**Philip Moren** BA(Hons) MRTPI
Planning Consultant &
Technical Author
11 Bishop's Walk
Llangollen
LL20 8RZ

[redacted]

Planning Service
Wrexham County Borough Council
16 Lord Street,
Wrexham,
LL11 1LG

Your Ref: PP-13798436

My Ref:

27 February 2025

By email only:
planningapplications@wrexham.gov.uk

Dear Sir or Madam

**LAND SOUTH OF TOP FARM, ERBISTOCK, WREXHAM, LL13 0DG**
**APPLICATION BY HARMIN AGRICULTURE LTD FOR FULL PLANNING PERMISSION TO RETAIN AND COMPLETE A FARM TRACK TO SERVE THE NEW HOLDING**

I have been instructed to submit this explanatory letter (incorporating a green infrastructure statement) in support of the above application, which follows recent discussions by email with the Council's planning enforcement officer, Ms Steph Nolf (under reference ENF/2024/0499).

**Application proposal**
Planning permission for the construction of a new agricultural storage building with an access from Nant Errol was granted by the Council on 5 August 2024 under reference P/2024/0323, with all pre-commencement conditions subsequently being discharged. The approved development is under construction and has not yet been brought into use.

Following the permission, in autumn 2024 work started on upgrading a previously unmade, rutted grassy field track that ran along the farm holding's southwestern boundary, next to some 8ha of woodland that had been recently acquired by the applicant, without realising that this involved works that needed the Council's approval (see photo 1 on the attached sheet for an image of part of the previous track). The current application thus seeks permission to regularise this inadvertent breach of planning control and to complete the farm track.

The upgraded farm track (as existing) bisects the enlarged holding, which measures around 18ha. It extends from alongside the recently approved agricultural storage building to run for most of its winding length next to the woodland, stopping around 20m short of an existing gate into the wooded area, some 600m to the west generally of Nant Errol, and around 100m southwest of Plas Goulbourne Lane (see photos 7 and 8). It is proposed to complete this last section of the farm track so that it is connected to the gate.

The track is thus required to provide access into the woodland, to allow for its proper maintenance in accordance with relevant licences, as well as facilitating farming operations on the field to the north-east of the track, which will be mainly used for the growing of ancient grains. In so doing, it would avoid unnecessary traffic movements beyond the holding on Nant Errol and Plas Goulbourne Lane between the woodland, the field and the storage building.

The track is formed of crushed stone and, except for a passing place, is generally 3m - 4m wide. When completed, it would be around 1,400m long.

**Relevant planning policy and the proposal's impacts**

Among other things, Planning Policy Wales (PPW, Edition 12, February 2024) explains at paragraph 5.6.8 that *"Planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices…"*

It is acknowledged that the farm holding lies within a Special Landscape Area (SLA), as previously designated in the Wrexham Unitary Development Plan (UDP) 1996 – 2011 and in the Wrexham Local Development Plan (LDP) 2013 to 2028, notwithstanding ongoing legal action over the latter document's adoption.

Be that as it may, LDP Strategic Policy SP14 does not rule out development in SLAs, while LDP Policy NE5 seeks to ensure that those features of the landscape that contribute to its character, value, distinctiveness, sense of place, and quality, are protected from inappropriate development.

As can be seen from the photographs attached to this letter, the farm track has a negligible impact on the special qualities of the SLA. It is not a conspicuous feature and, because of its recessive siting alongside existing woodland it is generally screened from public views by higher intervening ground, including in views from Nant Errol and Plas Goulbourne Lane. It would not be inappropriate development that would conflict with the aims of LDP Policy NE5.

Should the Council have concerns over the track's impacts on the wider landscape it would be possible to impose a positive condition requiring the submission and

approval of a landscaping/planting scheme either in respect of land within the application site (as edged in red) or on adjoining land edged in blue on the location plan, which is under the applicant's control, or indeed in respect of both. Such a scheme could also address any conflict with that already approved in relation to the agricultural storage building.

**Green infrastructure statement**

Chapter 6 of Planning Policy Wales (PPW) explains that: *"A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal".*

The baseline green infrastructure is that the track forms part of a grassed field that has for many years been actively farmed, including for both the growing of crops and the keeping of sheep. The preliminary ecological appraisal prepared by Greenscape that accompanied the previous application, which was prepared in June 2023, stated: *"The site comprises an area of mown grassland of no ecological value".* Surrounding woodland, however, is of much higher value.

