Report of the Chief Officer Economy and Planning

Application Reference
P/2025/0401

Applicant
Mr Iain Smith

Agent
Mr Dafydd Edwards

Site Address
MAPLE GRANGE, CROSS LANES, WREXHAM, LL13 0TA

Description of Development
CODI GWEITHDY A PERGOLA / ERECTION OF WORKSHOP AND PERGOLA

Ward
Marchwiel/Marchwiel

Community
Sesswick/Sesswick

Recommendation
Grant

Officer Report

Site Description
Maple Grange is a detached, dormer bungalow set within a large plot set within open countryside a short distance to the north of Kiln Lane.



Proposal
The application seeks planning permission for the erection of a workshop and pergola within the residential curtilage of this property.

The garage would be approximately 5m long, 4.5m wide, 2.3m high to the eaves and 4.5m high overall. It would have a roller shutter door providing access onto an existing area of hardstanding. No windows are proposed in any of the elevations.

The pergola would be an open sided structure approximately 7m width, 3.5m in length and approximately 2.9m high. It would have a flat roof.

Reason for Committee Determination
Objection received from the Community Council

Individual letters of objection received from the owners/occupiers of 3 or more properties.

Site History
P/2021/0916 - DEMOLITION OF EXISTING DWELLING & ERECTION OF REPLACEMENT DWELLING. Granted - 14/12/2021.

P/2022/0240 - DISCHARGE OF CONDITIONS 3 (MATERIALS), 4 (ARBORICULTURAL METHOD STATEMENT), 5 (LANDSCAPING) AND 8 (ECOLOGY) OF PLANNING PERMISSION P/2021/0916. Granted – 13/05/2025.

P/2022/0951 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION P/2021/0916 TO AMEND APPROVED PLANS. Granted - 09/01/2023.

P2023/0301 - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2022/0951 TO AMEND PLAN - DESIGN CHANGE TO GARAGE AND ROOF TILE SAMPLE. Granted – 26/07/2023.

P2023/0761 - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION P/2022/0951 TO AMEND FRONT BOUNDARY WALL AND LANDSCAPING Granted – 12/12/2023.

Development Plan

Wrexham Unitary Development Plan (1996 - 2011) UDP
GDP1 - Development Objectives
CLF6 – Informal Recreation
EC5 - Special Landscape Areas
H10 - Replacement Dwellings in the Countryside
PS1 - Broad Location of Development
PS2 - Broad Location of Development
PS8 - Transport
PS11 - Biodiversity

Local Planning Guidance Notes
LPGN13 Housing in the Countryside
LPGN20 House Extensions

Relevant National Policy

Planning Policy Wales Edition 12
Future Wales - The National Plan 2040
Technical Advice Note (TAN) 12 - Design

Consultation Responses

Community Council:
Objects and raises the following concerns:
1) Awareness of Site History;
2) Use and modifications of existing garage to suggest residential use;
3) Unauthorised changes during construction
4) Removal of trees and natural habitat
5) Presence of a public footpath across the site
6) Unclear usage
7) Potential for business use, scale of proposed workshop and pergola, visual impact, future modifications, drainage concerns and concerns about the public footpath; and
8) Fire Safety, community/amenity impact.

Local Member:
Councillor John Pritchard - No Response

Conservation Officer:
Raises no concerns from a heritage perspective. Comments that Bryn Afon is not currently a Listed Building, and neither its grounds nor those of the application site are included in the Register of Parks and Gardens of Special Historic Interest.

Advises that although the owners has submitted the property to Cadw for listing, the application remains at the initial screening stage. Comments that there is no certainty that the building will be formally designated. As such, the property must be treated as unlisted for this assessment. Adviaes that if Cadw determines that Bryn Afon meets the criteria for listing, the Local Planning Authority will be formally notified, and a statutory consultation period will commence. During that time, the building would be afforded interim protection and treated as if it was a Listed Building.

Comments that the application site has been physically and functionally separated from the wider Bryn Afon estate and no longer retains its historic context or character. It now forms part of a domestic residential plot, and the proposed structures are considered appropriate within this setting.

Notes the continued efforts to enhance the landscape surrounding Bryn Afon, but comments that even if the property is listed, the revised proposals (pergola now revised to include a flat roof instead of pitched) are not considered to further impact the contribution of the setting to the significance of Bryn Afon beyond the changes already introduced by the construction of Maple Grange.

CADW:
Consulted. No response received.

Welsh Historic Gardens Trust:
Objects to the application. Expresses concern that the workshop and pergola are insensitive to a historic landscape which has recently undergone considerable restoration. Comments that the impact of the development could be reduced by a more appropriate scale and siting and that it should be possible to protect the historic character and enjoyment of a neighbouring property and garden.

