

APPLICATION NO:
P/2022 /0496

LOCATION:
GLEBE FARM BRONINGTON
WREXHAM
SY13 3HU

DATE RECEIVED:
23/05/2022

COMMUNITY:
Bronington

DESCRIPTION:
CREU MAN PARCIO (YN OL-
WEITHREDOL) / CREATION OF CAR
PARKING AREA (IN RETROSPECT)

CASE OFFICER:
MP

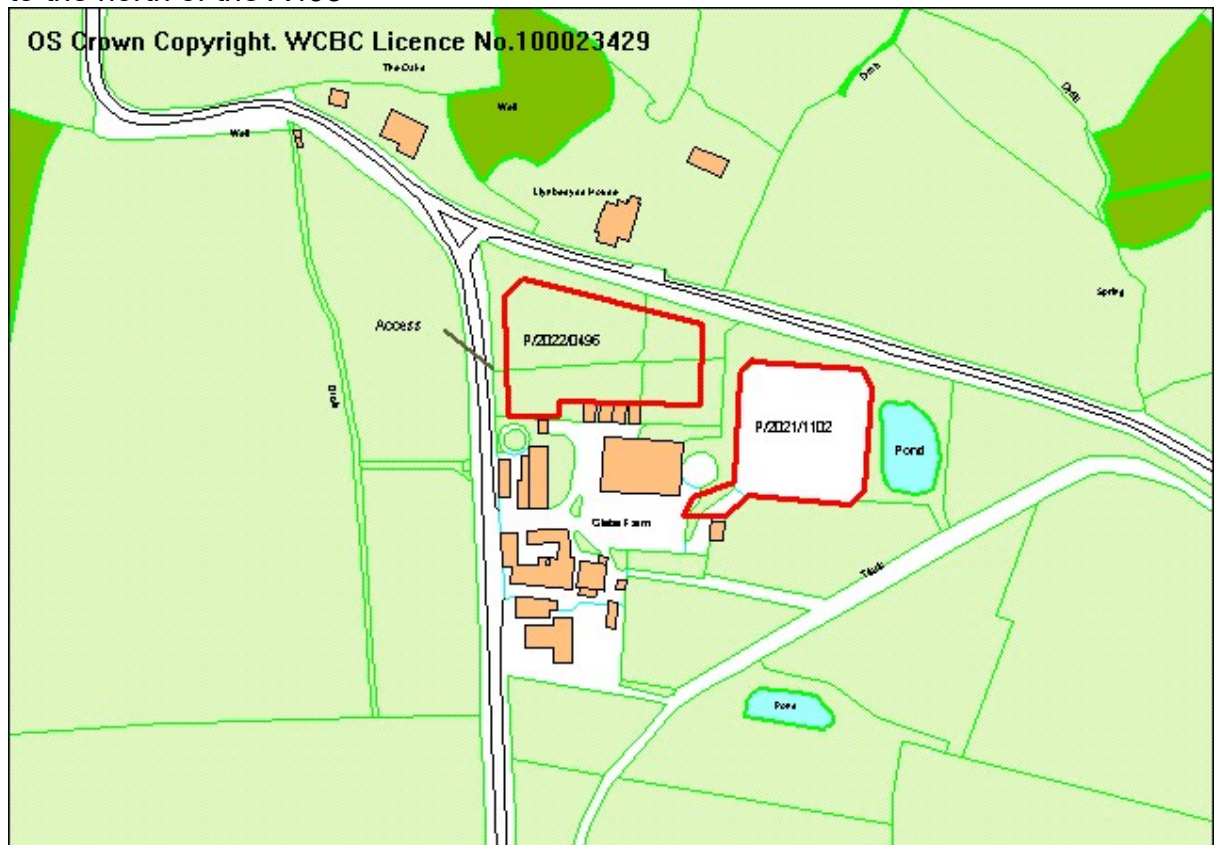
WARD:
Bronington

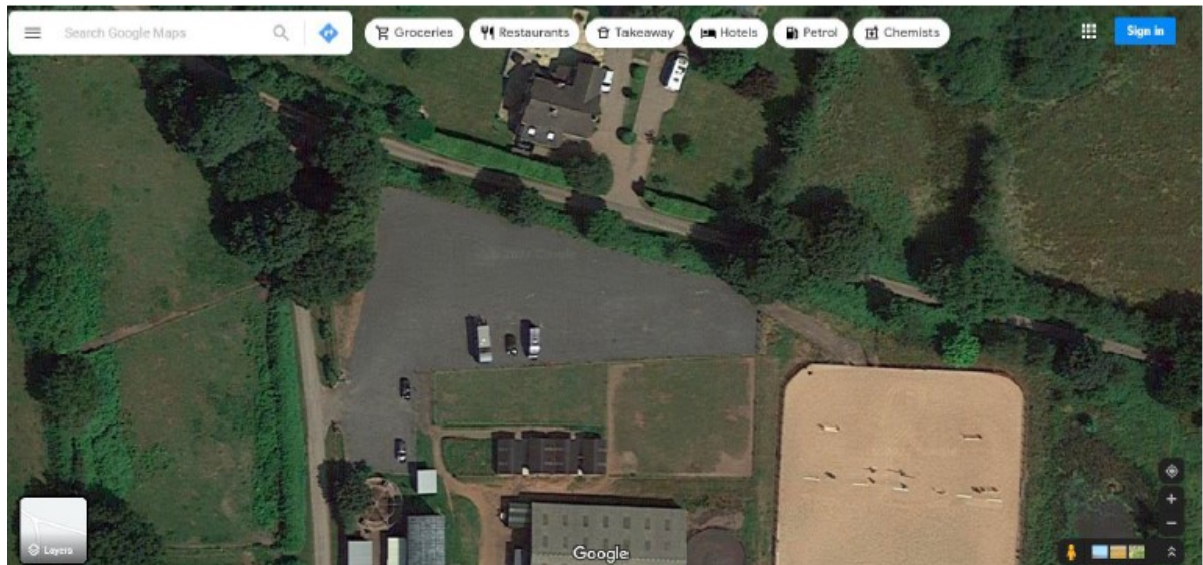
APPLICANT(S) NAME:
MR AND MRS S PARKER

AGENT NAME:
BOB DEWEY PLANNING
MR B DEWEY

THE SITE

The site is on the north side of Glebe Farm adjoining two unclassified roads, to the north of the A495

