

RETROSPECTIVE PLANNING APPLICATION

10 WYNNSTAY LANE, MARFORD, WREXHAM

PLANNING STATEMENT

RETROSPECTIVE APPLICATION FOR THE RETENTION OF A BOUNDARY WALL

FEBRUARY 2021



Geraint John Planning

CONTENTS

Chapter 1	Introduction
Chapter 2	Site and Surroundings
Chapter 3	Development Proposals
Chapter 4	Planning Policy Context
Chapter 5	Material Considerations
Chapter 6	Summary and Conclusions

1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared in support of a retrospective planning application, submitted on behalf of Mr and Mrs Cooper, in relation to the following development proposal:

'Retrospective application for the retention of a boundary wall'.

- 1.2 The retrospective proposals set out within the description of development are proposed following dialogue with the Local Planning Authority regarding the lawful use of the site.

- 1.3 This Statement outlines the context in which the application is made and provides a detailed examination of the main planning considerations raised by the proposals, together with reasoned justification in support of the proposed development.

- 1.4 The statement is structured as follows:

- **Section 2** provides a description of the characteristics of the site and surrounding area, and details regarding the planning history associated with the site;
- **Section 3** provides details of the development proposals;
- **Section 4** outlines the relevant planning policy framework in relation to the site and the development;
- **Section 5** analyses the key planning considerations arising from the proposed development (in light of the planning policy context);
- **Section 6** sets out our conclusions.

- 1.5 The following documents are submitted in support of the application, and should be read alongside this Planning Statement:

- Application Forms;
- Access Appraisal (Acstro Transport Consultants);
- Plans and Drawings:
 - Location Plan; and
 - Site Plan (ref. WRE12405).

2.0 SITE AND SURROUNDINGS

The Site

- 2.1 The site is located on Wynnstay Lane, within the settlement of Marford, approximately 4 miles from the centre of Wrexham.
- 2.2 The site consists of a detached residential dwelling at 10 Wynnstay Lane, specifically the curtilage of the dwelling to the front (north) and its boundary with the highway.



Site Location Overview

- 2.3 The curtilage of the property directly abuts the highway carriageway, with no pavement separating the two – this being the case for a number of properties on this side of Wynnstay Lane, with a pavement situated on the opposing side of the road.
- 2.4 The highway system in the sites vicinity narrows in width on approach to the site from the west, as shown by the ending of the centre-line in the photograph below.



Approach along Wynnstay Lane from the West

- 2.5 A similar highway layout is found elsewhere in the area, with a number of the roads of less than the typical two-carriageways wide. Further Street View images are included below to evidence this.



