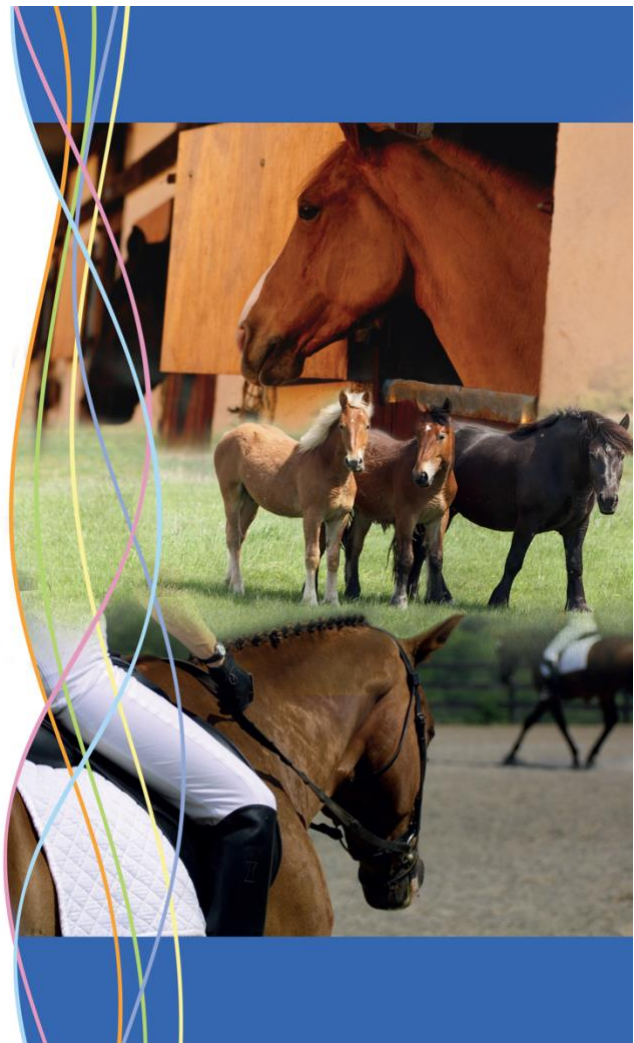

Supporting Planning Statement

Bryer Stables, Trevor Hall Road, Garth, Wrexham

To accompany the submission of a planning application seeking full planning permission for the erection of a new stable block, provision of access, associated works and landscaping to provide 'Animal Physiotherapy Business'



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Note

1. The Equality Act, 2010, which was passed in April 2010, consolidates and replaces previous equality legislation concerning discrimination including the Disability Discrimination Acts 1995 and 2005.

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SUMMARY

The conclusion reached is that key material considerations and the wider objectives of national and local planning policy support the grant of permission:

“It is considered that the development proposal is appropriate development in the countryside. It causes no detrimental harm and retains the open character of the area. There is also no impact upon the local highway network. Real Planning has clearly shown that the proposed scheme complies with the relevant national planning policy / guidance and the Council’s policies contained within the Wrexham Unitary Development Plan together with Local Planning Guidance Notes and that there are no material considerations that indicate that the application should not be considered favourably.”

1. Introduction

1.1 This Supporting Planning Statement has been prepared by Real Planning and commissioned by the applicant to support a planning application seeking full planning permission for the erection of a new stable block, provision of access, associated earthworks and landscaping to provide ‘Animal Physiotherapy Business’, on land adjacent to Bryer, Trevor Hall Road, Garth, Wrexham [hereafter referred to as the ‘Site’].

1.2 In Wales a Design and Access Statement is **not** required for this planning application. In June 2009, Design and Access Statements did become a statutory requirement with most applications for planning permission, however, the requirement to submit a Design and Access Statement now only applies to the following types of planning applications:

- major development;
- development in a Conservation Area or World Heritage Site; or
- for Listed Building Consent.