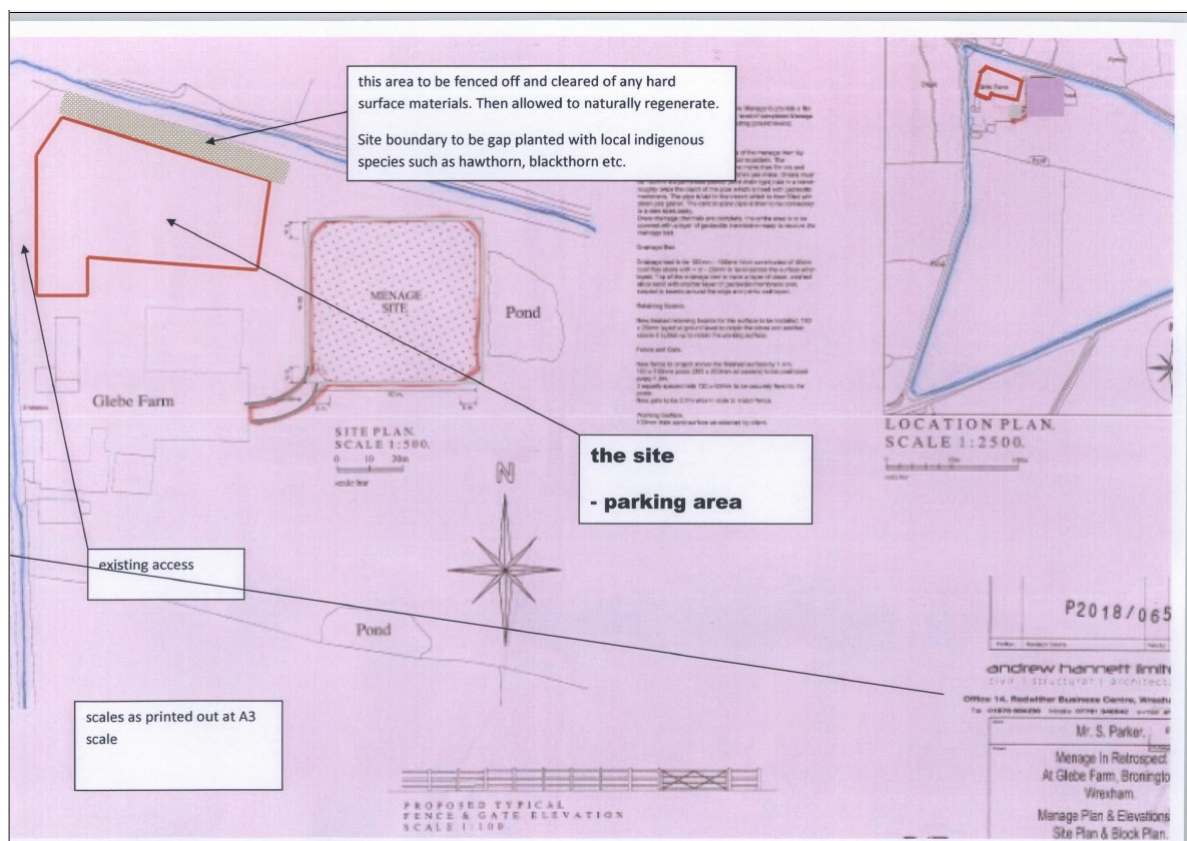




PROPOSAL

As above

The application relates to the parking area to the north of the farm which has been re-surfaced and extended in recent years.



HISTORY

P/2000/0744 ERECTION OF GENERAL PURPOSE FARM BUILDING.
Refused 3.10.2000

P/2001/0029 ERECTION OF REPLACEMENT STORAGE BUILDING (FOR SHEED, STRAW, HAY). Granted 5.3.2001

P/2006/0686 CHANGE OF USE OF LAND AND BUILDINGS TO LIVERY YARD. Granted 8.8.2006

P/2016/0726 CONVERSION OF REDUNDANT FARM BUILDING TO 1 NO BEDROOM HOLIDAY LET AND SINGLE ROOM WORKSHOP / STUDIO WITH ANCILLARY WC. Granted 8.9.2016

P/2018/0657 CONSTRUCTION OF MENAGE (IN RETROSPECT). Granted 11.9.2018

P/2021/1002 TYNNU AMOD 2 (DEFNYDD CYFYNGEDIG) O GANIATAD CYNLLUNIO P/2018/0657 / REMOVAL OF CONDITION 2 (RESTRICTED USE) OF PLANNING PERMISSION P/2018/0657. Pending.

P/2022/0153 TYSTYSGRIF DATBLYGIAD CYFREITHLON AR GYFER DEFNYDD PRESENNOL – DEFNYDD TIR AR GYFER GOSOD WYNEB CALED AC ARDAL BARCIO / LAWFUL DEVELOPMENT CERTIFICATE FOR EXISTING USE – USE OF LAND FOR HARD SURFACING AND PARKING AREA Refused 8.2.2022.

DEVELOPMENT PLAN

The site is outside settlement limits as set out in the Wrexham Unitary Development Plan. Policies PS2, GDP1, EC6 and T8 are relevant.

CONSULTATIONS

Bronington Community Council

Object on the following grounds:

- Loss of privacy for neighbouring property: The car parking area overlooks the neighbouring property as it is located at the boundary which is directly opposite the neighbouring property that is separated by a narrow single track road.
- The Council considers there are alternative areas at the property where the car parking area could be situated.
- The car parking area is for the equestrian business at Glebe Farm e.g. horse boxes and horse trailers which has resulted in an increase of traffic to the property. Access to Glebe Farm is via a single track road which is not designed nor equipped to cope with the size of the horse boxes and horse trailers.