Approach along Stancliffe Avenue to the South-West



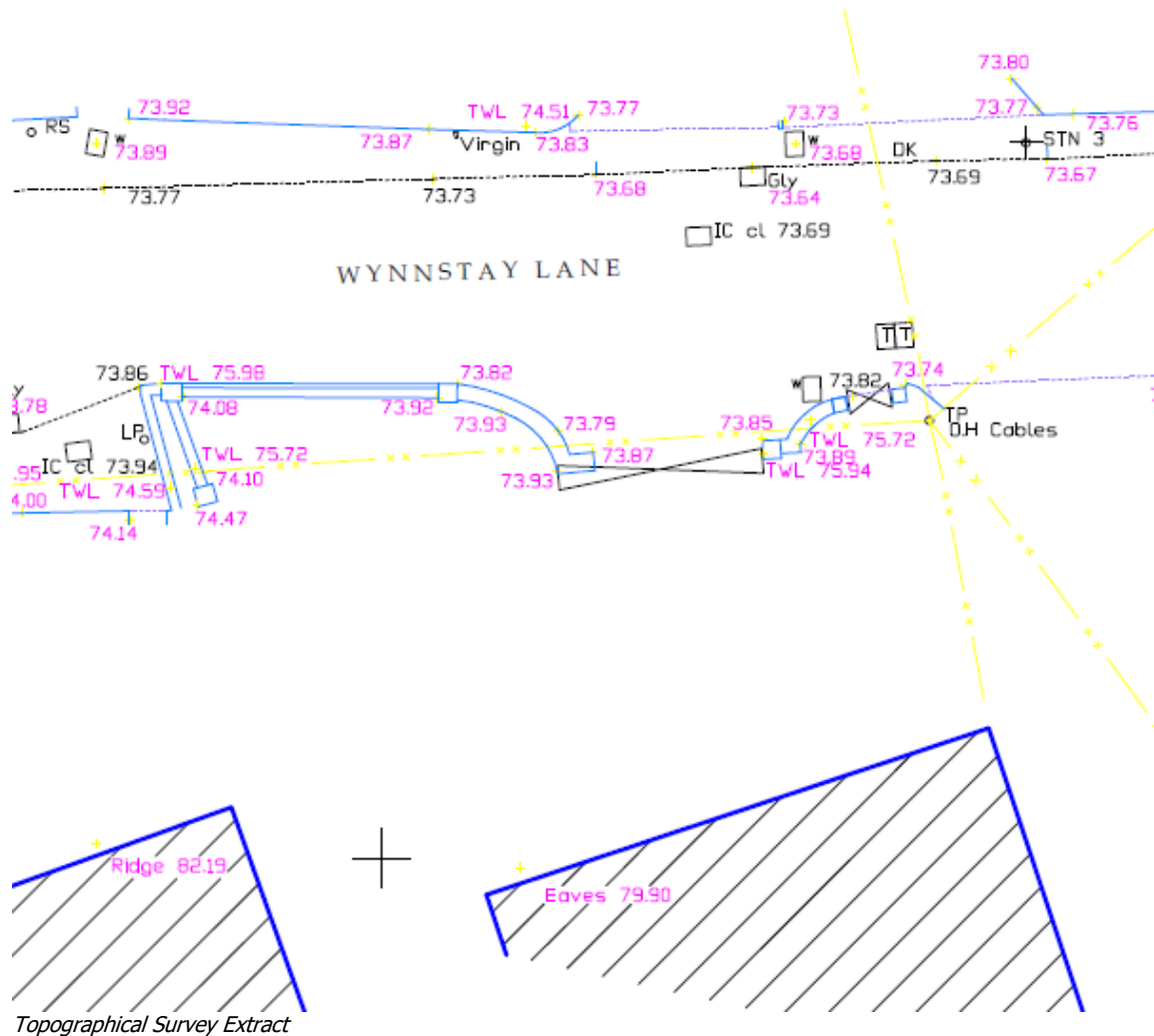
Approach from the East, along Single-Width Carriageway of Wynnstay Lane

Planning History

- 2.6 An online planning history search has been undertaken of the site using the Wrexham County Borough Council website. The search found that one application for Planning Permission had been submitted at the site, which was for a 'Two-Storey Side Extension And Alterations' and was approved on 21st June 2018.
- 2.7 Please note that a formal planning 'search' of the property / surroundings would need to be undertaken by the Local Authority to be certain that the planning history returned within the on-line search is exhaustive.

3.0 DEVELOPMENT PROPOSALS

- 3.1 This application seeks retrospective Planning Permission for the retention of a boundary wall which has been erected to the front (north) of 10 Wynnstay Lane, delineating the boundary of the curtilage of the property from the public highway.
- 3.2 An extract from the topographical survey carried out at the site is included below, which outlines in blue the extent of the wall constructed, with the entrance gates to the property shown in black.



- 3.3 The eastern section of the wall follows the line of the former boundary to the highway – comprising of a retaining wall and mature hedgerow that previously stood in this location, directly abutting the highway. As indicated above, there is no pavement on this side of Wynnstay Lane, with the existing pavement ending at the boundary of 10 Wynnstay Lane and the adjacent property, to the west. The aerial image overleaf, taken from Google Maps, evidences this.



Aerial Photograph Showing Site Boundary

- 3.4 The image below shows a view looking east along Wynnstay Lane, across the front boundary of the property, showing the current layout. As is evident from this photograph, the wall is set back marginally from the previous alignment, as shown by the tarmac strip.



January 2021 Photograph of Site and Development as Built

4.0 PLANNING POLICY CONTEXT

- 4.1 A review of the planning policy context associated with the site and proposed development (at the national and local level) is provided within this section of the Statement.
- 4.2 The key planning policies of relevance to the determination of the application are outlined. A detailed assessment of the accordance of the proposed development with these policies is provided in Section 6 (Material Considerations) of this Statement.

