PLANNING STATEMENT

Prepared on behalf of Pridding Farming Partnership

in support of an

Outline Planning Application

for the

Proposed residential development for the construction of up to 39 residential dwellings with all matters reserved except for detailed means of primary highway access and indicative provision made for pedestrian linkages, public open space, landscaping, drainage and biodiversity.

to Wrexham County Borough Council

Land adj. Sycamore House, Wrexham Road, Holt, Wrexham, LL13 9YU

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Ref. J10-PFP-PS-RevB

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1.0 INTRODUCTION & BACKGROUND

Summary of the Application

1.1 This Planning Statement (PS) has been prepared and undertaken by J10 Planning Ltd (the Agent) acting on behalf of Pridding Farming Partnership (the Applicants and freehold owners of the site).

1.2 The land associated with this proposal comprises a site that includes an area of previously undeveloped agricultural land along with an agricultural machinery contractor's yard and associated storage buildings located to the south side of Wrexham Road, Holt, LL13 9YU.

1.3 The application site extends to an area of land comprising 1.72 ha (4.26 acres).

1.4 It accompanies and supports the submission of an Outline planning application to Wrexham County Borough Council (WCBC) for the proposed development of the site for residential development in association with the emerging housing allocation known as H1 (site H14).

1.5 Accordingly, the purpose of this supporting statement is to:

- ***Provide some introductory background to the application; a descriptive appraisal of the site, its location, setting and surroundings; to present a detailed description of the proposal; and identifying any key issues that will assist the reader;***
- ***Identify the key local and national planning policy framework applicable to the proposed development and interpreting these in order to present the detailed case in support of the proposals;***
- ***Summarise the reasons why permission should be granted, referring to the scheme deliverables, benefits and net gains this development proposal will offer.***

1.6 We consider that this approach will serve to provide the Council with a clear basis for interpretation and decision making. In summary, this statement, along with all the other supporting documentation and plans, demonstrate that the proposed development, subject of this application, is fully compliant with national policy guidance and with the adopted and emerging development plan framework, so as to be acceptable.

The Application Pack

1.7 This Planning Statement (**J10 Planning**) should be read in conjunction with the following plans and documents, which are enclosed as separate items in the associated submission package:

- *Draft Heads of Terms (pursuant to S106 of the Act) :* ***J10 Planning***
- *Planning Statement :* ***J10 Planning***
- *Pre-Application Consultation Report (PAC) :* ***J10 Planning***
- *Architectural Masterplan drawings :* ***Parkinson Inc***
- *Design & Access Statement :* ***Parkinson Inc***
- *Ecological Assessment :* ***Kingdom Ecology***
- *Arboricultural Impact & Method Assessment :* ***Tree Solutions***
- *Archaeological Assessment :* ***LP Archaeology***
- *Geophysical survey :* ***Archaeological Survey West***
- *Topographical Survey :* ***MBS Surveys***
- *Utility Study :* ***UCML***
- *Flood Consequences Assessment & Drainage Strategy :* ***Waterco***
- *Geo-Environmental Site Assessment (Phase 1 and Phase 2) :* ***E3P***
- *Transport Assessment :* ***Eddisons***
- *Highway Access drawings :* ***Eddisons***
- *Agricultural Land Quality & Soil Resources Report :* ***LRA***
- *Acoustics Report :* ***E3P***
- *Air Quality Assessment :* ***Redmore***
- *Nutrient Neutrality :* ***Greenshank***

1.8 This list is important as it comprises all the items considered relevant to a scheme of this scale and nature. It also reflects the pre-application guidance letter dated 23 September 2021 (see **APPENDIX A**) provided by the pre-app case officer (Bryn Bolton) at WCBC; no other items were and have been requested. These documents and drawings are all provided with the enclosed application and itemised in greater detail on a separate Planning Application submission schedule spreadsheet.

Site Description

1.9 The application site is well documented in other statements which provide enough adequate descriptions of the site with regards its specific locational, physical appearance, and general characteristics to avoid warranting any significant repetition here.

1.10 Suffice to say that the land associated with this proposal comprises an area of previously developed land (used as an agricultural machinery contractor's yard with associated storage buildings – one of which was granted permission under P/2011/0899 on 30 December 2011) and an area of agricultural land that is located to the south of Wrexham Road, Holt opposite the Bellis Bros. farm-shop enterprise.





1.11 The site is generally level with a number of mature boundary landscape features defined by native hawthorn hedgerows but also a small handful of trees; these are shown to be retained (except to provide for highway visibility and pedestrian path connectivity), with significant levels of new planting to enhance and deliver place-making.

1.12 The application site extends to 1.72 acres (4.26 acres) and comprises two barns that amount to come 549 sqm of floorspace. The applicants own the freehold of the site and the intention is to dispose of the site to a small housebuilder once permission has been sought.

1.13 The site allocation boundary aims to deliver new housing on a single parcel of land that will “round-off” the settlement in an entirely logical manner, with direct vehicular access using the existing access off Wrexham Road. Means of highway access is being sought and detailed drawings are provided to secure this.