1.3 The proposed development is not ‘major development’ and neither is listed or in a designated area. A Design and Access Statement is, therefore, **not** required for this application.

1.4 This Supporting Planning Statement will cover the background to the application and will demonstrate / provide the necessary information to enable its determination by the Local Planning Authority. It will consider the proposal in light of relevant planning policies and other material considerations.



Photo 1

1.5 Para 6.11.1 of Planning Policy Wales Technical Advice Note 6: Planning for Sustainable Rural Communities¹ states that:

*“The definition of agriculture includes ‘the breeding and keeping of livestock’ and ‘the use of land as grazing land’. ‘Livestock’ has been held to relate only to livestock bred or kept for agricultural purposes. Land can be said to be used for ‘grazing’ if horses are turned on to it with a view to feeding them from it, but **not** if they are kept on it for some other purpose (such as exercise or recreation), when grazing is seen as completely incidental and inevitable. A planning application is normally required for the use of land for keeping horses and for equestrian activities, unless they are kept as ‘livestock’ or the land is used for ‘grazing’.”*

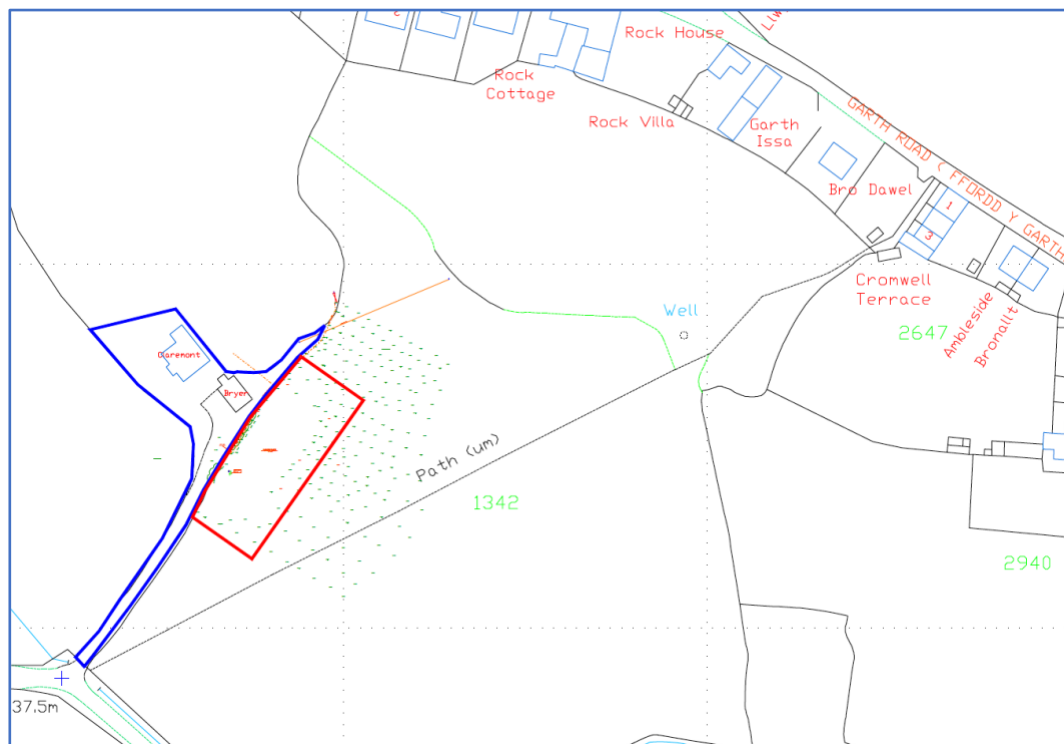
1.6 The applicant intends using the adjacent field for grazing with a view to the horses feeding from it and therefore a change of use application is not required.

¹ Technical Advice Note 6: Planning for Rural Communities [Planning Policy Wales - Welsh Government – July 2010]

2. The Site

2.1 The location of “The Site” is shown above and within the red line boundary shown in Plan 1 below which defines its full extent.