National Planning Policy

- 4.3 The following policy / guidance documents prepared at the national (Welsh Government) level are of relevance to the determination of the application.

Planning Policy Wales (10th Edition, December 2018)

- 4.4 Planning Policy Wales (PPW) forms the overarching national planning policy document within Wales, providing guidance to Local Planning Authorities (LPAs) for the preparation of development plans and the determination of planning applications through their development management functions.

Key Planning Principles

- 4.5 Paragraph 2.13 states that *"The plan-led system underpins the delivery of sustainable places. To ensure all development plans and decisions taken by the planning system work together to deliver sustainable places. The 5 Key Principles (see Figure 3) represent a guiding vision for all development plans, including the NDF"*. The key principles are as follows:

- Growing our economy in a sustainable manner;
- Making best use of resources;
- Facilitating accessible and healthy environments;
- Creating and sustaining communities;
- Maximising environmental protection and limiting environmental impact.

- 4.6 Paragraph 2.17 states *"In responding to the key principles for the planning system, the creation of sustainable places and in recognition of the need to contribute to the well-being of future generations in Wales through placemaking, development plans and development proposals must seek to deliver development that address the national sustainable placemaking outcomes"*.

Sustainability

- 4.7 Sustainable development forms a key consideration central to all policies contained within PPW. Paragraph 2.1 states: *"The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation"*.
- 4.8 Paragraph 2.17 of PPW sets out that *"The relationship between development proposals, planning policy topics and the well-being goals is complex. At a strategic level traditional planning policy topics are clustered around four distinctive themes."*

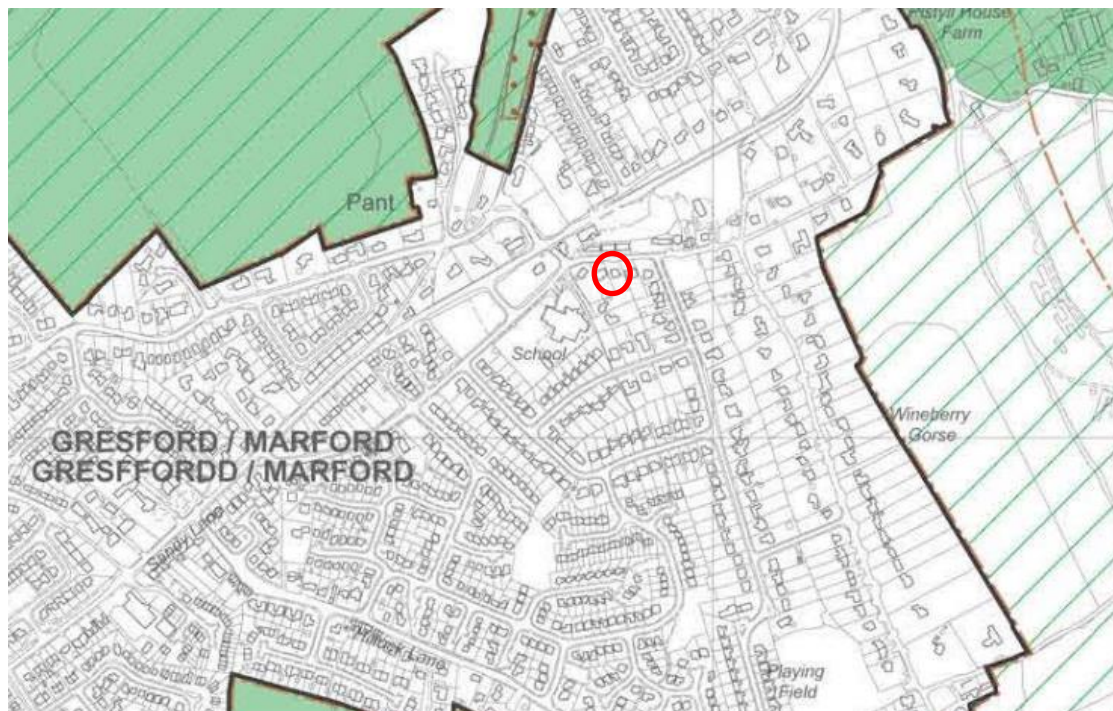
Placemaking	Active and Social Places	Productive and Enterprising Places	Distinctive and Natural Places
Creating Sustainable Places Good Design Promoting Healthier Places The Welsh Language Making Spatial Choices Placemaking in Rural Areas	Housing Retail and Commercial Centres Community Facilities Recreational Spaces Transport	Economic Development Tourism The Rural Economy Transportation Infrastructure Telecommunications Energy Minerals Waste	Landscape Coastal Areas Historic Environment Green Infrastructure Biodiversity Water, Air, Soundscape & Light Flooding De-risking

