Supporting Statement for planning application concerning use of former bungalow site as part of the Caravan Site (Part Retrospective) at Oakfield Park Llay LL12 0NL

This application is submitted only because the Council has forced its submission, and is without prejudice or acknowledgement that it is actually required.

Background

Oakfield Park is a longstanding caravan site accessed from Gresford Road; a copy of the planning history is attached as Appendix A.

The park has been extended Southwards over time, and has long included a ” bungalow”; Woodville Bungalow. Woodville Bungalow could only be accessed by coming through the park from Gresford Road.

Oakfield Park lies within the defined settlement of the Urban village of Llay, and that makes it a sustainable location for further development; indeed development is taking place on the North Eastern side of Gresford Road opposite the site entrance. That development includes not only housing, but also a relatively new Aldi supermarket. Those are understood to have been green field sites previously.

The Council have issued an Enforcement Warning Notice, although the expediency of that approach has to be doubted given the background.

The origins of Woodville Bungalow are neither wholly clear.

An aerial photo of the site on 1 January 1945 shows the entire site as open agricultural land. Modern planning control was introduced on the Appointed day of 1 July 1948, and given post world war two shortages of construction materials it is unlikely that a bungalow was erected (even as a temporary facility) before the Appointed day.

It is not shown on the plan with 148/61. A copy of that 1961 plan is attached as Appendix B.

However, it is shown on the plan with 861/62. A copy of that 1962 plan is attached as Appendix C. It shows as a temporary bungalow.

It is also clearly present in 1963 because it was the subject of an application with reference WRDC 1390/63, which was granted. A copy of the decision notice for WRDC 1390/63 is attached as Appendix D. It is recognised that this was a temporary permission until 30 April 1964.

Attention is drawn to the comment at the bottom of the decision notice explaining the reason for the temporary permission; “The site is part of the curtilage of a dwelling suitable for permanent use as a caravan site.” The plan that went with that decision has not been provided. That wording may involve consideration of which dwelling was being referred to. The dwelling could have been Woodville Bungalow, but it could alternatively have been the dwellinghouse shown close to Gresford Road on the plan with 148/61 in Appendix B. Both of those were in Oakfield Park.

It is not evident that the bungalow was removed by 30 April 1964.

On the approved plan with RD/5293 which is from early 1970 it shows as temporary bungalow. A copy of that plan is attached as Appendix E

It appears that the Council have taken the view that the Woodville Bungalow is not part of the Caravan Park because they suggest that one of the historic planning permissions did not include the site of the bungalow.

That view emanates from consideration of a plan which was the approved plan for application 14676. A copy of the decision notice granting permission for that is attached as Appendix F, and a copy of the plan is attached as Appendix G. That plan has been reproduced in black and white from microfiche of an original, but has not retained the colours from the key; however, the feint wording of the key and some of the notes are still just legible. A version of that plan has been recreated and a copy is attached as Appendix H.

That permission was for “Extension to existing caravan park, construction of new footpath and diversion of existing footpath.” It is a longstanding convention that the subject matter of a planning application would be within a solid red line boundary, whilst land in the same ownership (but not the subject of the application) would be edged blue.

The plan is considered to show three areas that were the subject of referenced decisions, namely; 148/61, 861/62 and 5293, but it also included the access from Gresford Road, Woodville Bungalow, two shapes (which are understood to be 16 and 17 Bannister Drive) and the construction of the new footpath and the route of the footpath that was already present, but which was being diverted.

Clearly it was not necessary to apply to extend the caravan site on any of the three areas already marked with the existing permission references, so the extension of the site being applied for had to be the part of the site with Woodville Bungalow, 16 and 17 Bannister Drive and the areas at the Southern boundary of the site with the realigned footpath. That is also within a boundary with a solid line.

Hence the three areas annotated with existing permission references would have been edged blue, or were not part of what was applied for whilst the rest of the site would have been edged red as the application site.

This decision therefore did grant permission for Woodville Bungalow to be part of the extended caravan site.

That undermines the Council contention.

The Council has taken no issue with all the caravans being part of the Caravan site. The Council also appears to have taken little notice of the permission with reference WRDC 1390/63, which was granted, nor the several references on several plans to Woodville Bungalow as a temporary feature.

If the above analysis of the plan with 14676 is not correct, then the continuing presence of Woodville Bungalow until at least 30 January 2022 has either been a breach of planning control involving operational development, or a change of use, or a breach of the condition requiring its removal by 30 April 1964. Applying up to date periods of immunity from planning control introduced in 1992 would mean that it was immune by at least 2002.