2.2 The property known as Bryer [in which the applicant lives] is located off Trevor Hall Road just beneath and south of the village of Garth, 8 miles west of the town of Wrexham. The Site is accessed from the top end of the unadopted access road to Bryer, immediately to the southeast and located within the adjacent field, which is currently in the ownership of the applicant’s mother. Notice has been served upon the owner of the land.

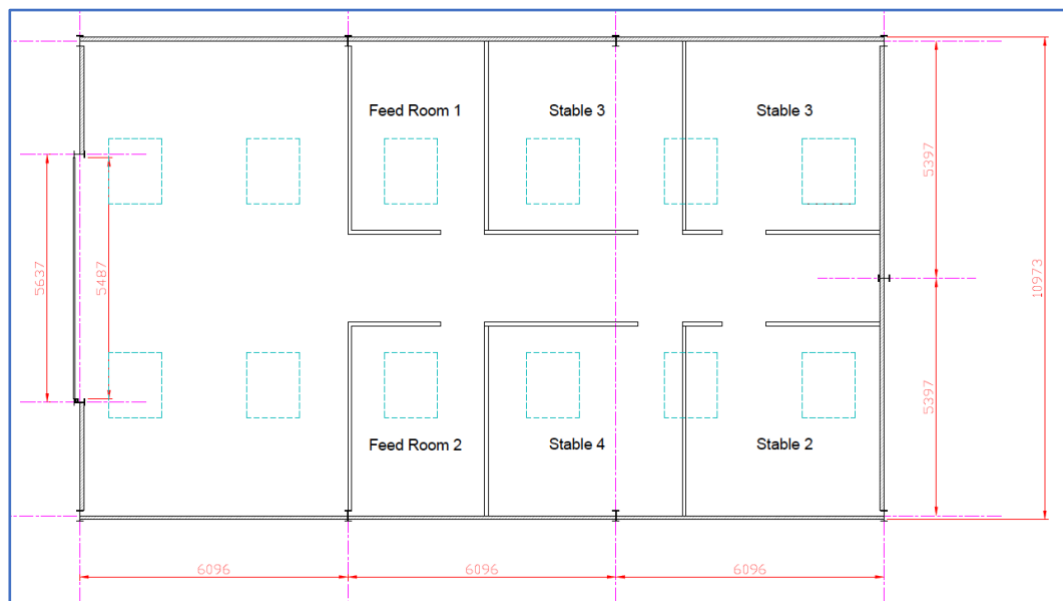


Plan 1 – Site location

2.3 The Site is situated within the open countryside and outside any settlement limits as identified within the Wrexham Unitary Development Plan and within an Area of Special Landscape. It is also located within a buffer zone around the Pontcysyllte World Heritage Site. There is further policy explanation in Section 5 to this Statement. There are no trees affected by the proposed development.

3. The Proposed Development

3.1 The submitted application seeks planning permission in full for the erection of a new stable block, provision of access, associated earthworks and landscaping to provide 'Animal Physiotherapy Business', on land adjacent to Bryer, Trevor Hall Road, Garth, Wrexham. The stables will provide much needed shelter and greater storage for related implements.



Plan 2 – Proposed stable complex

3.2 The applicant has prepared / submitted a Supporting Personal Statement which demonstrates her particular need for the proposed scheme [see Appendix 1 – Personal Statement]. The applicant lives in the adjacent property known as Bryer and has recently started an 'animal physiotherapy' business which includes a range of large and small animals. She states that:

"As part of my business, I require an agricultural barn to include four stables, some for personal use for my two horses and then others for clients' animals to be housed when requiring physiotherapy. Inpatient treatment for the various animals ranges from 3 days to a number of months, dependent on their individual need. Dogs will be attending on daily basis.

