POLICY RESPONSE

GARDEN HOUSE, ERBISTOCK

1.0 INTRODUCTION

1.1 This response statement has been prepared by Cassidy + Ashton and is submitted in response to the Policy Officer comments within the planning application, reference no. **P/2024/1661**.

1.2 The response is submitted on behalf of Mr N LLoyd regarding the application at The Garden House, Erbistock, LL13 0DL.

1.3 The application is for the following:

> ***Erection of 1 no. dwelling (use class C3), with associated access and parking (demolition of existing buildings).***

POLICY RESPONSE

1.4 The comments from the Policy Officer note that the principle of development in this location is not supported and in the absence of sufficient reasoned justification, [the proposal] does not comply with local or national policy.

1.5 ***Cassidy + Ashton have provided a response submitting additional supporting information to provide reasoned justification for development in this location on behalf of the applicant. All other matters have been accepted, and the application has no recorded objections by other statutory consultees.***

2.0 LOCAL POLICY – WREXHAM LOCAL DEVELOPMENT PLAN 2013-2028

2.1 The Policy Officer has noted that the site is outside of a recognised settlement limit where the principle of development is generally considered unacceptable under policy SP2 of the Wrexham Local Development Plan which directs development to defined settlement limits and employment areas.

2.2 The supporting text for **Policy SP2 (Paragraph 3.29)** references that "*land outside of any defined settlement limit or employment area as shown on the Proposals Map is classed as open countryside where, in line with paragraph 3.60 of Planning Policy Wales (edition 11, February 2011), development will be strictly controlled*".

The Wrexham Local Development Plan (LDP) is to be read as a combined document, including the written statement and Proposals Map. The Proposals Map is intrinsically linked to the Council's Spatial Strategy, concentrating development in sustainable locations, which are identified on the Proposals Map. Growth is principally accounted for by allocations, as shown on the Proposals Map, however, settlement limits are also shown in which windfall development can be accommodated.

Erbistock is identified on the Proposals Map (Inset Map 17) however it appears to be the only settlement without an identified settlement limit. Clearly, Erbistock was considered of an appropriate scale to be included within the Proposals Map, illustrating it as part of the Council's Spatial Strategy and as such, considered a sustainable location.

Additionally, within Policy (SP2), there are a number of identified Tier 5 Settlements (Hamlets) directly comparable to Erbistock, in scale and availability of services, which are identified as suitable for "small scale windfall

opportunities", on account of them having an identified settlement limit. Such as examples include Tregeiriog, Halton, Horsemans Green and New Brighton.

Applying the principles of the LDP's Spatial Strategy, Erbistock should be considered as a sustainable location capable of accommodating small-scale windfall development.

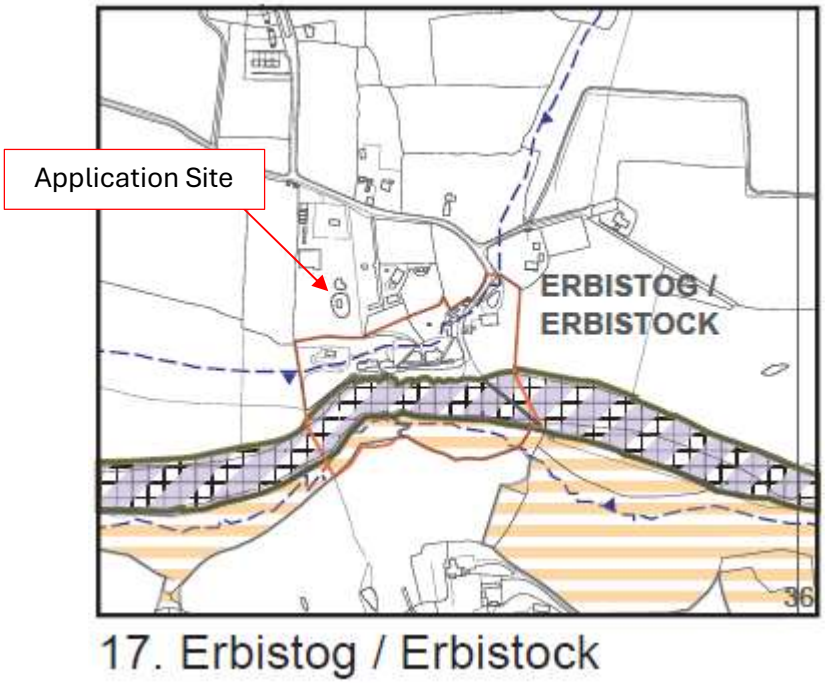


Figure 1 - LDP Inset Map 17

2.3 **Policy H7**: Housing in the Countryside, outlines the exceptions where proposals for housing development outside defined settlement limits will be permitted.

