance is now clearly that of a residential dwelling.
- 3.2 The dwelling is a large, L-shaped structure that is set significantly back from Brymbo Road. The principal elevation is not clearly visible from the highway and is less prominent than the taller crossing which projects some distance in front of it. The proposed development would be viewed within the context of this much altered building and would not be unduly prominent or visible within the street scene.

Relevant planning history

- 3.3 A desk-based review of the site's planning history has been undertaken and has yielded the following results:
- P/2003/0375 - Conversion of outbuilding to dwelling, alteration to existing vehicular access and installation of biodisc mini treatment plant – granted in 2003;
 - P/2012/0090 – Two storey extension – refused on 7th March 2012;
 - P/2012/0299 – Insertion of 3 No. dormer windows (amendment to previously approved scheme P/2003/0375) (In retrospect) – granted on 11th June 2012;
 - P/2012/0371 – Single storey rear extension – granted on 17th July 2012;
 - P/2012/0864 – Two storey extension – granted on 2nd April 2013;
 - P/2013/0332 – Amendment to planning permission REF P2012/0864 for two storey extension; substitution of rooflight serving en-suite for dormer window – Refused on 24th July 2013. Appeal APP/H6955/A/13/2203058 allowed on 4th October 2013;
 - P2013/0802 – Erection of summerhouse – granted on 15th January 2014;
 - P/2014/0026 – Construction of basement to previously approved extension – granted on 3rd March 2014;
 - P/2014/0027 – Front porch – Refused on 10th March 2014. Appeal APP/H6955/A/14/2216183 allowed on 3rd June 2014;



- P/2014/0569 - Enlarged rooflight, repositioning of 3 windows and changing door to window to front elevation – granted on 16th September 2014;
- P/2015/0004 - Removal of Condition 5 of planning permission code no P/2003/0375 to allow removal of permitted development rights restriction - granted on the 10th February 2015;
- P/2015/0632 - Extension to existing garage – granted on 15th September 2015;
- P/2015/0710 - Application for lawful development certificate for a proposed use or development - demolition of existing storage shed and construction of single-storey side extension – granted on 8th October 2015; and
- P/2015.0957 – Removal of two existing first floor windows and replacement with 3 new first floor windows, including minor roof alterations – refused 19 January 2016. Appeal APP/H6955/D/16/3145732 allowed on 25th May 2016



4. Policy context

Development plan context

4.1 The development plan comprises that Wrexham Unitary Development Plan 2005 (UDP). The relevant policies of the UDP are set out below:

- Policy GDP1 – General Development Principles - Development Objectives

4.2 Specifically, Policy GDP1(a) states that all new development should *“ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.”*

National planning policy and guidance

4.3 Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government and is supplemented by a series of Advice Notes (TAN). TAN12: Design is considered to be of relevance to the current application proposals.

Other material considerations

4.4 Wrexham County Council Local Planning Guidance Note 20 sets out guidance on house extensions throughout the borough. The note provides specific guidance in respect of works to roofs and the installation of dormer windows stating:

The installation of dormer windows will be discouraged unless there is a clear precedent for their use on traditional buildings in the locality. (Our emphasis)

4.5 In respect of windows and doors the guidance note states:

New or replacement windows and doors (including patio/French doors) should match the originals and /or reflect the character of the building.



5. Planning considerations

- 5.1 The application seeks planning permission for the removal of 2 existing first floor windows and replacement with 3 new first floor windows, including minor roof alterations (part retrospective), and is essentially seeking planning permission for the same development as that previously approved under planning permission reference P/2015/0957. It should be noted that since the consideration of the previous application, the planning policy framework in which the application should be considered remains the same. Therefore, the conclusions of the Planning Inspector in the consideration of application P/2015/0957 are relevant and a material consideration in the determination of the current application proposals.
- 5.2 In the considering application P/2015/0957 the council had refused planning permission providing a single reason for refusal relating to the detrimental impact of the proposals on the character and appearance of the building by virtue of the introduction of dormer windows resulting in a '*cluttered roofscape*' to the detriment of the appearance of the front elevation of the dwelling. The reason for refusal refers to UDP policy GDP1a.
- 5.3 UDP Policy GDP1a states all new development should:
- Ensure that built development in its scale, design, and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.
- 5.4 Local Planning Guidance Note no.3 relates to the conversion of rural buildings. In respect of dormer windows, the guidance states the installation of dormer windows will be discouraged unless there is a clear precedent for their use on traditional buildings in the locality.
- 5.5 The proposed development would be of a design and form appropriate to the dwelling as existing. As shown in Image 1 above and through the works already undertaken by the applicant, the construction of the proposed dormers would utilise materials which would be indistinguishable from those of the dwelling as existing and is clearly in keeping with the works undertaken in the conversion of this former agricultural building.
- 5.6 As set out In Section 3 of this statement, planning permission reference P/2015/0957 was granted on appeal (appeal reference: APP/H6955/D/16/3145732). In consideration of the proposals, which are identical to the current application proposals, the inspector noted:

The building has lost much of its former agricultural character and, together with its setting amid an obviously residential curtilage, is quite evidently domestic in character.