I also require separate feed and storage rooms to house the feed and bedding for the animals. The large open area is needed for sufficient room to treat the animals, the secure storage of physiotherapy equipment (such as poles, jumps, balance equipment etc.), and the secure storage of a trailer to transport the animals. There also needs to be sufficient room externally to be able to easily turn vehicles and trailers while providing sufficient area for client parking.

The requirement of this barn is crucial to the development of my business, supporting local animal welfare and working animals of the surrounding area. In particular, the barn is essential for me to be able to compete with neighbouring businesses in Cheshire and Shropshire, providing a more local and competitive service for North Wales."

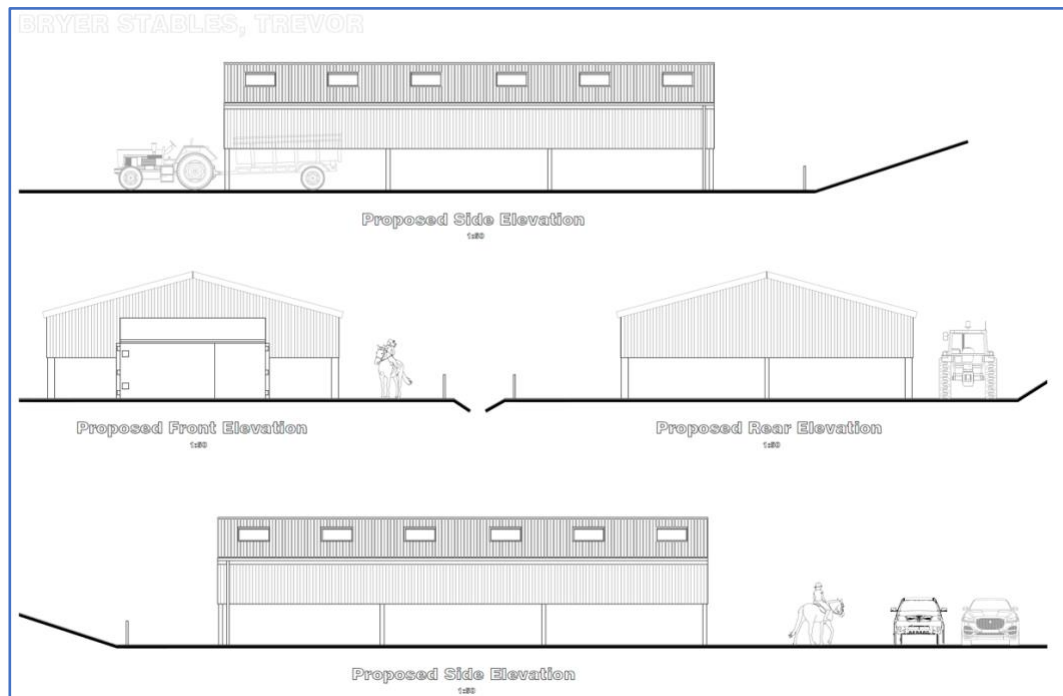


Plan 3 – Proposed Site Plan

3.3 The proposed scheme will consist of the following:

- immediate access from the unadopted road to the Bryer;
- stable building which includes four stables, two feed rooms and large open area for the treatment of animals and secure storage of physiotherapy equipment and trailer.
- walls consisting of vertical timber boarding over concrete panels
- box profile sheeting to roof
- metal windows in profiled roof panels and steel double door to main entrance
- parking and turning facility with compacted gravel over consolidated hardcore
- the Site will be bounded by a timber post and rail fence together with hedging of native species

3.4 Real Planning considers that the design, scale and use of materials will result in an appropriate scheme which will be in keeping with its rural, countryside location.