1.14 The site is publicly accessible and there is a pedestrian route along Francis Lane in the south-eastern corner where a connection can be made. Footways along Wrexham Road and clearly able to be connected into from the north. The illustrative masterplan layout seeks to provide connections to them so as to maximise pedestrian accessibility.

1.15 The site is located in a highly sustainable and accessible position to take advantage of both local and strategic transportation related infrastructure and it benefits from very excellent sustainability credentials. The opportunity now exists to secure the delivery of a new residential neighbourhood that delivers additional benefits (affordable housing, public access, greenspace, biodiversity, etc) for existing and new residents alike; thus reflecting the aims and ambitions of the LDP Policy H1 (site H14).

The Proposed Development

1.18 The application now submitted is made for Outline planning permission; the description of the development is as follows:

Proposed residential development for the construction of up to 39 residential dwellings with all matters reserved except for detailed means of primary highway access and indicative provision made for pedestrian linkages, public open space, landscaping, drainage and biodiversity.

1.16 The site accommodation schedule comprises the following:

Total area of site	*1.72 ha*
Number of dwellings	*39 dwellings*
Open market tenure (70%)	*27 homes*
Assumed mix (open market)	*9 no. 2-bed + 16 no. 3-bed + 2 no.4-bed*
Affordable tenure (30%)	*12 homes*
Assumed mix (affordable)	*8 no. 2-bed + 4 no. 3-bed*
Assumed mix (total)	*2-bed : 17 : equates to 44%* *3-bed : 20 : equates to 51%* *4-bed : 2 : equates to 5%*
Assumed no. of beds	*122 beds*
Assumed scale	*2 to 2.5 storey*
POS	*4,100 sqm*
Density per hectare (gross)	*22.5 dph (based upon gross density of 1.72 ha)*
Density per hectare (net)	*31 dph (based upon net density of 1.24 ha)*
Gross to net ratio (developable vs non-developable)	*1.24 ha developable : equates to 72 %* *0.48 ha non-developable : equates to 28 %*
Floorspace Capacity	*42,323 sqft / 3,931 sqm*

1.17 Whilst housing mix is a matter for determination at the Reserved Matters stage, the masterplan proposals have assumed an indicative and illustrative housing quantum; this is clearly not for determination at this stage.

1.18 The singular vehicular access into the site is proposed off Wrexham Road using the existing access that exists with only minor modification needed to achieve compliant visibility standards; detailed means of access are being sought.

1.19 A series of pedestrian linkages are shown by the illustrative masterplan with the purpose of integrating and connecting with the existing MUGA located on the new Castle Green development to the east and also with Francis Lane to the south-east and beyond.

1.20 Areas of Public Open Space (POS) are proposed that far exceed both existing and emerging policy standards; which reflects the development's "green infrastructure" characterisation and vision.

1.21 The delivery of 30% affordable homes (up to 12 no.) can be delivered by this scheme; the benefit here being that because the scheme is focused on a high density scheme the resultant dwellings will meet the need for starter and family style sizes that Wrexham desperately needs and are exactly the sort of units that the Registered Providers are seeking to deliver and that are required to address the known latent need and demand in the locality.

1.22 Additionally, an education contribution will be settled upon subject to the requirement at the point of delivery; as this is determined by bed numbers we can only make an assumption based upon the draft indicative accommodation schedule at this Outline stage and assess based upon capacity of local schools.

1.23 The applicant has drawn up some Heads of Terms that can be used pursuant to a s106 legal agreement that addresses POS, Affordable Housing and Education contribution (see **APPENDIX B**). Any off-site highway improvements will be addressed by way of a s278 agreement. A reserved matters application will determine a detailed landscaping scheme. Root protection areas and shading have all been addressed in the development of the illustrative masterplan.

1.24 The applicants' vision is that the development will be guided by a simple and robust set of parameters and comprise:

- *Creating a high quality, attractive, new residential neighbourhood; sensitive to adjacent uses and complementary to the existing residential neighbourhoods; offering a mix of housing types and tenures and delivering 39 high-quality, sustainable new homes in a variety of styles and sizes to meet the needs of local people;*
- *Provide a landscape-led residential development that has been carefully designed with the local community in mind, offering public open space with permeable links and connections through the site for the benefit of existing and future residents;*
- *The "community dividend" that will provide existing residents with access to affordable housing and (where deemed necessary and evidenced) contributions towards educational services, thus making the community more sustainable and resilient*
- *Offering 12 (30%) affordable homes which could help families in the area currently struggling to secure a safe and stable home, as well as first time buyers and key workers;*

