GOODWIN
PLANNING SERVICES
CHARTERED TOWN PLANNERS
& DEVELOPMENT CONSULTANTS

PROPOSED USE OF LAND AS CHRISTMAS TREE FARM AND OUTDOOR RECREATION CENTRE TO INCLUDE REINDEER CENTRE, PADDLE BOARDING, WATER RELATED ACTIVITIES, ENGINEERING OPERATIONS TO EXTEND THE EXISTING LAKE, CREATION OF BARK FOOTPATH, ERECTION OF CEDAR CLAD AGRICULTURAL BUILDING TO PROVIDE OFFICE, MACHINE AND EQUIPMENT STORE, HAY/STRAW STORAGE, SICK BAY/MATERNITY BAY SPACE FOR REINDEER, CREATION OF CAR PARK, CREATION OF ACCESS AND LANDSCAPING

ON LAND TO THE SOUTH OF LLAY ROAD, CEFN-Y-BEDD, WREXHAM

SUPPORTING PLANNING, DESIGN AND ACCESS STATEMENT

BY

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OUR REF: SG-1560-ST4

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1. INTRODUCTION

1.1 Goodwin Planning Services have been instructed to submit an application for the use of land to the south of Llay Road, Cefn-y-Bedd as a mixed use for agricultural (Christmas Tree Farm) and outdoor recreation to include a reindeer centre, paddle boarding, water related activities, engineering operations to extend the existing lake, creation of bark footpath, erection of cedar clad agricultural building to provide office, machine and equipment store, hay/straw storage, sick bay and maternity bay space for reindeer, creation of a car park, creation of a new access onto Llay Road and landscaping.

1.2 This Statement assesses the proposals against relevant planning policy and sets out the design and access details of the proposal. It is in 5 sections as follows:

1. Introduction
2. Context
3. Design and Access
4. Assessment Against Planning Policy
5. Conclusions.

1.3 This Statement is based on the following submitted plans:

- Site Location Plan (3034-01-001).
- Proposed Site Layout (3034-01-002D).
- Typical Toilet Details(3034-01-D01A).
- Floor Plans and Elevations (3034-01-003C).
- Sewage Treatment Plan (3034-01-D03C).

1.4 The application is also accompanied by the following Reports:

- Highway Technical Note 02 prepared by Axis.
- Ecological Appraisal V3 and Ecological Update Report prepared by Leigh Ecology Ltd.
- Flood Consequences Assessment, Drainage Management Strategy and Foul Water Drainage Technical Note Addendum prepared by Betts Hydro.

2. CONTEXT

2.1 The site is located to the south of Llay Road in Cefn-y-Bedd and currently comprises predominantly grazing land with a number of lakes as shown on the application plans. It forms a roughly triangular piece of land with Llay Road to the north, Park Road to the southwest and a public footpath running along the eastern boundary.

2.2 The land is currently used for grazing purposes and therefore comprises agricultural land.

2.3 The site comprises 16.6ha of land. Details of the proposals are set out in Section 3 below.

2.4 The application is a resubmission following the refusal of application LLA P/2022/0681 in November 2022 and subsequently dismissed on appeal (ref CAS-03241-H5R0V7). Whilst the appeal was dismissed, this was on two very narrow issues, both of which this application seeks to address.

2.5 The first issue raised by the Inspector was that, taking a precautionary approach, it had not been demonstrated that the scheme would not harm the River Dee SAC due to potential phosphorous loading. The applicant's response to this is set out in the Drainage Technical Note and Management Strategy. It essentially replaces the previously proposed portaloos that were to cater for visitors to the site with permanent toilets within the building (a solution specifically suggested by the Inspector in paragraph 10 of her decision and raised by the Inspector at the Hearing into the appeal). The toilets will be drained into a treatment plant and into a drainage field as suggested by the Inspector. Full details of the drainage solution are set out in the Betts Hydro Reports and are not therefore described further here. However, the documents demonstrate that there will be no increase in

phosphorus (indeed, there will be a reduction) and that the scheme is therefore an opportunity to improve water quality.

2.6 The second reason given by the Inspector related to pedestrian safety due to her perceived view that 'pedestrians would be out of the close eyeline of motorists approaching from the west until moments before reaching the crossing point' As set out in the Highways Technical Note, this conclusion is demonstrably incorrect and the only apparent explanation is that the Inspector stood in the wrong place when assessing the crossing at her unaccompanied site visit. The Axis Highways Technical Note goes to considerable lengths in terms of the various evidence sources (including plans, photographs and long section drawings) used to show that oncoming cars would be visible and any pedestrians would be visible at the crossing point around the entire alignment of the road.