Plan 3 – Proposed Elevations

4. Information Submitted in Support of the Planning Application

4.1 In summary, the following have been submitted in support of the planning application:

- Supporting Planning Statement [Real Planning v2 September, 2021]
- Personal Statement [Sarah Edwards Physiotherapy – 6th September, 2021]
- Drawing No PD/218/01 - Existing Site and Location Plan
- Drawing No PD/218/02 - Proposed Site Plan
- Drawing No PD/218/03 - Proposed Floor Plan
- Drawing No PD/218/04 - Proposed Elevations

5. National and Local Planning policy

5.1 The purpose of this section of the Statement is to set out the sequence of planning policy that is considered relevant to the putting together of the proposed replacement scheme and the consideration of this application. These are separately examined in detail by assessing and interpreting the merits of the

proposals against them, with a view to demonstrating the case in support of the proposed scheme. The legal test for all planning decisions is to determine the application in accordance with the statutory Development Plan unless material considerations indicate otherwise.

5.2 A material consideration will be whether the Plans are up to date. Real Planning has adduced that, in this instance, the Development Plan (for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004) comprises the Development Plan (the Wrexham Unitary Development Plan²) which was adopted in 2006. S38(6) also confirms that in determining planning applications “*any determination must be made in accordance with the Development Plan unless material considerations indicate otherwise*”.

Planning Policy Wales

5.3 Planning Policy Wales 10³ sets out Welsh Government planning policy in relation to development in the countryside. It is also supported by a range of Technical Advice Notes [TAN] which are relevant to consideration of the proposal and its impact upon the local environment.

Planning Policy Wales Technical Advice Note 6

5.4 TAN 6 – Planning for Sustainable Rural Communities sets out the Welsh Government’s land use planning policies in respect of supporting sustainable rural communities and, in this instance, guidance relating to how the planning system can contribute to sustainable rural economies. With particular reference is Section 6.11 – Development Involving Horses.

Wrexham Unitary Development Plan

5.5 The principal Development Plan for the site comprises the “Wrexham Unitary Development Plan”, whose plan policies are currently being used for Development Control purposes. The Plan period ran from 1996 to 2011. Given its primacy, adopted status and the fact (most of) its policies are considered to be (generally) up to date, a degree of weight can still be attached to the relevant policies therein.

5.6 The Authority has been working on a replacement for the UDP in the shape of a Local Development Plan (LDP), which will cover the Plan period 2013 to 2028. The LDP underwent an Examination in Public into the soundness of the Plan in late 2019. The approved timetable for the LDP was that it should have been adopted following the Inspector’s Report some time in 2020. However, the inspector concluded that:

“There are clearly a number of errors and inconsistencies in the data and the latest evidence fails to provide us with the confidence we were hoping for in terms of the robustness of the re-run site selection process.

² Wrexham Unitary Development Plan [Wrexham County Borough Council – May 2006]

³ Planning Policy Wales: [Welsh Assembly Government - Edition 10 (December, 2018)]

5.7 The position is a state of limbo while the Council Members decide which direction to take. The LDP is clearly now delayed and the ambition of having the replacement policy document for Wrexham, the LDP, has now been put on hold. In this instance the Wrexham UDP remains the policy document for the consideration of development.

Summary of Local and National Planning Policies and Guidance

5.8 In consideration of the proposed development scheme the following local and national planning policies and guidance have been considered:

- Wrexham Unitary Development Plan: May 2006 [Policies PS1, PS2, GDP1, EC6, EC9, and T8]
- Local Planning Guidance Note 6: Access To and Use of Buildings
- Local Planning Guidance Note 7: Landscape and Development
- Local Planning Guidance Note 16: Parking Standards
- Local Planning Guidance Note 24: Designing Out Crime
- Local Planning Guidance Note 30: Design
- The Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012
- Planning Policy Wales [PPW] - Welsh Assembly Government [Edition 10 December 2018]
- PPW Technical Advice Note 5: Nature Conservation and Planning [2009]
- PPW Technical Advice Note 12: Design [2014]
- PPW Technical Advice Note 18: Transport [2007]
- Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment No. 2) Regulations 2017 (SI 2017/638)
- The Historic Environment (Wales) Act 2016
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Manual for Streets: Department for Transport / Communities and Local Government / Welsh Assembly Government [2007]
- Manual for Streets 2 - Department for Transport [2010]

6. Relevant Planning History

6.1 In October 2019 a planning application for a replacement dwelling was submitted – the demolition of existing dwelling known as Bryer and double garage with flat over and erection of replacement two-storey dwelling with attached double garage / store with self-contained flat above. It resulted in a delegated approval dated 20/01/2020 with the granting of full planning permission. There had been no objection in principle and standard conditions were attached seeking adherence to the submitted drawings and other information.