- The increase in large vehicles attending the site at various times throughout the day has created an increase in noise levels for neighbouring properties.
- Retrospective Planning Application: there have been other retrospective planning applications for this site (P/2018/0657 - Construction of menage and P/2022/0153 - application for a lawful development certificate for an existing use – use of land for hard surfacing and parking) This has meant that the neighbouring properties have not had an opportunity to express any concerns prior to the work being carried out.
- The evidence supporting the application is misrepresentative and contradictory.

Local Member

Explains that Mr and Mrs Parker purchased Glebe Farm and the already established equestrian business in the August of 2009. Understands that only at that time was the parking area in question historically been used for the parking of horse boxes and trailers, but also the existing manège was regularly used for the business.

Highways Officer

Advises that visibility from the access to the car park is adequate in both directions.

Recommends that the access is surfaced with hard bond materials for a minimum distance of 5m behind the adjoining carriageway with any gates set back at a minimum of 10m behind the adjoining highway.

Considers that events / competitions could typically attract up to 25 horse trailers and around 10 cars and there is ample space within the car park area to accommodate this number of vehicles.

Public Protection Officer

Advises that lighting has the potential for classification as a statutory nuisance. If lighting is found to be causing a nuisance and abatement notice may be served. The applicant is advised to consider this when designing any lighting.

Ecology Officer

A scheme for net biodiversity benefit should be required by condition.

Natural Resources Wales

Notes the site is within the catchment of the River Dee and Bala Lake SAC. Proposals should be screened through a Habitats Regulations Assessment to determine whether they are likely to have a significant effect the SAC.