Transport

- 4.9 Paragraph 4.2.21 of PPW states that 'The Welsh Government policy, *Manual for Streets and its companion guide Manual for Streets 2*, requires that street design should not follow the conventional engineering-led approach. The design of new or enhanced streets should respond to urban design principles, including those in *Manual for Streets* and the *Active Travel Design Guidance*, and not adhere to ridged standards'.

Local Policy Context

- 4.10 The current adopted Development Plan is Wrexham Unitary Development Plan (UDP), adopted on 14th February 2005. This is presently used for the determination of planning applications and deals with the use and conservation of land and buildings within the County Borough. The Wrexham UDP is now officially 'time expired' i.e. the UDP ran until 2011.
- 4.11 Given the above, the UDP will be replaced by the emerging Local Development Plan (LDP), which is currently going through the examination process. An extract from the UDP Proposals Map is provided below:



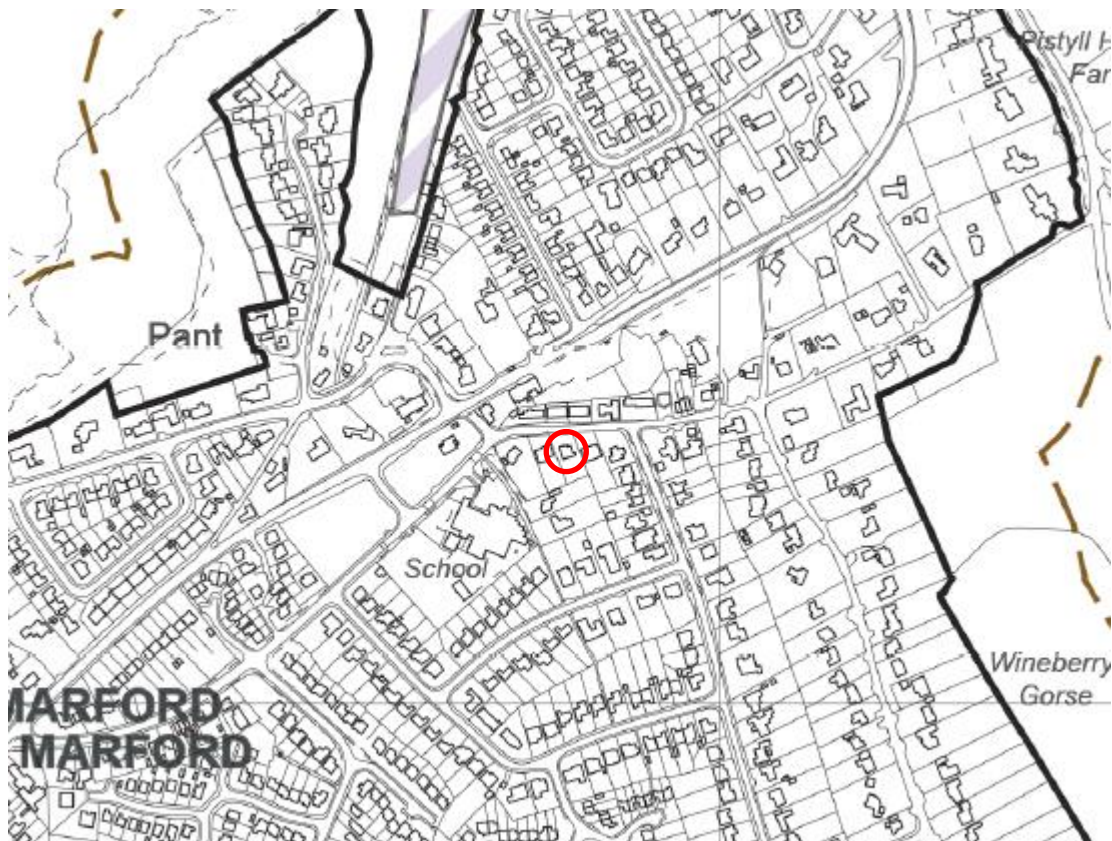
Extract from LDP Proposals Map

Wrexham Unitary Development Plan Proposals Map			
Key	Legend	Key	Legend
	Biodiversity Conservation		Settlement Limits
	Green Barrier		Special Landscape Area