2.7 The revised proposals therefore fully address the only two concerns raised by the Inspector in dismissing the previous appeal. There have been no material changes in circumstances since that appeal which would suggest the revised application should be refused on other grounds. Indeed the Inspector set out in terms that the proposal was acceptable other than for these two points. In particular we would refer to her comments in paragraph 8 that she concurred with the Council that:

*'**The proposal would therefore in principle meet the criteria to secure compliance with LDP Policies SP2 and EM4 which support new development required in connection with a rural enterprise**.'*

2.8 The Inspector raised no issue with the design of the building, the need for the building, the vehicular access arrangements, the car parking layout, the use of the lake (indeed she commented that the location of the recreational activities were dictated by the existing lake, a resource not available

elsewhere locally) nor the bark pathways proposed. It is of note that the Council also raised no objection on any of these matters. As the only two issues raised by the Inspector in the previous appeal have been fully addressed the application should now be approved.

3. DESIGN AND ACCESS

3.1 As set out in the description of development, the proposal amounts to a change of use of land to a mixed use including a Christmas tree farm and outdoor recreation including the provision of a reindeer centre, paddle boarding, water related activities, engineering operations to extend the existing lake, creation of bark footpath, erection of a cedar clad agricultural building to provide office, machinery and equipment store, hay/straw storage, a sick bay and maternity bay for reindeer, the creation of a car park, the creation of a new access onto Llay Road and landscaping.

3.2 The brief for the development was to utilise the existing underused land for uses which would provide a long-term viable future for the site and provide additional access to the open countryside to the local population including providing access to additional outdoor recreation uses.

3.3 The site and context have been analysed in Section 2 above and in the additional Reports detailing constraints on the site including the Highways Technical Note, Flood Risk Assessment and Ecological Assessment.

3.4 The design of the development has evolved to make an efficient use of the site whilst ensuring that the scheme blends in with the surrounding open countryside. Individual elements of the scheme include the following:

- An extension of the existing lake to the extent of the natural flood plain by the excavation of approximately 500mm of material. The excavated material will be used to create small islands for wildlife with the existing single island in the current lake being retained.

- Internally reindeer stock fencing to a height of 1.8m high is proposed.

- A new access is proposed to Llay Road which will be a two-way vehicular entrance with a 15m pull off before a stock proof entrance barrier. Car parking will be provided for 100 vehicles with 10% for disabled driver vehicles. The car park will be a gravel surface with timber post marking car parking bays. The entrance itself will be in tarmac and will be two way.

- At the western end of the car park the proposal is to erect a cedar clad twin pitched agricultural building measuring 30m x 60m to provide an office, machine and equipment store, maintenance facility together with hay/straw storage and a sick bay and maternity bay for reindeer. A gravelled access will be provided on 3 sides. The height of the building is 4m to the eaves and 6m to the ridge. Additional tree planting is proposed to the east and west to further assist with screening and to break up the outline of the building. The use of cedar cladding in the form of a traditional agricultural building is also intended to assist in assimilating the new built form on the site into the existing rural landscape. The roof is proposed to be comprised of fibre cement roof sheets with sky lights (a total of 10). Doors in the eastern and western elevations will be double leaf machine doors to match the proposed cladding.

- In terms of access and movement full details are set out in the Highways Technical Note. Essentially access to the site would be provided via a new site access junction off Llay Road in approximately the same location as an existing site access which is located in the northeastern corner of the site. Visibility splays achieved are 2.4 x 147m to the east measured to the nearside channel line and 2.4 x 158m to the west measured to the nearside channel line. In order to achieve the visibility splays a short section of hedgerow which is located to the west of the site will be removed and replanted

behind the visibility splay. Internally, movement from the car parking area to the lakes will be achieved utilising a new 2m wide bark footpath with no edgings. The footpath will have a gradient slacker than 1:20 to the lake. An existing public right of way runs along the eastern boundary of the site. This will be retained along its current route.