The application as submitted is unlikely to increase the amount of phosphorus entering the catchment so is not likely to have a significant effect on the SAC.

No objection to the development.

Neighbours

The owners/occupiers of 3 nearby properties notified 6.6.2022

3 objections received from the same household expressing the following concerns:

- Development carried out without planning permission;
- The land has not previously been used for parking;
- Agent states no new materials are required. This ignores what was laid down before hardcore was laid;
- No discussions took place with neighbours;
- Proposal to move the hard surfacing back 2m will not address noise or loss of privacy.
- Had the owners applied for permission before carrying out work we would have had the opportunity to suggest it was put elsewhere;
- The business has grown substantially;
- Other additional buildings have been built without planning permission;
- Noise;
- Increased traffic levels;
- Overnight use of the parking area by motorhomes.
- Impact on the value of property;
- Other options are available;
- Impact of vehicle headlights.

2 representations in support making the following comments:

- Regular visitor for over 6 years to this fabulous facility;
- Have always used the parking area to the manage. It has always had a form of hard standing to allow vehicle to park;
- Parking area is dry all year round for horse boxes and trailers.

SPECIAL CONSIDERATIONS

Background: Glebe Farm, including the application site, benefits from a planning permission granted in 2006 for use as a livery yard. The approved plans included provision for a manege although this was subsequently replaced by the manege granted planning permission in 2018.

Parking of vehicles by people visiting or employed at the site is ancillary to the livery year use, although the land subject to the current application was not shown as being used for that purpose on the plans approved in 2006. It is therefore unclear whether the land would have routinely been used for parking prior to being hard surfaced. Irrespective of whether the land was previously used as a car park, operational development consisting of the laying of gravel to provide a surface more conducive to the parking of vehicles does require planning permission.

The applicant previously applied for a Lawful Development Certificate (LDC) for the car park but insufficient evidence was provided to conclude that the car park had been constructed 4 or more years ago, which is the time period required to be classed as lawful. The LDC application was refused and no appeal subsequently lodged. Whilst information has been submitted in support of the current application that also seeks to demonstrate that the car park has been in place for in excess of 4 years it does not add anything substantive to the evidence submitted with the LDC application.

In dealing with this application the question before the Council is whether the proposals are acceptable with regard to relevant material planning considerations, not the length of time hard surface has been in place.

It is understood that the car park has been provided mainly for use in conjunction with the manège granted planning permission in 2018. The manège is subject to a separate application (P/2021/1002) to remove a condition that currently prevents it from being used for commercial equine purposes.

Principle of development: There are no UDP policies that specifically deal with development ancillary to existing rural businesses. Matters of highway safety, residential amenity and visual impact are key considerations in this case, with policies PS2 and GDP1 being directly relevant.

Residential Amenity: The nearest property Llybedydd House is approximately 15 metres to the north of the car park with a lane situated in between.

Whilst the car park results in vehicles parking and turning closer to the property than is likely to have been the case previously, the relationship between the two sites is such that it is unlikely that significant levels of noise and disturbance occurs. It is of note that Public Protection Officer has not expressed concerns about noise.

Public Protection have advised that lighting has the potential for classification as a statutory nuisance. However no external lighting is proposed as part of this application. The provision of external lighting would require planning permission separately.

The car park is elevated relative to the ground floor level of Llybedydd House and affords limited views over the front boundary hedge of the property towards first floor windows, as the photographs below illustrate.



The degree of overlooking is such that the proposals are not considered to give rise to a significant loss of privacy particularly when the degree of overlooking already possible from the lane separating to the sites is considered.



There may be instances where vehicles using the car park have headlights facing towards Llybedydd House. The existing boundary hedge fronting that property assists in limiting the impact of this. The manage does not have any external lighting thus limiting its use to hours of daylight. On this basis, arrivals/departures in the evenings are unlikely occur regularly. Furthermore, such impacts would be relatively short in duration and unlikely to give rise to significant disturbance.

In light of the above, the development does not adversely impact upon residential amenity and therefore accords with policy GDP1(f).

Highway Safety: The car park is served by an access that has been formed specifically to serve it. This has adequate visibility in both direction.

Whilst noting comments made by Highways regarding traffic, the car park itself will not generate traffic. As noted above, the car park is intended for use in conjunction with the adjacent manage. The potential for traffic to be generated by the manage is considered separately in the report relating to application (P/2021/1002).

The development ensures off-street parking and turning is provided to visitors to the manege and is large enough to accommodate the parking and turning of vehicles towing horse boxes/trailers.

