

Application for Lawful Development Certificate – Existing – Residential property
Section 191 Application
Property address: 6 New Houses, Pentre, Chirk LL14 5AP

The land with the title plan CYM111869 is 6 New Houses, Pentre, Chirk LL14 5AP. The land and buildings within that title plan form one residential unit. There are two buildings within the residential unit, the main “dwelling house”, and the “outhouse”. It is submitted that the “outhouse” building (shown with a red line) is residential and that it could not be classed as anything else. The use of the “outhouse” is domestic and ancillary to the main dwelling house.

The “outhouse” building is constructed of red brickwork like the dwelling house, and has two chimneys, two standard doors, one large set of garage style doors and two standard windows, with brick ledge detail identical to the dwelling house. One of the current windows is in the same “grid” style as the dwelling house. Please see attached photos.

The original title plan, dated 20th February 1987, shows the “outhouse” enclosed within the same residential unit, that is within the curtilage of the main dwelling at number 6 New Houses. Therefore, it has been known to have been used for residential purposes for the minimum period of at least four decades.

Neighbours attest that the building has also been used as one residential unit; 6 New Houses. Please see attached statement from

(Land Registry title number: WA441592), since June 2002.

The outhouse has always been significant in providing incidental use to the main dwelling house, number 6 New Houses. Amongst other things, the building has been used for the following domestic and residential purposes:

1. Washing and drying clothes.
2. Storing items, equipment and furniture for the main dwelling house and garden.
3. Storing food items on shelving and in a fridge and or freezer.
4. As a home gym space.
5. As a general-purpose garage and workspace.

In addition, the electricity to the “outbuilding” is supplied through the main dwelling house, this has always been the case as evidenced by the cabling and the main fuse box, which is located within the main dwelling house. Therefore, the utility bills are combined for both the “dwelling” and the “outhouse” buildings.

It is submitted that the Northern boundary of the curtilage of number 6 New Houses is in fact the boundary between number 6 New Houses and Morsley, as demonstrated by the title plan from 1987 and the current title plan. Both are attached in evidence.

The properties that are titled New Houses are not identical plots. The plots differ in shape and size. They were not constructed for commercial residential purposes but to house employees. For example, the shape of number 5, as an end of terrace property, differs enormously to that of number 6. The outhouse and parking for number 5 were located to the side of the dwelling house (number 5 has since extended the dwelling house over where the outhouse had been), compared to number 6, which is a mid-terrace house, and where the outhouse and parking are to the rear of the property forming one residential unit.

The physical layout, the past and present ownership documents, and the past and present use and function of the buildings are all factors that are relevant to this application. Based on this information and the evidence submitted with this application, it is maintained and has been clearly demonstrated, that the building is residential and that it has been so for more than 10 years, indeed significantly longer than this.

Alexandra Gibson LLB

13th April 2023