Whilst the site does not meet the criteria within policy H7, the supporting text (Paragraph 4.33) determines that residential development in the open countryside is strictly controlled through National Planning Policy and Guidance (specifically Planning Policy Wales Chapter 3 3.60 and TAN 6), and proposals for

new dwellings will be assessed against the national policy framework. Consequently, significant weight should be given to National Policy in this instance. Further detail is provided in section 4 of this response statement.

3.0 LOCAL POLICY – WREXHAM UNITARY DEVELOPMENT PLAN 1996-2011

3.1 The Policy Officer comments include reference to the Wrexham Unitary Development Plan (UDP) and as such, we have reviewed the UDP to identify relevant policies for the proposed development.

3.2 **Policy SP3** indicates that "*development should use previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of greenfield land wherever possible*".

The proposal is located on a previously developed land site, mitigating against the need for a similar development on a greenfield site. The site has former use as a garden centre and contains greenhouses and outbuildings which will remain vacant and become derelict if not developed. Consequently, the proposal will enable better use of the land and improvement of its visual appearance in the setting of the open countryside.

3.3 **Policy H5** indicates that outside defined settlement limits new dwellings will only be permitted where:

a. Proposals accord with Policies H3, H4 and H8; or
b. Proposals comprised infilling subject to policy GDP1

The proposed development complies with Policy H5 constituting as infill development within the built-up area of Erbistock. The built-up area extends to the site boundary of the proposal, as noted by its previous use as a Garden Centre which would have been at the extent of the village. The proposal would provide an opportunity to develop 1 no. dwelling, which would not extend beyond the extent of the existing built-up area.

The hedge line to the west of the site provides a clear boundary to the village, which can be seen clearly on aerial imagery:



Figure 2 – Aerial imagery of Erbistock (source: Google Maps)

4.0 NATIONAL POLICY – PLANNING POLICY WALES

4.1 The Policy Officer indicates that the proposal constitutes previously developed land as defined within Planning Policy Wales (Ed. 12). Within **paragraph 3.55 of PPW**, previously developed land should, wherever possible, be used in preference to greenfield sites where it is suitable for development.

The proposed site indicates a clear example of suitable land for development which has been previously developed. The site is considered suitable as there are no other material considerations that preclude it from development. All additional matters including ecology, highways, drainage and flood risk have been agreed and no objections against the suitability of the site have been recorded.

4.2 **Paragraph 3.55** does note that not all previously developed land is suitable for development, which may be because of its unsustainable location.

The proposed site is located within Erbistock which is located approximately 1.8km from the nearest facilities including a shop, GP surgery, café, library, school, pharmacy and church. These facilities are located in Overton, which is accessible sustainably by bike, a journey which would take approximately 15 minutes. It is acknowledged that public transport services to Overton are not regular however, due to the rural nature of the village, there is an expectation that car usage will be required. However, this does not determine that the site is in an unsustainable location due to the variety and scale of facilities available within a short distance.

Additionally, the proposal will aim to support the economic vitality of Overton which is a Tier 3 settlement (Local Service Centre) under the Local Plan. Overton has seen a decline in services including the loss of the only pub within the village

due to a lack of investment within the village centre. Subsequently, the addition of housing within an accessible distance to Overton will aim to support the economic vitality of the area and make use of a previously developed site which will continue to fall into disrepair if not developed.

4.3 The Policy Officer states that Erbistock falls well outside of the settlement hierarchy within the LPD.

Erbistock is a comparably sustainable location when reviewed against listed Tier 5 settlements within the Wrexham LDP Settlement Hierarchy and as such does not fall well outside of the settlement hierarchy. Comparable settlements with a settlement boundary include New Brighton, Tregeiriog and Horsemans Green. These hamlets are named as Tier 5 settlements where small scale windfall opportunities within settlement limits will be supported.

Whilst it is noted that Erbistock does not have a settlement boundary, it is considered a similarly sustainable location to such settlements as New Brighton, Tregeiriog and Horsemans Green based on the accessibility of facilities and services. The closest facilities to Tregieiriog are located approximately 4km away in Glyn Ceiroig. Whilst the facilities are accessible by bus, the services are infrequent, limited to four times a day and consequently it is expected a car will be required for convenient access to facilities. Horsemans Green is located approximately 3km from the nearest facilities in Penley which is not accessible by public transport from the village. Similarly, New Brighton is not accessible by public transport with the nearest services approximately 1km away. Subsequently, a car will be required to access facilities and services from any residential development within the above named hamlets.

Therefore, whilst Erbistock does not have a settlement boundary, it should be considered as a similar settlement to New Brighton, Tregieriog and Horsemans

Green with regards to a sustainable location. These settlements are listed as Tier 5 settlements and subsequently, small scale windfall development would be considered. Therefore, whilst it is acknowledged that Erbistock does not have a settlement limit, it is not considered to fall well outside of the settlement hierarchy and is a sustainable location due to its similarity to listed settlements within the Local Plan.

4.4 **Paragraph 3.60 of PPW** states that development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access, habitat and landscape conservation. New building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled.