Alternatively its recent removal may have honoured condition 1 of the 1963 planning permission, but that same condition implied the land and curtilage on which it stood was acceptable as a caravan site.

Woodville Bungalow was a fairly typical bungalow visually, and was not some architectural gem or heritage asset.

Re-using the previously developed land on which Woodville Bungalow stood as an extension of the Caravan park is considered to be common sense. Re-using it to provide further caravans is simply repeating the type of development on the rest of the caravan site.

Indeed, the Council granted planning permission for the demolition of Oakfield Cottage and its replacement with caravans under reference P/2004/0753.

A copy of the Park Rules for the site are attached as Appendix I

Rule 4.1 indicates that the Park is for semi-retired or retired persons over the age of 50. No Occupiers under this age are permitted to occupy the home.

A poor copy of the apparently current Site Licence is attached as Appendix J. This has not yet been transferred or a new Licence issued, but the plan with the licence shows the site includes Woodville Bungalow within it.

The Development Plan

The Development Plan for the area is the Wrexham Unitary Development Plan 1996 – 2011. That plan is clearly dated or out dated, but the relevant policies include the following;

The Broad Location of Development

Policy PS1 New development for housing, employment, and community services will be directed to within defined settlement limits/employment areas.

Comment

The application site lies within a defined settlement boundary

Policy PS2 Development must not materially detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.

Comment

The application site does not materially detrimentally affect any of these.

Policy PS3 Development should use previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of greenfield land, wherever possible, particularly so where greenfield land is of ecological, landscape or amenity value, or comprises agricultural land of grades 1, 2 or 3a quality.

Comment

The application site uses previously developed land that had contained a bungalow for many years, and thus meets the preference of the policy.

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.

Comment

The application site repeats the pattern of development within the caravan site comprising caravans set on pitches in a low rise form of development, thereby maintaining the pattern of this part of the settlement. Those who are near retired or retired will be likely to downsize their vehicle ownership and use.

TRANSPORT

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.

Comment

Service 34 Trevalyn to Wrexham operates along Gresford Road albeit at two hour intervals and only on Wednesdays, Fridays and Saturdays.

BIODIVERSITY

Policy PS11 Encouragement will be given to proposals which improve the biodiversity value of sites and to the establishment of local nature reserves where the nature conservation and landscape interest of the land will be protected and enhanced.

Comment

The size of this site and the already developed nature of its immediate surroundings limit any bio diversity offer that could be made.

Development Objectives

Policy GDP1 All new development should:-

a) Ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.

b) Take account of personal and community safety and security in the design and layout of development and public / private spaces.

c) Make the best use of design techniques, siting and orientation in order to conserve energy and water resources.

d) Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality.

e) Ensure that built development is located where it has convenient access to public transport facilities, and is well related to pedestrian and cycle routes wherever possible.

f) Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying, and associated noise, odour or vibration arising from development.

g) Secure public services (e.g. gas, water, electricity) to development at minimum public cost.

h) Safeguard sites and areas of nature conservation and wildlife interest, and to provide new habitats where there is an unavoidable loss of existing habitats and areas of wildlife interest.

i) Ensure that development does not result in, or is subject to, flooding, soil erosion, landslides or contamination, either on or off the site.

j) Have regard to the need to safeguard those areas that possess a strong Welsh cultural and/or linguistic identity from development that could harm this identity.

k) Secure the development of sustainable communities, through the promotion of the economic, social and environmental well-being of the area.

Comment

a) A caravan is moveable rather than a built development; although there may be a base and underground services. Development here is controlled by the site licence which sets layout requirements, amongst others. One caravan is little different from one another on this site.
b) This site contains caravans which are well suited to the needs of the more elderly for safety. The site has only one access or egress point for vehicles.
c) Caravans are constructed off site which avoids many wasteful construction impacts on site. Caravans tend to have fewer water using devices than ” bricks and mortar” properties, and are less likely to be extended to add further water using devices.
d) This site is level and has pedestrian access to Gresford Road, but also to other facilities such as a Doctors surgery using existing rights of way to the South.
e) The site has access to the bus route 34 as explained above, and has foot or vehicular access to the Aldi’s nearby.
f) This is a caravan site and will have limited adverse or polluting impacts.
g) The site already provides public services of gas, water and electricity to each unit as a requirement of the Site Licence
h) The proposal involves no loss of existing nature conservation habitats or areas of wildlife interest.
i) The development does not result in nor is it subject to flooding, soil erosion, landslides or contamination either on or off site.
j) The development is not considered to harm Welsh cultural or linguistic identity.
k) Caravan sites for near retired or retired individuals tend to create positive communities and thus to promote the economic, social and environmental well- being of the area.