- In terms of environmental sustainability, the proposal has appropriately assessed flood risk and provides a Drainage Management Strategy which incorporates sustainable drainage systems. The Initial Ecological Assessment recommends ecological enhancements including a Management Plan to assist in enhancing the adjoining Site of Special Scientific Interest. The Addendum Report indicates that since the initial survey the applicant has already carried out many improvements with the overall water volume and quality improved, the diversity of habitats improved and the condition of the adjacent SSSI has improved. Opportunities have also been taken to improve existing landscaping including reinforcing existing gappy hedges and providing additional tree planting within the site. Overall, the scheme will lead to an enhancement of the biodiversity value of the site.

4. ASSESSMENT AGAINST PLANNING POLICY

4.1 The site lies within the open countryside as defined in the Wrexham Local Development Plan, 2023 (LDP). The proposal comprises a mix of agricultural use and outdoor recreation of an existing lake. It therefore needs to take place on agricultural land and land which includes an existing lake. It is not a use which could be located within an urban area.

4.2 The Council acknowledged as part of the previous appeal, and the Inspector agreed (paragraph 8), that there is no specific LDP policy governing the principle of the development. However, she found that the proposals were compliant with policies SP2 (Location of Development) and EM4 (Employment Developments Outside Settlement Limits). As the proposed development remains the same (other than the drainage solution which is dealt with below), there is no legitimate reason for taking a different view in relation to the current proposal as it is the same scheme being assessed against the same policies.

4.3 In terms of drainage the Inspector raised LDP policy NE6 (Waste Water Treatment and River Water Quality) in support of her concerns and also referred to PPW and Circular 008/2018. Compliance with these is addressed in the Betts Hydro documents (Drainage Management Strategy, Flood Consequences Assessment and Foul Water Technical Note). These demonstrate that the revised proposals comply with the relevant local and national policies and fully address the Inspector's concerns with the previous application.

4.4 In terms of pedestrian visibility, the Inspector raised policy T1 (Managing Transport Impacts) of the LDP in support of her dismissal of the appeal. The Technical Note prepared by Axis demonstrated that the Inspector erred in her conclusion on pedestrian visibility most likely as she was

stood in the wrong location when making her assessment on her unaccompanied site visit. Considerable evidence has been produced by Axis to show that at the crossing point adequate pedestrian and vehicular intervisibility exists. If the Council have any concerns in this regard or if they dispute the evidence submitted by Axis then we strongly urge the Council to attend a site meeting with the applicants prior to determining the application to avoid the same error being made again which would inevitably lead to a further appeal.

4.5 As set out by the Council in their appeal documents and as agreed by the Inspector, there are no other LDP policies relevant to the determination of the application. The proposals are in compliance with all relevant LDP policies (SP2, EM4, NE6 and T1) and should therefore be approved.

4.6 National Planning Policy is set out in Planning Policy Wales Edition 12 (February 2024). It acknowledges the benefits of the countryside for social and recreational purposes for both local communities and visitors (paragraph 3.38). It also acknowledges that recreation is vital to the health, wellbeing and amenity of an area including encouraging healthy physical activity and emphasises the benefits of providing enjoyable opportunities for residents and visitors to participate in a wide range of physical activities including for both children and adults (paragraph 4.5.1). The application proposals achieve precisely this and will provide an outdoor recreation facility for local communities and visitors and will attract varying age groups including children and adults.

4.13 The proposal is therefore not only consistent with the relevant policies of the Development Plan but also relevant policies at National level.

5. CONCLUSIONS

5.1 The application proposals involve the use of land as a Christmas tree farm and outdoor recreation centre to include a reindeer centre, paddle boarding, water related activities, extension of the existing lake, creation of a bark footpath, erection of a cedar clad agricultural building to provide office, storage for equipment, hay and straw and a sick bay/maternity bay for reindeer, the creation of a car park, the creation of a new access and landscaping.

5.2 The proposal has been designed to make an efficient use of the land for the benefit of the local community and visitors providing outdoor recreation and access to the open countryside close to existing residential areas (although not immediately adjoining them where adverse impact could be created).

5.3 The proposal fully addresses the only two concerns raised by the previous Inspector (phosphates and pedestrian visibility). No other concerns were raised by the Inspector who found the principle of the use to be policy compliant other than these two points.

5.4 The proposal is consistent with the relevant policies of the Development Plan and encouraged by those policies which seek to promote outdoor recreation uses and access to the open countryside. It is also consistent with the relevant National Planning Policy.

5.5 The proposals are accompanied by appropriate supporting Reports including a Highways Technical Note, Flood Consequences Assessment, Drainage Management Strategy, Foul Drainage Technical Note and Ecological Assessment.

5.6 There is no planning reason why planning permission should not be granted for the proposed development.