- 5.7 This view, that much of the agricultural character of the original building had been lost, echoes the conclusion of the Inspector in the consideration of the earlier appeal APP/H6955/13/2203058. In this case the Inspector was considering proposals for the substitution of a roof light with a dormer window at the application property. Considering the character of the dwelling the Inspector noted:

It is clear from the planning history of the site that subsequent alterations and extensions have taken place to the extent that its agricultural origins are not dominant in the external appearance of the building or its setting.

- 5.8 Indeed, the LPA has acknowledged that the agricultural character of the building has been lost through the various grants of planning permission over the years with the building now having the appearance of a modern dwelling. In the consideration of planning application P/2015/0004 (Removal of Condition 5 of planning permission reference P/2003/0375 to allow removal of permitted development rights restriction) approved on 10 February 2015, in the officer report, the case officer stated the following:

Planning permission was granted for conversion of the redundant building into residential in 2003. At that time it was considered necessary to attach a condition which removed permitted development rights. This was to protect the original character of the building and safeguard against insensitive and unsympathetic extension and additions.

Since that time a number of extensions and alterations have been carried out which have led to the loss of the original character of the building, and the building now has the character and appearance of a modern dwelling. As such I do not consider a need to protect the appearance of the dwelling, and the condition is no longer necessary.

- 5.9 Public views of the property are limited given its location in relation to the original farmhouse and its orientation in relation to the highway. In consideration of appeal reference APP/H6955/D/16/3145732 the Inspector found that there would be limited visibility of the dormers given then dwelling's siting and orientation in respect of the highway.
- 5.10 In consideration of the guidance of LPGN3 that dormers should not be permitted except where there is clear precedent in the locality, the Inspector notes that dormer windows are present on the application site and this must be consideration for the LPA:

LPGN3 discourages the use of dormer windows unless there is a clear precedent for their use on traditional buildings in the locality, which is now the case following these approvals. Overall the installation of these dormer windows would not cause harm to the appearance of the building or the wider rural landscape and would not conflict with UDP Policy GDP1(a) or the requirements of LPGN3.

- 5.11 In summary it is considered that the application proposals are in keeping with the character and appearance of the existing dwelling, which has been subject to much change since its initial conversion, with the original agricultural character of the building now lost. In accordance with UDP Policy GDP1a, the



proposals are in keeping with local character, using high quality materials appropriate to the original building.



6. Summary and conclusions

- 6.1 This planning statement has been prepared in support of an application for planning permission for the removal of 2 existing first floor windows and replacement with 3 new first floor dormer windows including minor roof alterations. The application seeks part retrospective planning permission, with works already undertaken in the removal of one existing window and the construction of one of the three proposed dormer windows.
- 6.2 The application proposals effectively seek to renew the earlier planning permission P/2015/0957, granted on appeal (appeal reference: APP/H6955/D/16/3145732. In consideration of appeal reference the APP/H6955/D/16/3145732 the Inspector found that the proposals identical to those currently under consideration were acceptable and that no harm would be caused to the appearance of the dwelling or the wider rural landscape and that the proposals would therefore be consistent with the requirements of UDP Policy GDP1(a) and the requirements of LPGN3.
- 6.3 It should be noted that the planning policy context in which the application should be considered has not changed granting of planning permission P/2015/0957.
- 6.4 Therefore, it is considered that planning permission should be granted without delay.