Having regard to the above, the car park accords with policies GDP1(d) and T8.

Visual Impact: Due to the topography of the surrounding landscape and the hedges and trees enclosing lanes and fields, the car park does not materially or detrimentally effect the countryside or wider rural landscape.

The northern boundary of the site is screened by an existing hedge thus limiting nearby views from the land that runs parallel to it. The majority of the western boundary is screened by a fence which affords views into the site. The development is, however, situated adjacent to the buildings associated with the livery business and appears as an integral part of the wider business premises. Accordingly, the car park does not have a detrimental impact upon the immediately locality. Notwithstanding this, the planting of native species hedge would strengthen the rural character of the west boundary and would also deliver net biodiversity gain.

Ecology: Paragraph 6.4.5 of Planning Policy Wales 11 requires development to provide net benefit to biodiversity. The Applicants have submitted a scheme for net biodiversity benefit that satisfies the requirements of PPW11. The proposals are set out below:

- a) Existing trees, shrubs and hedge plants will be retained.
- b) The car park surface from within the north boundary will be removed (by roughly 5m) to create an area of rough grassland. The width of the grassland area will taper to about 1m wide at the east to allow the continued use of an existing gateway. Bare ground resulting from the removal of the car park aggregate surface will be sown with 'Special General Purpose Meadow Mixture EM3' produced by Emorsgate Seeds. The grassland will be sown and maintained in accordance with the instructions/recommendations provided by Emorsgate Seeds.
- c) The new area of grass within the north boundary and the existing area of grass within the west boundary will not be mown between 1 March and 15 August inclusive. As a minimum, the grass will be mown between 15 August and 1 September and cut vegetation will be removed.
- d) A minimum of 15 native fruit trees of local provenance will be planted within the areas of grass within north and west boundaries. Tree species will include:
 - 3no. Bramley apple (*Malus domestica* 'Bramley's Seedling')
 - 3no. Shropshire Prune Damson (*Prunus insititia* 'Shropshire Prune')
 - 3no. Cherry (*Prunus* sp./var.)
 - 3no. Crab Apple (*Malus sylvestris*)
 - 3no. Pitmaston pineapple Apple (*Malus domestica* 'Pitmaston pineapple')
- e) Gaps within the north boundary hedge will be planted with a mixture of Guelder-rose (*Viburnum opulus*), Field Maple (*Acer campestre*), Hawthorn and Hazel.
- f) A new hedge will be planted along the west boundary. The existing clump of Oak will remain and the new hedge will be planted of Blackthorn, Guelder-rose, Field Maple, Hawthorn and Hazel.
- g) The supplementary planted north boundary hedge and the new west boundary hedge will be (annually) trimmed to a minimum height of 2m.

The implementation of scheme of net biodiversity benefit could be secured by condition.

CONCLUSION

The development is acceptable in respect of highway safety, residential amenity and subject to a condition, visual impact and net gain to biodiversity.

It therefore accords with UDP policies PS2, GDP1 and T8 and paragraph 6.4.5 of Planning Policy Wales 11

RECOMMENDATION: That permission be GRANTED

CONDITION(S)

1. The Star Ecology scheme of Net Biodiversity Benefit reference SP/2836/22/2 dated 22 October 2022 shall be implemented in full in first planting or seeding season following the date of the planning permission hereby granted. The scheme shall thereafter be permanently retained. Any tree or hedgerow which becomes severely damaged or seriously diseased, or is in poor physiological condition or is removed shall be replaced within the next available planting season by trees or hedgerow of the same size and species to those originally required planted.
2. Within 28 days of the grant of this planning permission, the vehicular access serving the car park shall have visibility splays of 2.4 metres x 33 metres to the north and 2.4 metres x 56 metres to the south measured to the centreline of the adjoining highway. Within these splays there shall be no obstruction in excess of 1 metre in height above the level of the adjoining highway. The splays shall thereafter be permanently retained clear of any such obstruction to visibility.
3. The car park shall not be used for any purpose other than for the parking and turning of vehicles in conjunction with the use of the manege subject to planning permission P/2021/1002 and the use of the land subject to planning permission P/2006/0686 as a livery yard.

REASON(S)

1. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GDP1 and PS2 of the Wrexham Unitary Development Plan and to deliver net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 11.
 2. To ensure that adequate visibility is provided at the proposed point of access to the highway in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.
 3. To protect the amenities of the occupiers of nearby properties in accordance and to ensure the development is not used in a manner that is prejudice to the character and appearance of the rural landscape in accordance with Policies PS2 and GDP1 of the Wrexham Unitary Development Plan.
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