7. Planning Assessment

Planning Policy and Guidance

7.1 In assessing the planning merits and acceptability of any particular development, it is necessary to consider relevant policies of the Development Plan together with other material considerations, which include national planning policies and guidance. Section 54(a) of the Town and Country Planning Act (1990) as amended by Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that ***local planning authorities should determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise.***

7.2 Both national and local planning policies direct new development to within existing defined settlement limits [UDP Policy PS1 refers]. While there are certain exceptions to this [such as the submitted proposal], UDP Policy PS2 states that:

“Development must not materially detrimentally affect countryside, landscape / townscape character, open space, or the quality of the natural environment.”

UDP Policy GDP1 also ensures that any proposal, in its scale, design and in its use of materials, together with the provision of adequate access, accords with the character of the site and the surrounding area.

Area of Special Landscape

7.3 The application site is also located within an Area of Special Landscape [UDP Policy EC5 refers] as identified in the adopted Wrexham Unitary Development [see extract from the UDP Proposals Map – Inset 13 in Section 6 to this Statement]. However, it is important to note that development is not necessarily precluded within such designations although the final siting, design and use of materials must ensure that the important characteristics of the setting of the Special Landscape Area are not compromised. UDP Policy EC5 states that:

“Within Special Landscape Areas, priority will be given to the conservation and enhancement of the landscape. Development, other than for agriculture, small-scale farm-based and other rural enterprises, and essential operational development by utility service providers, will be strictly controlled. Development will be required to conform to a high standard of design and landscaping, and special attention will be paid to minimising its visual impact both from nearby and distant viewpoints.”

7.4 This matter has been given full consideration in relation to the final design of the proposed scheme and it is considered that the proposal will not only maintain but will enhance the landscape quality in the area.

Pontcysyllte Aqueduct and Canal World Heritage Site

7.5 It is also acknowledged that the development proposal is sited within the buffer zone of the Pontcysyllte Aqueduct and Canal World Heritage Site⁴ - a fact that is an important material consideration to be taken into account in the determination of this planning application. The design process has considered the impact of the proposal upon the World Heritage Site, on views both inwards and outwards. It is considered that the design quality of the proposed development and the sympathetic use of appropriate materials both contribute to the integrity and authenticity of the World Heritage Site.

Scale, Siting and Design

7.6 The total area of the Site is approximately ?? square metres and comprises the elements outlined in Para 3.3 in this Statement. The stable block is nearly 21 metres long and close to 11 metres in width with a pitched roof over. The building is set into the ground at the rear, so heights given are not true values above ground. Only to the front of the stable building is all of the elevation above ground level.

7.7 The proposed scheme is set immediately adjacent to the existing hedging at the point the unadopted access road arrives at the properties Bryer and Claremont. In relation to the Site's field position, it is considered to be the best location in that it, the proposed stable block and parking and turning area, clearly become part of a complex of buildings in association with the two existing residential properties. Consequently, in terms of siting and scale, the proposed development will be in accord with UDP Policy GDP 1 – General Development Principles.

Appearance

7.8 The structure mainly sits below ground level, with the highest point below the form of the land. The stable block is to be constructed of concrete block up to a metre above ground level with the rest of the elevations continuing in naturally stained wood and the colour to be agreed with the Local Planning Authority. The roof will be a dark grey / black Bitumen Corrugated Sheet taking account of the council's planning guidance⁵ refers that darker coloured roof materials assist in reducing the scale and mass of a building and therefore this is used as opposed to clear or transparent material. This also involves introducing a series of small rooflights.