- 4.12 To summarise, according to the UDP Proposals Map, and in terms of sites designations, the site is:
- Located within the settlement limits for Marford.
- 4.13 Aside from its location within settlement limits, the site is not subject to any further designations within the UDP.
- 4.14 In light of the above, the main UDP policies relevant to this proposal are considered to be:
- **Policy PS2** - Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.
 - **Policy PS4** – Development should maintain the existing settlement pattern and character and be integrated with the existing transport network to help reduce the overall need to travel and encourage the use of alternatives to the car.
 - **Policy PS8** – The transport network will be developed by providing an integrated range of travel options to and from principal residential, commercial, employment and education centres by making the best use of the existing road and rail network, including, where necessary, the provision of facilities for both passenger and freight interchange and by the encouragement of public transport, cycling and walking.
 - **Policy GDP1** – All new development should meet with the criteria set out within this Policy.

Emerging Local Development Plan (LDP)

- 4.15 The emerging Development Plan for the area comprises the Wrexham Local Development Plan (LDP) (2013 – 2028). As set out earlier, the LDP is currently at the Independent Examination stage. When adopted, the LDP will replace the adopted UDP.
- 4.16 An extract from the LDP Proposals Map is provided below:



Draft LDP Proposals Map Extract

Key:

Wrexham Deposit Local Development Plan Proposals Map			
Key	Legend	Key	Legend
	Settlement Limits		Site of Special Scientific Interest (SSSI)
	Non-Energy Mineral Extraction Exclusion Area		

4.17 As shown on the emerging LDP proposals map, the site is:

- Located within the defined settlement boundary for Marford.

4.18 In view of the above, it is considered that the emerging policy position regarding the site is of most relevance to the proposed development. The relevant policies are:

- Policy SP2: Location of New Development;
- Policy SP12: Transport and Accessibility;
- Policy SP13: Design Principles & Masterplanning Framework.

Supplementary Planning Guidance

4.19 The provisions of the following Local Planning Guidance Notes have also been taken into consideration:

- Space Around Dwellings (January 2007); and
- Design (June 2009).

5.0 MATERIAL CONSIDERATIONS

5.1 The key planning considerations arising from the proposed development (in light of the nature and form of the proposed development, the planning history and the planning policy context, as outlined within the preceding sections of the Statement) are considered to be as follows:

- The Principle of Development;
- Design and Visual Impact;
- Highways Impacts; and
- Other Considerations.

5.2 These issues are discussed in further detail below.

The Principle of the Proposed Development

5.3 As has been highlighted above, the construction of the boundary wall has taken place at the site, with the applicant unaware at the time that the development as built would require Planning Permission. As such, planning approval is now sought retrospectively for the development.

5.4 The development consists of the construction of a boundary wall approximately 2m in height at the northern-most boundary of 10 Wynnstay Lane. The wall separates the curtilage of the property from the highway of Wynnstay Lane, with access to the property gained via two gated entrances – one vehicular and one pedestrian.

5.5 The development has been constructed within the boundaries of the curtilage of the property and does not protrude into the public highway. It is considered that the principle of the development of a wall in this location is acceptable subject to material considerations, which are discussed in detail below.

Design and Visual Impact

5.6 The impact of the development on the street scene is a factor to be taken into account in assessing its acceptability. The development consists of a brick-built wall which forms the curtilage boundary of 10 Wynnstay Lane. Examples of walls constructed immediately on / near to the highway boundary can be found elsewhere on Wynnstay Lane, as evidenced by the photographs overleaf.



Photographs of Boundary Walls and Gates in the Local Area

- 5.7 It is considered that the development as built is closely aligned with the examples of boundary walls found throughout the local area. Examples of red brick and blue brick detailing, and stone-built walls can be found in the local vicinity, delineating the boundaries between the public highway and the residential curtilage of the properties in the area. As such, the development is entirely compatible with the vernacular of the street scene along Wynnstay Lane and is considered to be acceptable in this regard.