Whilst it is noted that Erbistock does not have a settlement boundary, the proposal presents a site which can accommodate the development of a dwelling in a sustainable way with appropriate infrastructure, access, habitat and landscape conservation. The proposed development will ensure the development of a previously developed site which would otherwise fall into disrepair and result in harm to the open countryside. The proposal has been accepted from an ecological perspective and will ensure the improvement and maintenance of habitats and landscape, ensuring there is a betterment to the open countryside. Whilst new building in open countryside is controlled under National Policy, the proposed development represents an opportunity for the construction of an individual dwelling on previously developed land in a sustainable location which will not encroach on the open countryside.

5.0 TAN 6: SUSTAINABLE RURAL COMMUNITIES

5.1 Technical advice notes (TANs) provide detailed planning advice. TAN 6 is to be read in conjunction with Planning Policy Wales and may be material to decisions on planning applications. TAN 6 outlines the role of the planning system in supporting the delivery of sustainable rural communities.

5.2 **Paragraph 2.2.1** outlines that development plans should set out the spatial vision for rural communities. This should be based on a sound understanding of the functional linkages within the area and the potential for improving the sustainability of the existing settlement pattern. Many rural communities can accommodate development, particularly to meet local needs.

5.3 **Paragraph 2.2.1** continues to state that a key question for the planning authority, when identifying sites in the development plan or determining planning applications, is whether the proposed development enhances or decreases the sustainability of the community.

5.4 Where development proposals are intended to meet local needs, planning authorities should recognise that a site may be acceptable even though it may not be accessible other than by private car.

The proposed development site contributes to enhancing the sustainability of the community both in Erbistock and the surrounding rural community of Overton. As Erbistock is in close proximity to Overton, the proposal will further the economic vitality of the rural community resulting in investment to local businesses and facilities.

6.0 PRECEDENT PERMISSIONS

6.1 The approval of the Cefn-y-Bedd Garden Centre residential development provides precedent of development outside of a settlement boundary on previously developed land.

6.2 The site was acknowledged to fall outside of settlement boundary however, it was considered that the site falls within the definition of Previously Developed Land and is located in a sustainable location.

6.3 The site operated as a garden centre however, following its closure remained vacant and, in a poor, almost derelict condition. Consequently, the view to the site was unsightly and the officer concluded that the development would improve the visual appearance of this derelict former commercial site that has remained vacant for a number of years.

6.4 Consequently, the principle of development was accepted.

It is considered that the proposed development provides a similar example of a site which is vacant and in disrepair resulting in an unsightly view within the open countryside. The proposal site is acknowledged by the Policy Officer to constitute previously developed land and is considered to be a sustainable location and subsequently, the principle of development should be accepted in this case.

7.0 HOUSING LAND SUPPLY

7.1 Wrexham County Borough Council produced a Housing Monitoring Report covering the period of 1st April 2023 – 31st March 2024 which summarised the latest housing completions data and provided information on the supply as of 1st April 2024.

7.2 The report indicates that based on the existing land supply, Wrexham have an under-provision of 2319 dwellings which equates to approximately 29.92% over the plan period.

The proposed development presents an opportunity to contribute to the housing supply within Wrexham County. As the site is previously developed land, suitable for development, in a sustainable location, the proposal should be supported to contribute to housing delivery for the council.

8.0 CONCLUSION

8.1 As outlined within this policy response, it is considered that the proposed site represents a sustainable location for the development of 1 no. dwelling.

8.2 Erbistock is identified on the Proposals Map which outlines sustainable locations for development under Wrexham Council's LDP. Whilst it is acknowledged that there is no settlement boundary for Erbistock, it was considered an appropriate scale to be included within the Proposals Map, illustrating it as part of the Council's Spatial Strategy.

8.3 Erbistock is comparable in scale and availability of services to Tier 5 Hamlets including New Brighton, Tregeiriog, Halton and Horsemans Green named within the Settlement Hierarchy under Policy SP2, which are identified within the Local Plan as suitable for small scale windfall development.

8.4 Subsequently, Erbistock should be considered as an appropriate sustainable location for small scale windfall development when applying the principles of the LDP's Spatial Strategy.

8.5 Notwithstanding the above, the site is previously developed land suitable for development. The development of previously developed land is preferred under National Policy when in a sustainable location.

8.6 The proposed development site is considered to be in a sustainable location with access to a range of facilities and services within a short distance. Additionally, all other matters including ecology, highways, drainage and flood risk have been agreed with no objections against the suitability of the site.

8.7 The proposal will also see a betterment of the visual aspect of the site, improving its appearance and mitigating against harm to the open countryside as a result of its state of disrepair.

8.8 In conclusion, the proposed development within Erbistock is considered to be supported under local and national policy. It is considered that this response provides reasonable justification that the proposed site represents a sustainable location for the development of 1 no. dwelling.