7.9 The proposed parking and turning area will be surfaced in dark grey gravel over consolidated hardcore.

⁴ *Local Planning Guidance Note 33: Pontcysyllte Aqueduct and Canal World Heritage Site [Wrexham County Borough Council]*

⁵ *Local Planning Guidance Note 7: Landscape and Development [Wrexham County Borough Council]*

7.10 All areas are set within a Site boundary of timber post and rail fence with new hedging utilising native species and associated planting as shown on Drawing PD218/02.

Amenity

7.11 As stated earlier the applicant lives in the adjacent property known as Bryer while her mother, the current landowner of the field and therefore the Site, lives in the next adjacent property now known as Claremont. There will be minimal visual impact from the proposals as a result of the stable design and the siting of the stable building and compound as described above maintaining the traditional visual characteristics of the landscape. In addition, timber post and rail fencing coupled with the introduction of naturalistic planting, using native species, in the form of new mixed hedgerows and small clusters of hedgerow trees. This planting will help to screen views but also result in minimising the impact of the proposed development.

7.12 There should be minimal noise emanating from the development once the scheme has been implemented.

Access

7.13 Access to the Site is to the right, off the top end of the unadopted access Road from Trevor Hall Road, leading into a newly created gravelled parking and turning area serving the proposed stable block. This area is also sufficient for a 3-point turn for a vehicle and horse box trailer.

7.14 There is a public footpath which crosses the field in the ownership of the applicant's mother. However, the route of this footpath is to the south of the Site and not impacted by the submitted proposals.

7.15 Sufficient parking for cars in relation to the number of stables is proposed in accord with local planning guidance⁶. The parking and turning area will be constructed to a standard suitable for proposed traffic and to the approval of the Local Planning Authority. The site and the internal accessibility arrangements of the proposed building will be compliant to design guidance and any duty under the Equality Act 2010 [which incorporates the Disability Discrimination Act 1995]. Such accessibility will be assessed in accordance with local planning guidance and the updated Part M to the Welsh Building Regulations – Access to and Use of Buildings / Dwellings.

⁶ *Local Planning Guidance Note 16 – Parking Standards [Wrexham County Borough Council]*

8. Conclusion

8.1 The proposal is an acceptable form of development in the countryside and would not be visually detrimental to the existing site or its local surroundings. It has also been clearly demonstrated that it will not adversely impact upon its rural locality, located within an Area of Special Landscape and the buffer zone of the Pontcysyllte Aqueduct and Canal World Heritage Site. This Statement shows that the important issues of design, scale, setting and use of materials have been carefully considered, resulting in an overall scheme of high quality with little to no adverse impact on the immediate or wider area and in consideration, together with the wider benefits of the proposal together with the intention to achieve a 'passive house', the overall scheme deserves special consideration.

8.2 Care has been taken to ensure that the materials used in both the construction of the stables and the boundary features are reflective of the local landscape character. These coupled with the soft landscape proposals, including native planting, have ensured that the development blends effectively with the surrounding landscape features and characteristics.

8.3 The resultant scheme, therefore, fulfils the functional requirements of the facilities required for stabling, looking after horses and other animals thus supporting the growth of the applicant's animal physiotherapy business, whilst maintaining the visual characteristics of the local landscape.

8.4 Finally, Real Planning is of the view that the detailed considerations and assessment of the proposed development demonstrates that it should be given favourable consideration by the Council. For all the reasons set out above it is, therefore, considered that the development proposal is appropriate development in the countryside. It causes no detrimental harm and retains the open character of the area. There is also no impact upon the local highway network. Real planning has clearly shown that the proposed scheme complies with the relevant national planning policy / guidance and the Council's policies contained within the Wrexham Unitary Development Plan together with Local Planning Guidance Notes and that there are no material considerations that indicate that the application should not be considered favourably. In light of the above, this application is commended to the Council.