Figure 12 of PPW summarises the 'step-wise approach' that should be followed to maintain and enhance biodiversity, as set out in paragraphs 6.4.11 and 6.4.12 of the policy note, with the aim being that *"Enhancement must be secured by delivering a biodiversity benefit primarily on site or immediately adjacent to the site, over and above that required to mitigate or compensate for any negative impact".*

Step 1 is to avoid the impacts entirely. Step 2 is then to minimise impacts. Step 3 aims to mitigate and restore any habitats that are to be unavoidably lost. There appears to be some overlap here with the measures proposed in response to Step 2. Step 4 requires compensation on site. Step 5 requires compensation off-site, while Step 6 requires permission to be refused.

The new track follows the route of a previously unmade grassy track within the field, permeable crushed stone being laid to provide a more durable surface that would perform better in adverse weather conditions, which are being more common due to climate change. It has not resulted in the loss of any trees or important natural habitat. As well as facilitating farming operations, the track provides an improved access to the recently acquired woodland to allow its proper management. A previous owner had felled many of the trees. The applicant is proposing a replanting programme that will deliver significant ecological enhancements and mitigate any perceived harmful impacts of the track on local biodiversity. Drainage will also be repaired.

It is clear therefore that a step-wise approach has been followed. The impact of the development would be satisfactorily mitigated and biodiversity enhancement would

be achieved on adjoining land. Other mitigation and enhancement within the field itself could be achieved through additional planting/landscaping measures, which may be secured by planning condition, should those measures be considered reasonable and necessary.

**Concluding remarks**

To sum up, national planning policy explains that planning authorities should adopt a constructive approach towards agricultural development proposals. The new track is needed to facilitate farming operations and to provide improved access to the recently acquired woodland, to allow for its proper management.

The track has a negligible impact on the special qualities of the SLA and would not be inappropriate development that would conflict with the aims of LDP Policy NE5.

The track has/would not result in the loss of any land of ecological value. It would, however, facilitate the delivery of ecological enhancements within the adjoining woodland.

It would be open to the Council to impose a positive condition in respect of both the application site and adjoining land under the applicant's control to require the submission and approval of a landscaping/planting scheme, should this be considered reasonable and necessary.

There are no compelling reasons why permission should be refused for the upgraded farm track.

Yours faithfully

[redacted]