Publicity Undertaken:
Notification Letters: 2 x Neighbour Letters

Responses to Publicity:
5 representations objecting to the application raising the following concerns:

- Potential noise & odour;
- Fire Safety;
- Impact on rural landscape and Special Landscape Area
- Bryn Arfon is an historic garden. The property is currently being assessed for listing by CADW;
- There is an unauthorised shipping container within the garden used for business purposes;
- Proximity to the neighbouring boundary;

- Visual dominance;
- Scale of the workshop;
- The potential for business;
- Cumulative impact of successive development;
- Need for the development and
- Drainage;
- Removal of a boundary fence;
- Lack of height dimensions;
- Proposed materials; and
- Ability to view the outbuildings from the public highway.

Design

There is already a sizeable detached double garage with a first-floor room for ancillary domestic use within the curtilage of the dwelling.

Local Planning Guidance Note 13 advises that garages erected in the countryside should be proportional to the needs of the dwelling and that there will rarely be circumstances where accommodation for more than two cars per dwelling can be justified. However, although LPGN13 advises that successive extensions to dwellings in the countryside may not be appropriate where it would harm the character of the original building, it does provide any specific guidance regarding the erection of more than one outbuilding. LPGN13 provides guidance on the design of outbuildings, advising that urban-style garage blocks are not appropriate and that large that outbuildings that could easily be converted to a separate dwelling will not be permitted.

The proposed workshop and pergola would be single storey in height, clearly subsidiary in size to the existing dwelling and have the appearance of ancillary domestic outbuildings. The cumulative of impact of the proposed development and the existing dwelling and garage would not detract from the character and appearance of the site.

Both buildings would be located towards the rear of the application site. This, together with their comparatively modest size, mean that they would not be unduly prominent within, or have an unacceptable impact on, the wider rural landscape.

Having regard to the above, the proposed development accords with policy GDP1.

The site is within a Special Landscape Area (SLA) as defined by the UDP. The boundaries of many UDP SLAs predate LANDMAP, the nationwide set of spatial datasets covering five topic areas; Cultural Landscape, Geological Landscape, Historic Landscape, Landscape Habitat, Visual and Sensory.

As part of the preparation of the unadopted LDP, a Special Landscape Areas Study 2017 (the Study) was undertaken to review the boundaries of the SLAs. The methodology of the review followed that recommended by NRW and

is consistent with PPW12 para 6.3.12, which recommends that LANDMAP and any associated landscape character assessments (including the register of historic landscapes in Wales) should be used to inform local landscape policies and to help identify or revise SLAs. Informed by the findings of the findings of the Study, the application site lies in an area that is not a Special Landscape Area designation in the unadopted LDP.

The LDP has been subject to Examination in Public, with the LDP Inspectors concluding that subject to the binding changes set out in their report (which have been incorporated into the final version of the written statement and proposals maps), *'the Wrexham Local Development Plan satisfies the requirements of section 64(5) of the 2004 Act and meets the procedural requirements and tests of soundness'.* On the specific point of SLA designations, the LDP Inspectors concluded that the unadopted LDP properly defines local areas of high landscape importance, which may be unique, exceptional or distinctive to the area, consistent with national planning policy. They also concluded that the LDP's natural environment policies are based on robust and credible evidence.

Bearing in mind that the UDP became time expired in 2011, and the conclusions of the LDP Inspectors, it is considered that the LDP SLA boundaries represent a more robust and suitable basis against which landscape impacts should be considered.

The fact that the Study did not propose to bring forward the SLA designation in this location is a material means policy EC5 is outdated and should be afford little weight. In any case, on the basis of the matters discussed above, the proposed development would accord with the policy.

Impact on Neighbouring Amenity

The application site is approximately 46 metres to the south of the nearest dwelling, Bryn Afon Hall.

The workshop would erected in the north-western corner of the application site approximately 2 metres from the northern boundary of the site and approximately 0.5m from the western boundary. The pergola would be erected to the south of the workshop and approximately 0.5m from the western boundary of the site. Having regard to the distance to Bryn Arfon, the relatively modest size of both buildings, the relatively limited extent of the boundary they would be adjacent to and the open sided design of the pergola, the proposed development would not have an unacceptable impact upon the living conditions of the occupiers of Bryn Arfon Hall by way of loss of daylight or visual over-dominance.

Objectors have raised concerns about possible noise and odour issues as well as the potential for the workshop to be use for business purposes. However, none of the information submitted with the application suggests that the applicants intend to use workshop or pergola for any purpose other than one ancillary to Maple Grange. The proposed development is therefore unlikely to give rise to any significant noise or odour. However, there are adequate controls via other legislation should such issues arise. The use of the workshop for business purposes would require planning permission for change of use.

