

Matthew Phillips Esq.,
Planning Department,
Lampit Street
Wrexham
LL11 1AR



12th February 2009

2009/10024

Dear Sir,

**Planning Application: Renovation and Extension of Cottage at Eisteddfod Farm, Allt
Eisteddfod, Gwynfryn, Minera**

Thank you for your letter of the 22nd January. I am grateful to receive your detailed comments on the recently submitted planning application, and thank you for your efforts in drafting the letter. In respect of the fee submitted, I thank you for pointing out the inconsistency. The payment in no way represents an acceptance that the application is for a new building, but a simple misinterpretation of the scale of charges. A refund would be appreciated.

We have had previous correspondence regarding the residential status of the property and the question of abandonment. We differed in our views on this and the question lies unresolved formally. My client remains of the view that the property is a vacant dwelling house. For this reason, in respect of the suggested rewording of the description, I would prefer the phrase "vacant dwelling" to "former dwelling" Apart from this small change, I confirm that I am agreeable to your revision.

I would like to make a number of other comments on your letter that may be of some assistance.

I would contest your statement that "very little of the original building would remain". In fact, as the plans indicate, the original cottage and the substantial shippon would remain. My client has been at great pains to retain as much of the character of the original building as possible.

The structural survey, which forms part of the application, does not support the contention that the building is in a poor state of repair and that it would require extensive re-building. Only the rear (north-western) elevation requires substantial repair. The proposal would require the re-modelling of this elevation in any case.

Supporting evidence for the agricultural need for the dwelling, in the form of an independent agricultural assessment, could be made available should you so wish. I would repeat that my client's agricultural enterprise is based on a holding of 385 acres, which is devoted to pedigree stock rearing. This type of farming requires continual attendance. At present my client is resident at a considerable distance and there is an urgent need for a suitable accommodation on the farm

holding. I would out that my client is not seeking an "agricultural worker's dwelling" but is providing the information to provide a helpful background to the proposal.

I consider your reference to a permission granted to Mr Davies elsewhere to be irrelevant in this case. The application should, clearly, be dealt with on its merits. In any case, as you point out, the building you refer to is a mile distant from the centre of the agricultural operation, and the building is inappropriate in size and accommodation. It will be occupied by other members of the family and is not available for our client to use. Finally, I would point out also that its position in a popular recreation area and adjacent to a number of public footpaths, would render it totally unsuitable for agricultural operations.

You make a number of references to the size of the building in relation to the Council's policy guidelines. I would accept that the proposal significantly exceeds the guidelines. However, I would contest the statement that the building is "excessively large". The proposal is for the creation of a family home and farmhouse consistent with modern accommodation standards. The original dwelling is a very small rural cottage, requiring considerable extension to meet the most basic domestic needs at modern standards. It is doubtful if a viable dwelling could be created within the guidelines put forward in the LPG. Viewed on site, the extended building would not dominate its setting but would be a respectful adaptation of the existing buildings. I would agree that the drawings may not wholly reflect this, particularly the way the proposal fits in with the surrounding landform. For this reason I suggest that a site inspection is appropriate. I would also point out that all storage and garaging has been integrated into the design following your advice. My client would be happy to accept a planning condition removing PD rights for any further extensions or outbuildings.

Finally, when assessed on site, I do not agree that the development would have a material and harmful" impact on the rural landscape. The proposals have been carefully designed to minimise any impact and to respect the setting and the local vernacular. In particular it has made use of the landform to screen much of the development from most publicly accessible viewpoints. This is in stark contrast to a number of developments in the local countryside that have been permitted recently. While these things are by nature subjective, I would be confident that the man on the Gwynfryn omnibus would prefer the proposed development to the slow ruination of an attractive traditional building.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Graham Wild', followed by a small dot.

Graham Wild
Cynefin Consultants

From: Matthew Phillips
To: graham wild
Date: 16/02/2009 09:49
Subject: Re: Eisteddfod Cottage

Graham,

I will report the application to committee on the basis of your clients wishes - that this application is for extensions/alterations to an existing dwelling. As I am sure you will appreciate from my previous correspondence, I remain to be convinced that the residential use rights remain so this matter will be discussed in the report so members will be clear as to the policy merits of the scheme in light of rural housing policies relevant to change of use. Either way the main 'theme' will be a concern about the scale of new/additional development, which are applicable no matter how the scheme is considered.