EP1

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	MR GEOFF FIELDING	Code Number	BRY P/2015/0957
Agent	EMERY PLANNING PARTNERSHIP LTD ALISON FREEMAN 2-4 SOUTH PARK COURT HOBSON STREET MACCLESFIELD CHESHIRE SK11 8BS	Date Received	18/12/2015
		Decision Date	19/01/2016

Town and Country Planning Act, 1990

Location of application

THE BARN, PENTRE SAESON FARM, BRYMBO ROAD, BWLCHGWYN,
WREXHAM, LL11 5TY

Description of application

REMOVAL OF 2 EXISTING FIRST FLOOR WINDOWS AND
REPLACEMENT WITH 3 NEW FIRST FLOOR WINDOWS INCLUDING
ALTERATIONS TO ROOF

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

GDP1 Development objectives

Particulars of decision that permission be REFUSED

Reason(s)

1. The proposed development will have a detrimental impact upon the character and appearance of the building by virtue of the introduction of dormer windows which would result in a cluttered roof scape to the detriment of the appearance of the front elevation of the building. The development therefore conflicts with Policy GDP1a) of the Wrexham Unitary Development Plan.

Applicant	MR GEOFF FIELDING	Code Number	BRY P/2015/0957
Agent	EMERY PLANNING PARTNERSHIP LTD ALISON FREEMAN 2-4 SOUTH PARK COURT HOBSON STREET MACCLESFIELD CHESHIRE SK11 8BS	Date Received	18/12/2015
		Decision Date	19/01/2016



Officer Appointed for this purpose
Head of Community Wellbeing and Development

Refer to the Statement of Applicant's Rights and General Information enclosed
or refer to the following link:-

http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm

EP2



The Planning Inspectorate Yr Arolygiaeth Gynllunio

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 11/5/16

**gan P G Horridge BSc(Hons) DipTP
FRICS MRTPI**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 20.05.16

Appeal Decision

Site visit made on 11/5/16

**by P G Horridge BSc(Hons) DipTP
FRICS MRTPI**

an Inspector appointed by the Welsh Ministers

Date: 20.05.16

Appeal Ref: APP/H6955/D/16/3145732

Site address: The Barn, Pentre Saeson Farm, Brymbo Road, Bwlchgwyn LL11 5TY

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Geoff Fielding against the decision of Wrexham County Borough Council.
- The application Ref BRY P/2015/0957, dated 18 December 2015, was refused by notice dated 19 January 2016.
- The development proposed is the removal of 2 existing first floor windows and replacement with 3 new first floor windows, including minor roof alterations.

Decision

1. The appeal is allowed and planning permission is granted for the removal of 2 existing first floor windows and replacement with 3 new first floor windows, including minor roof alterations, at The Barn, Pentre Saeson Farm, Brymbo Road, Bwlchgwyn in accordance with the terms of the application, Ref BRY P/2015/0957, dated 18 December 2015 and the plans submitted with it, subject to the following conditions.
 1. The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1510.05 and 1510.06.
 3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. At issue is the effect of the proposed new windows on the character and appearance of the building and on the wider rural landscape.

Reasons

3. As its name implies, The Barn is a converted agricultural building. Evidence of its agricultural origins can be seen in the glazed full-height openings which were formerly the main barn doors. In other respects the building has lost much of its former agricultural character and, together with its setting amid an obviously residential curtilage, is quite evidently domestic in character.

4. The appeal proposal involves the replacement of two existing windows and a rooflight in the front elevation of the property with three new windows. These would be set at a higher level than the two windows being replaced, straddling the eaves line and surmounted by monopitch dormers.
5. Relevant development plan policy is contained in the Wrexham Unitary Development Plan 1996-2011 (UDP), adopted in 2005. Policy GDP1(a) seeks to ensure that built development accords with the character of the site and makes a positive contribution to the locality. The UDP is supplemented by various Local Planning Guidance Notes (LPGN), of which nos. 3 (Converting Rural Buildings), 13 (Housing in the Countryside) and 20 (House Extensions) are cited in the representations although no copy of Note 20 has been provided.
6. The front elevation of the property at present has an uninterrupted eaves line, which would be disrupted by the insertion of the proposed dormers. However, the property is located in a relatively secluded position with limited public views of this elevation. Such views as exist are mainly distant views from Minera Road to the east, where other dormers (albeit of a different design) on the north elevation of the dwelling, previously approved by the planning authority¹, are visible. LPGN3 discourages the use of dormer windows unless there is a clear precedent for their use on traditional buildings in the locality, which is now the case following these approvals. Overall the installation of these dormer windows would not cause harm to the appearance of the building or the wider rural landscape and would not conflict with UDP Policy GDP1(a) or the requirements of LPGN3. Planning permission is therefore granted, subject to conditions specifying the approved plans (for the avoidance of doubt and to simplify the procedures should it be necessary to make any minor alterations to the scheme) and requiring materials to match (in the interests of achieving a satisfactory appearance to the completed development).