Accordingly, the proposals are considered to comply with this policy.

Capacity of Infrastructure and Community Facilities

Policy GDP2 Where the capacity of infrastructure, including community facilities, is likely to be deficient as a consequence of new development, a planning agreement/obligation will be negotiated whereby the developer provides the

additional capacity either on or off-site, and/or provides funding for the Council to provide the additional capacity itself. Requirements will be fairly and reasonably related in scale and kind to the proposed development.

Comment

It is not considered that the scale of this site generates any infrastructure capacity issue.

Hedgerows, Trees and Woodland

Policy EC4 Development proposals should provide for the conservation and management of hedgerows, trees, orchards, woodland, wildlife and other natural landscape and water features, and include new planting in order to enhance the character of the landscape and townscape. Development which results in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted.

Comment

It is not considered that loss or significant damage to trees, hedges or ancient woodland would be involved here.

Small Scale Neglected Sites

Policy EC15 Action will be taken to protect and enhance general amenity through the reclamation and restoration of derelict sites, and through the improvement of untidy sites, dilapidated buildings, and other eyesores, particularly those in sensitive locations.

Comment

Woodville Bungalow was empty for a while, but it was not allowed to become derelict. However, had it become derelict then this policy would have supported a redevelopment.

Residential Development (of Unannotated Land) within Settlements

Policy H2 Residential development on unannotated land within settlement limits will be permitted subject to compliance with Policy GDP1.

Comment

The application site is unannotated land within a settlement; hence the proposal complies with this policy. Paragraph 6.9 of the Plan indicates; Such development contributes to the economic use of land, avoids pressure on the countryside, and serves to remove the detrimental effect of neglected land in residential area. It also

comments that development should not prejudice either the existing amenity enjoyed by residents (which this proposal does not) or potential opportunities for redevelopment.

The plan contains policies seeking Affordable Housing, so it is worth considering the benefits of caravan sites.

Adding further caravans helps increase local housing supply. It does this by using underused land and uses it for more elderly occupants. It does this by providing housing that is cost effective to construct, install and to operate. In an area of acknowledged challenges by reference to job provision and relative salaries it would make a helpful but small contribution. This description of local circumstances was reflected when the 1996 plan was drafted and in the 2008 Wales Spatial Plan. It is not considered to have been any easier to achieve housing since given what has become recognised as a crisis in the provision of all types of housing in the years since.

The plan is notable in that it appears to recognise a whole variety of houses types, including affordable, elderly persons residential care homes, HMOs, care, extra care and Gypsy and Traveller, but not that provision can be made from caravans, particularly in the form of park homes. Park homes do not attract stamp duty, are generally in a low Council tax band and can receive discounted electricity.

Whilst the absence of recognition is of note it must also mean that proposals for permanent residential caravans must be treated on their merits. It is noted that the plan has now been operational for twenty eight years and came to the end of its life in 2011 some thirteen years ago.

Occupation of caravans on protected sites locally is generally by virtue of the Mobile Homes (Wales) Act 2013. The occupier has to have a Mobile Home Agreement. Those are long term agreements to protect the occupiers, whilst the occupation and the agreement can be transferred to new occupiers, that is an open market arrangement, and not one that can be restricted by a planning agreement, or by the site owner (unless there is a court order.) Accordingly, requirements for planning agreements to secure mobile homes as Affordable housing in perpetuity, and at a permanently lowered price cannot be imposed, but the relatively affordable attraction of this tenure should not go unrecognised.

Parking

Policy T8 Development granted planning permission will be required to provide vehicle parking spaces either on site or nearby, in accordance with the Council's current parking standards. Special regard will be paid to the following factors, as appropriate:-

a) the availability of public transport nearby,

b) proximity to public car parking,

c) proximity to local services and facilities,

d) road safety hazards and amenity considerations arising from on-street parking in the vicinity of the site.

Where implementation difficulties arise in making parking provision on-site or nearby, the Council will require a developer to make financial contributions for measures to assist public transport, or walking and cycling as appropriate.

Comment

The parking requirements on a caravan site are usually set by the Site Licence.

The Wrexham Local Development Plan (2013 – 2028) has reached a stage in 2022 where changes have been made following Examination, but it has not yet been adopted so as to replace the Unitary Development Plan. The site remains in the defined settlement boundary for Llay.

Conclusion

Accordingly, it is not considered that there is any conflict with Development Plan policy, and thus planning permission can be granted. It is not suggested that planning conditions are required because the Caravan Site Licence controls many matters at this site already.