Regards

Matthew

From: graham wild <grahamwild@yahoo.co.uk>
To: Matthew Phillips <matthew.phillips@wrexham.gov.uk>
Date: 16/02/2009 09:30
Subject: Eisteddfod Cottage

Matthew

Things seem to have got a bit "chicken and egg"! Let me just summarise the position as I see it.

As I have indicated, Mr Davies has been consistent in his view that Eisteddfod Cottage is an existing dwelling, and as such would like the application considered as an extension and refurbishment. However, if the Council aren't willing to accept such an application, our client may be willing to make a change of use application on the understanding that it is not an acceptance of abandonment on his part and he reserves his right to make an application for a certificate of lawful use in the future should it prove necessary. The issue of lawfulness, of course, would be based purely on the facts of the site history.

Does this help?

The agricultural assessment was offered simply as a helpful gesture - not to make any particular point. I apologise if these supporting documents are causing confusion.

Graham

From: Matthew Phillips
To: graham wild
Date: 13/02/2009 11:43
Subject: Re: Eisteddfod Cottage, Bryngwyn, Minera

Graham,

I don't think an agricultural appraisal is necessary for an application to extend a building. Such an appraisal would be of no relevance to the issue relating to the size of the dwelling. Even if a new dwelling/change of use was proposed, the size of accommodation proposed would be unjustified.

The issue of abandonment is crucial to how I actually structure the report and more fundamentally what the application actually seeks permission for. If the use was abandoned then strictly speaking the application proposed change of use in addition to new development. If your client disagrees with this, it is (rightly or wrongly) simply for alteration and extension to an existing dwelling. Not that it will make much difference to the recommendation, but I think I need to be clear what your client is, in his opinion, seeking permission for. To put it simply, is the application for change of use or not?

Regards

Matthew

From: graham wild <grahamwild@yahoo.co.uk>
To: <matthew.phillips@wrexham.gov.uk>
CC: <ronscotlandfarm@yahoo.co.uk>
Date: 13/02/2009 10:24
Subject: Re: Eisteddfod Cottage, Bryngwyn, Minera

Matthew

I was out all day yesterday and only read your mail this morning - I hope I am not too late for your deadline.

The agricultural assessment was offered to support and explain the reasons behind the proposal. I would agree that it may not be central to the issue but surely it is a material consideration.

I thought we had agreed that the issue of abandonment was not formally resolved. My client is still of the view that the cottage is a vacant dwelling - its present state is partly due to the fact that work on weather-proofing was halted following advice from your officers. Perhaps the description could best be phrased as "refurbishment of vacant dwelling and conversion of outbuilding to residential use and erection of extensions".

The structural survey was submitted as supplementary information in support of the application - to demonstrate that the structural condition did not preclude refurbishment in line with policy and in the spirit of the Council's guidance.

Sorry this is a bit rushed but I wanted to respond within your timeframe.

Regards

Graham

From: "matthew.phillips@wrexham.gov.uk" <matthew.phillips@wrexham.gov.uk>
To: graham wild <grahamwild@yahoo.co.uk>
Sent: Thursday, 12 February, 2009 10:49:56
Subject: Re: Eisteddfod Cottage, Bryngwyn, Minera

Graham,

With regards to the fee and description, I see little point in revising the description if you maintain that the application isn't for a change of use. With regards to the fee that is matter that you will need to take up with my manager Bob Dewey. It isn't something I can agree to or arrange I am afraid.

The application is to be reported to committee on the 2 of March because the local member has requested that it be dealt with in this way.

Also I cannot understand why an agricultural appraisal was not submitted in the first instance. However I believe the issue of agricultural need issue only really comes into play if your client is seeking to establish/re-establish a residential use right for the site. Clearly if he does not proposed a change of use, the application is simply an extension to a dwelling. An agricultural need would be of little relevance to such a proposal.

I would be grateful if you could confirm the following:

- whether the application is for the change of use of a vacant building to a dwelling and extensions to that building, or if your client is of the opinion that this is a proposal to extend and alter an existing dwelling.

From: Matthew Phillips
To: graham wild
Date: 12/02/2009 11:10
Subject: Re: Eisteddfod Cottage, Bryngwyn, Minera

Graham,

Further to my previous email, if the application is not for a change of use, why was a structural survey submitted - these are only normally submitted where the structural stability of a building is a key planning consideration e.g. a conversion scheme.

With regards to the above, and my previous email, I'd be grateful for a response before the end of today to enable me to complete the committee report - the deadline being tomorrow lunchtime.

Regards

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To: graham wild
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• www.cynefin.co.uk

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