



Matthew Phillips
Wrexham County Borough Council
Guildhall,
Wrexham.
LL11 1AY

By Email: matthew.phillips@wrexham.gov.uk

5th October 2023.

Dear Matthew Phillips,

Re: Planning Application Consultation Response - P/2023/0593 - Proposed development, land at Lower Berse Farm, Wrexham.

I refer to your e-mail on the 21st of September 2023 consulting the Department on the above application. This response is made in accordance with:

- Schedule 4, paragraph (s) of the Town and Country Planning (Development Management Procedure)(Wales) Order 2012
- Annex B2 and B6 of Technical Advice Note (TAN) 6 – 2010¹.
- Planning Policy Wales (PPW), Edition 11 – 2021².
- National Development Framework (NDF) Future Wales: The National Plan 2040³

This response will first set out our consideration of the agricultural land classification survey undertaken for the site, followed by our view on the proposed application.

1. Agricultural Land Classification (ALC) survey - Technical Review:

An Agricultural Land Classification report has been prepared by ADAS (*Ref: 1010760 Ruthin Road, Wrexham – Agricultural Land Classification, dated 7th September 2021*) and is included with the application documents⁴.

¹ <https://www.gov.wales/technical-advice-note-tan-6-planning-sustainable-rural-communities>

² https://www.gov.wales/sites/default/files/publications/2021-02/planning-policy-wales-edition-11_0.pdf

³ <https://www.gov.wales/sites/default/files/publications/2021-02/future-wales-the-national-plan-2040.pdf>

⁴ [Environmental Statement – Appendix 10.3](#)

The Department has previously undertaken a validation of the ALC survey report and can confirm it has been undertaken in accordance with the 'Revised Guidelines and Criteria for Grading the Quality of Agricultural Land' (MAFF 1988)⁵.

The ALC report confirms the application area agricultural land quality to be:

Grade	Area (ha)	Area %
Grade 1	3.4	4
Grade 2	21.9	29
Subgrade 3a	36.3	48
Subgrade 3b	6.1	8
Grade 4	1.6	2
Grade 5	-	0
Urban	-	0
'non-agricultural'	6.8	9
TOTAL	76.1ha	100

2. Agricultural Land Classification (ALC) – Advice:

The ALC survey report by ADAS (Ref: 1010760 Ruthin Road, Wrexham – Agricultural Land Classification, dated 7th September 2021) can be accepted by your Authority as an accurate reflection of the land quality on site. **This confirms the presence of 61.6ha (81% of site) of Best and Most Versatile (BMV) agricultural land** as defined in Planning Policy Wales (PPW) 11, paragraph 3.58.

3. Expression of view:

Having considered this proposal in light of the Welsh Government's Planning Policy Wales provision for the protection of BMV agricultural land (paragraphs 3.58 & 3.59); TAN 6 (Annex B2) and Future Wales (Policy 9), the Department offers a **conditional objection** to the application. This is in the long term national agricultural interest for the following reasons:

The Department considers that the potential loss of BMV agricultural land is unjustified for the following reasons: -

- The proposed development would involve the permanent loss of **61.6ha of BMV agricultural land**.
- The proposed site is not allocated for development under the adopted Wrexham UDP. Therefore, the submitted proposal must be assessed on its merits alone as a Departure case.
- As a Departure case, the submitted proposal has failed to justify the loss of 61.6ha of BMV agricultural land (as is required by PPW paragraph 3.58 and 3.59) in demonstrating considerable weight given, justification of overriding need and

⁵<https://publications.naturalengland.org.uk/publication/6257050620264448?category=5954148537204736>

application of the sequential test. The applicant's justification is based on the proposed LDP allocation which is unadopted.

- The proposed (unadopted) Wrexham LDP assessment process considers the total loss of BMV agricultural land for the whole Local Planning Authority (LPA) area, over the whole plan period. The proposed Wrexham LDP has not to date been adopted; therefore, the outcome of the LDP should not be pre-judged and this proposal should be assessed on its merits alone.
- Several non-BMV sites have been put forward within the un-adopted Wrexham LDP. Lower grade agricultural land is available, and the planning statement therefore conflicts with PPW.

4. Conditional Objection:

Under the proposed and unadopted (to date) Wrexham LDP (2013-2028), the site is proposed for allocation as part of a Key Strategic Site (*Ref: KSS1 – Land at Lower Berse Farm, Ruthin Road, Wrexham*) for housing under policy SP4.

The emerging LDP assessment process considers the total loss of BMV agricultural land for the whole LPA area, over the plan period. **If the proposed LDP is adopted by the LPA, which includes the application site as a development allocation, then the Department would withdraw the objection.** As noted, the proposed Wrexham LDP has not to date been adopted; therefore, the Department cannot pre-judge the outcome of the LDP.

Should your Authority consider that there is a case for granting planning permission despite this conditional objection, the Department would expect the matter to be brought to its attention before a decision is made, and failing a satisfactory resolution of the issues involved, this Department may ask Welsh Government to consider the case further.

The view expressed does not bind any other part of Welsh Government commenting on the proposal.

I trust the above expression of view and associated remarks are clear and unambiguous. Please do not hesitate to contact if necessary.

Yours sincerely



Arwel Williams.
Agricultural Land Use & Soil Policy Advisor
Soil Policy & Agricultural Land Use Planning Unit - LQAS@gov.wales