Highways Impacts

- 5.8 The development has been undertaken on the boundary of the public highway, on the southern side of Wynnstay Lane. As has been noted above, there is no existing pavement along this section of Wynnstay Lane, with the pavement on the southern side of the highway ending at the boundary of 8 Wynnstay Lane and pedestrians expected to cross to the northern side of the highway, where the pavement continues. Given this, the development as built will have no impact on the pedestrian footways in the area.

- 5.9 The wall has been built following the line of an existing retaining wall which was present, delineating the boundary of the property from the highway. As indicated above, the wall has been set back marginally as compared to the existing retaining wall and mature hedgerow which was in place at the boundary. The vehicular access into the site is via a gated entrance in the wall of approximately 4.1m in width.
- 5.10 The visibility available from the access is comparable to that of other nearby accesses to properties on Wynnstay Lane. Visibility from the access of the neighbouring property (No.12) is 2m x 9m to the west and 2m x 11m to the east. Opposite the application site the accesses to Nos. 7 and 9 provide visibility splays that range from 2m x 6m to 2m x 8m.
- 5.11 The available visibility from the application site's access and those of the neighbouring properties does not meet the recommended 2m x 25m dimension. However, the guidance is that "unless there is local evidence to the contrary, a reduction in visibility below recommended levels will not necessarily lead to a significant problem". The local evidence here is that there are no records of any injury accidents in the vicinity since at least 1999. This demonstrates that these accesses operate safely.
- 5.12 As highlighted within the Site and Surrounds section above, the highway carriageways within the vicinity of the site are typically less than the average 2-carriageway with (as evidenced by the ending of the centreline on approach to the site from the west and the single-lane carriageway on approach from the east). This factor will inevitably have an impact on the speed that vehicles travel along Wynnstay Lane, with drivers naturally slowing down when travelling along narrower highways.
- 5.13 As well as this, traffic calming measures are in place to the west of the site, adjacent to The Rofft School, which would further assist in controlling and reducing the speed that vehicles travel along this area of Wynnstay Lane.



Traffic calming / speed reduction facilities outside The Rofft Primary School to the west

- 5.14 The position of the existing access is identical to the previous access layout at the site. The amount of visibility to the west that can be relied upon is restricted by the front boundary treatment of the property. There is no planning condition or covenant that prevents the landowner from growing a hedge, for example, along this front boundary and therefore visibility over the garden area cannot be relied upon.
- 5.15 It has been outlined above that the presence of the mature hedgerow which stood along the boundary of the site in this location, as well as the presence of the lamppost and telegraph pole at the far-western boundary of the site restricted visibility from the site access. With this in mind, the visibility available in this direction is identical to that of the currently constructed access at 2m x

6m. The visibility to the east is considered to be identical for both the existing and fallback scenarios.

- 5.16 It is clear therefore that the dimensions and available visibility from the currently constructed access is comparable to that of the previous access (fallback position). Given the evidence in the local area that such accesses with limited visibility are able to operate safely, there are no highway related issues that should prevent Planning Permission from being granted.

6.0 SUMMARY AND CONCLUSIONS

- 6.1 The proposed development seeks retrospective Planning Permission for construction of a boundary wall at 10 Wynnstay Lane.
- 6.2 This Statement outlines the context within which the application is made and provides a detailed examination of the main planning considerations raised by the proposals, together with reasoned justification in support of the proposed development.
- 6.3 It has been demonstrated that the principle of the development is acceptable, the design and appearance of the wall being entirely in keeping with its surrounds, while the impact of the works undertaken is unlikely to have any detrimental effect on the local highway network, nor on highway safety, particularly in the context of the previously existing access / egress arrangements at the site.
- 6.4 Having regard to the material considerations outlined above, it is considered that the proposed development is fundamentally sound in principle and represents an appropriate scheme. This, coupled with the lack of any technical constraints, provides considerable support for the scheme proposals.
- 6.5 Having regard to the considerations outlined in this statement, the applicant respectfully contends that the proposal should be supported by the Local Planning Authority and planning permission ought to be granted.