Peter Horridge

Inspector

¹ a further dormer window in this elevation was subsequently allowed on appeal in 2013 (APP/H6955/A/13/2203058)

EP3

Penderfyniad ar yr Apêl

Appeal Decision

Ymweliad â safle a wnaed ar 05/09/13

Site visit made on 05/09/13

gan Kay Sheffield BA(Hons) DipTP
MRTPI

by Kay Sheffield BA(Hons) DipTP MRTPI

Arolygydd a benodir gan Weinidogion Cymru

an Inspector appointed by the Welsh Ministers

Dyddiad: 04/10/13

Date: 04/10/13

Appeal Ref: APP/H6955/A/13/2203058

Site address: The Barn, Pentre Saeson, Brymbo Road, Bwlchgwyn, Wrexham, LL11 5TY

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Geoff Fielding against the decision of Wrexham County Borough Council.
- The application Ref P/2013/0332, dated 9 May 2013, was refused by notice dated 24 July 2013.
- The development proposed is the amendment to planning permission Ref: P/2012/0864 for a two storey extension by the substitution of a roof light serving an en-suite for a dormer window.

Decision

1. The appeal is allowed and planning permission is granted for the amendment to planning permission Ref: P/2012/0864 for a two storey extension by the substitution of a roof light serving an en-suite for a dormer window at The Barn, Pentre Saeson, Brymbo Road, Bwlchgwyn, Wrexham, LL11 5TY in accordance with the terms of the application, Ref P/2013/0332, dated 9 May 2013, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than five years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Drawing No. 12113 (PL) 002.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the existing building.

Reasons

3. The appeal property is a large detached former agricultural building which has been converted into a residential dwelling with a separate garage. The dwelling is a two storey stone property under a slate roof set back from the road within a large landscaped plot in open countryside. Whilst it would appear from the front of the

property that regard was given in its conversion to the character of the former building by the use of original openings, it is clear from the planning history of the site that subsequent alterations and extensions have taken place to the extent that its agricultural origins are not dominant in the external appearance of the building or its setting.

4. The existing building contains three dormers to the northern elevation which from the planning history of the site would appear to have been allowed in retrospect in 2012 (Application ref: P/2012/0299). The scheme for the two storey extension for which the Council granted planning permission (Application Ref: P/2012/0864) contains a dormer and a roof light on the northern elevation and it is substitution of this roof light with a dormer window which is the subject of the appeal.
5. The Council contends that a dormer window in lieu of a roof light would introduce a more uniform appearance uncommon with the character and rural nature of the building, although no explanation of the reasoning behind this conclusion has been given. I agree with the Council that dormer windows are not normally found on agricultural buildings and I note that Local Planning Guidance Note 3: Converting Rural Buildings (LPG3) states that their installation will be discouraged unless there is a clear precedent for their use on traditional buildings in the locality. However the use of dormers on the existing building has already been established and has been permitted on the proposed extension. Moreover, there is no regular pattern to the existing dormer windows and I am not convinced that the introduction of a fifth to a roof plane which already contains three and has permission for a fourth would create a uniform appearance.
6. The Council is also concerned that the number of dormer windows would result in a cluttered roof space. Whilst a total of five dormer windows on a single roof plane might seem excessive, I am satisfied that this number would be easily accommodated within the roof plane which is of a significant length. In addition the siting of the dormers in two pairs and a single at irregular intervals would not give rise to a cluttered appearance to this elevation.
7. On the evidence before me I therefore conclude that the substitution of the roof light allowed in the permitted scheme for a dormer window would not be detrimental to the character and appearance of the building, in accordance with Policies GDP1 and H3 of the Wrexham Unitary Development Plan, 2005 and LPG3. Whilst the Council also cited Local Planning Guidance Note 13: Housing in the Countryside in its reason for refusing planning permission, no reference to this document or relevant extract from it has been submitted as part of the Council's case and I have therefore had no regard to it in reaching my decision.
8. I have had regard to the Council's suggested conditions in the light of Circular 35/95 *The Use of Conditions in Planning Permissions*. I have imposed the standard condition regarding the commencement of the development and for the avoidance of doubt and in the interests of proper planning I have confirmed the drawings on which my decision is based. In order to ensure the development is in keeping with the building I have also required the use of materials to match the existing dormers.
9. For the reasons given above, and having had regard to all other matters raised, the appeal is therefore allowed.

Kay Sheffield

Inspector