**Chartered Town Planner**

**Enc** Photographs showing sections of previous and existing track

**PHOTO 1: Part of a previous track near the field's southern boundary**



**PHOTO 2: Looking north next to Nant Errol**



**PHOTO 3: Looking generally east back towards new storage building**

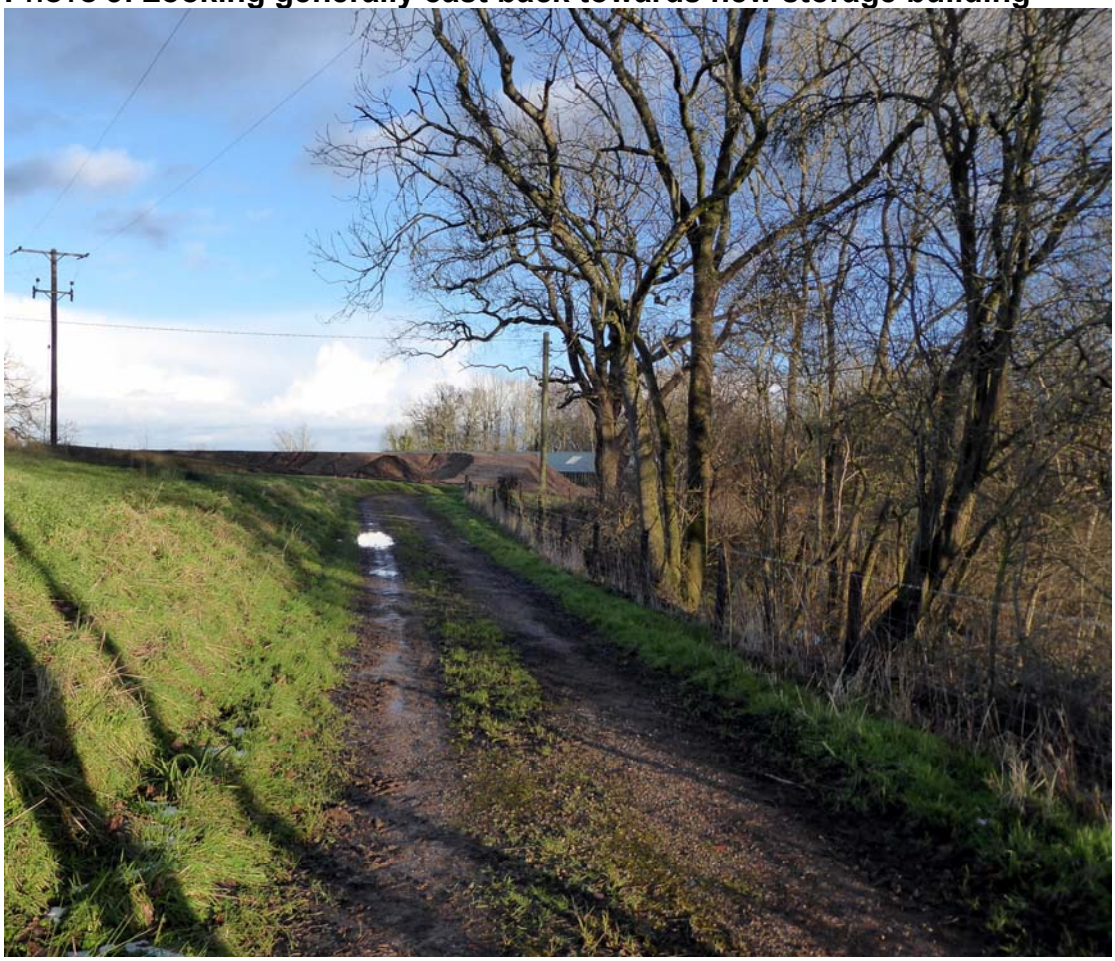


**PHOTO 4: Looking generally west**



**PHOTO 5: Looking generally west**

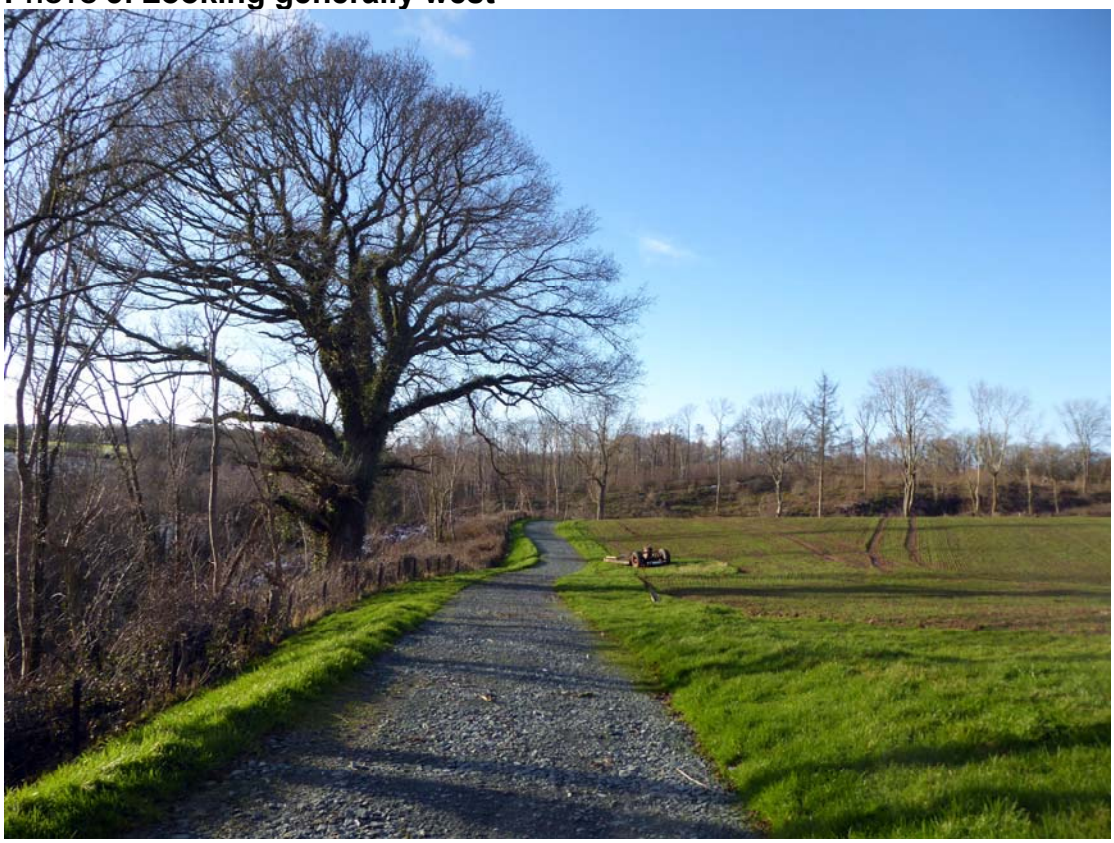


**PHOTO 6: Looking east. Note height of ground in the left of the picture**



**PHOTO 7: Looking generally southeast where existing track terminates**



**PHOTO 8: Gate into adjoining woodland where extended track would terminate. Note rutted condition of existing grassy track and higher ground towards Plas Goulbourne Lane**