Having regard to the above, the development does not have an unacceptable impact upon the living conditions of occupiers of neighbouring properties. It therefore accords with policy GDP1.

Highway Considerations

Public Right of Way Sesswick No.24 runs along the private road serving the site adjacent to the eastern boundary of the site. No part of the proposed development would encroach upon the Public Right of Way. The development therefore accords with policy CLF6.

Historic Environment

The garden of the adjacent dwelling, Bryn Afon Hall, is identified as an historic garden. It is recorded on website of The Royal Commission on the Ancient and Historic Monuments of Wales (RCAHMW) as containing an orchard, kitchen garden, parkland, ponds, relic hedge lines, conservatory and carriage drive. However, no part of the development would physically encroach upon or overhang the gardens of Bryn Afron Hall and would therefore not have any direct impact upon the features described above.

Bryn Afon Hall is not a Listed Building and its gardens are not included in the Register of Historic Parks and Gardens. It is understood that the owners of Bryn Afon Hall have made submissions to Cadw requesting it to be considered for listed. However, there is no certainty that it will be formally listed. Should Cadw determine that Bryn Afon meets the criteria for listing, the Local Planning Authority will be formally notified, and a statutory consultation period will commence. During that period time, the building will be afforded interim protection and treated as if listed. However, neither the dwelling nor its gardens are current afforded any statutory protection under the Historic Environment (Wales) Act 2023

The application site is also physically and functionally separated from the wider Bryn Afon Hall estate and no longer retains its historic context or character. It is now a separate residential plot and the proposed development is considered to be appropriate within this setting. The Council's Conservation Officer raises no objection.

Having regard to the above, the development does not raise any historic environment concerns.

Natural Environment

The application has been accompanied by a Green Infrastructure Statement and a Net Biodiversity Benefit Statement. The proposed NBB measures consists of 2 new bird boxes to be installed on the rear elevation of the proposed workshop. These are considered to be acceptable and commensurate to the scale of development. The implementation of the proposed measures could be secured by way of a suitably worded condition.

Drainage

The workshop would be erected on area of existing hard landscaping. The erection of the pergola would involve the laying of an additional area of hard surfacing. However, this would result in only a relatively modest increase in the area of hard surfacing within the application site. Moreover, by itself, the additional area of hard surfacing would be 'permitted development' and could therefore be laid without planning permission.

Having regard to the above, it is unlikely the development would give rise to a significant increase in surface water run-off from the site. It therefore accords with policy GDP1.

Other Considerations

Objectors have raised concerns about fire risk, a shipping container sited within the curtilage of the dwelling and the potential for post-decision changes to be made to the proposed development.

The workshop would be constructed of brick with a concrete tile roof and the pergola would be an open sided timber framed structure. Both would be exempted from Building Regulations. However, no substantive evidence has been submitted to demonstrate that either building poses an unacceptable fire safety risk.

The application seeks planning permission for the proposed workshop and pergola. If the objectors have concerns that development may have taken place without planning permission, this would need to be raised with the Council's Planning Enforcement Team.

Finally in respect of the potential for post-decision changes to the proposed development, it is only possible to consider this application on the basis of the plans submitted. If planning permission is granted and the applicant intends to carry out development that materially differs from the approved plans, this would be the subject to a future planning application.

Conclusion

The development proposed does not give rise to unacceptable impacts on the character of the area, residential amenity or parking provision/highway safety. It therefore accords with the relevant UDP policies.

Conditions

1. The development hereby permitted shall be commenced before the expiry of five years from the date of this permission.

2. The development shall only be carried out in strict accordance with the details shown on the following plan(s) and document(s): 1) Proposed Alterations - S095/011 - Rev A - dated 07/25, 2) Accompanying Application Form, 3) Accompanying Site & Location Plan - S095/012 - dated April 2025 and 4) Accompanying Landscaping Plan - S095/009 - dated March 2022.

3. The workshop and pergola hereby permitted shall only be used for purposes ancillary to the use of Maple Grange, formerly Pindar Bungalow, Cross Lanes, Wrexham, LL13 0TA.

4. No beneficial use of the development hereby permitted shall take place until the measures to deliver net benefit for biodiversity (NBB) shown on the Proposed Alterations - S095/011 - Rev A - dated 07/25 Plan have been implemented in full. The measures shall thereafter be maintained for the lifetime of the development.

Reasons

1. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

2. To comply with Section 91(3) of the Town and Country Planning Act, 1990.

3. In the interests of the character and appearance of the rural landscape and residential amenity of the occupiers of nearby properties in accordance with Policy GDP1 of the Wrexham Unitary Development Plan.

4 To ensure the development delivers net benefit to biodiversity in accordance with paragraph 6.4.5 of Planning Policy Wales 12.