- *Deliver much-needed new homes on a site which benefits from an emerging allocation and has been identified as suitable for housing by the Council, thus preventing speculative development and a development that will respect the identity of Holt;*
- *Offer a sustainable residential development that capitalises on the site's proximity to local shops and services by promoting pedestrian and cycle links;*
- *Provide a sustainable development that utilises renewable energy sources, as well as low-carbon construction materials and methods;*
- *Retain the existing trees and hedgerows, respecting the landscape setting of the locality and retaining key assets (e.g. hedgerows, trees and valued habitats) to be integrated into the layout having adopted a "greenspace vision" and;*
- *Create around 30 jobs during construction, including opportunities for apprenticeships, and a further 50 via the local supply chain and provide additional local expenditure into the local economy and delivering additional council tax payments into the public purse that the Authority can spend on local services.*

1.25 The guidance conferred by the Council during the informal pre-application discussions (July to September 2021) and from the more formal WG DMO consultation stage (May 2022) has allowed the applicant to develop a design solution that has sought to embrace the aspirations, concerns, feedback and guidance from Council officials, statutory consultees and members of the public.

1.26 The Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 means that from 1 August 2016 a far greater emphasis upon pre-application consultation with key stakeholders was introduced and a formal DMO process was activated. This now places a responsibility upon applicants to undertake and follow a pre-application procedure of formal consultation and engagement with key statutory consultees (e.g. NRW, DCWW, CADW, etc), the Local Authority, Town/Community Councils, local Ward Councillors and local residents and neighbouring businesses.

1.27 It applies to all Major applications (outline or detailed) where the project involves over 1,000 sqm of non-residential space and/or the site exceeds 1.0 ha or where the site involves 10+ residential dwellings and/or a site over 0.5 ha. This process requires applicants to produce a Pre-Application Consultation Report (**PAC**) and it is this document that serves to address the policy requirement as set out in the legislation and shows how the scheme has responded (and where necessary changed) to matters raised.

1.28 The proposals have been developed around a design solution that has embraced and been influenced by all the various technical and professional disciplines employed by the applicant (in particular ecology, drainage, highways, trees and landscape) and the applicant is confident that the proposals represent a scheme of the highest quality and sustainability credentials with community placemaking at its heart.

Some Key Issues : Education, Healthcare and Affordable Housing

1.29 It is a widely accepted principle that housing developments introduce a variety of community infrastructure issues and that there is a call for them to contribute towards their delivery. housing developers should contribute to the additional costs brought about by their development.

1.30 The applicant will continue to liaise with the local planning, highway and education authority, but also with health providers, to ascertain how demand for school places or medical services, for example, will grow and what capacity there will be in the area to cope. If there is a need to expand local services, as a result of the new development, the applicant will agree to either commuted sum payments to support and deliver any expanded facilities needed. Should the development create more demand for schools or medical services, the reasonable costs of the extra capacity could be met through a s106 legal agreement, where this is evidenced.

1.31 The pre-application guidance from Officers did not include any response from either Education or Open Space departments. The formal DMO pre-consultation stage has sought input from these Officers and again no response was received. Should it be found that the development will generate a requirement the applicant reserves the right to respond.

1.32 Any commuted sums for community infrastructure, in lieu of on-site provision, will be calculated using a formula based upon the number of unit numbers and types (beds) and applied at the point of any Reserved Matters determination. The applicant is anticipating further discussions on this matter.

1.33 The issue of local healthcare provision and access to healthcare services and professionals and their ability to accommodate new growth is a community infrastructure issue that is commonly raised whenever new development is promoted; generating plenty of passionate debate about what the impact of new homes might have upon local service provision and access to doctors. This site is no exception to this debate and the applicant has duly provided a Healthcare Impact Assessment.

1.34 In Wrexham County Borough (and neighbouring North Wales Boroughs) the resourcing and responsibility of local healthcare provision is something that is administered and controlled by the Betsi Cadwaladr University Health Board Trust and their capital investment programme. Like most primary care providers, they acknowledge that their services are under pressure in terms of staffing and in their case it’s the lack of doctors not of premises.

1.35 The Health Board launched a strategy (pre-Covid pandemic) for improvement and better management of their investment programme. This included investment in new doctors and improvement of facilities. Given the very complex and strategic nature of health provision and infrastructure, it is a challenging exercise to determine local health needs accurately and to promote new health provision directly without the support of the Health Board Trust.

1.36 The Wrexham Council worked with the Health Board during the preparation of the LDP to ensure the Health Board were aware of the planned growth and can ensure it was accommodated in their improvement strategy and funding mechanisms going forward. This includes provision for GP practices, dentists and hospitals, etc. The precise level of these contributions is best determined at the Reserved Matters stage.

1.37 The site lies within what is classified as the Rural East and the DVS report recommended that LDP policy should adopt a 30% affordable housing levy.

1.38 The applicant is proposing the scheme deliver 30% affordable housing. The UDP sought 25%, however, we have applied the higher rate as shown in the adopted LDP. The LDP evidence base on affordable housing rates was informed by independent advice sought from the Council and provided by the DVS in September 2019; the findings of which were found sound by the LDP Inspectors.

2.0 PLANNING POLICY CONTEXT

Planning Legislation

2.1 The purpose of this section of the statement is to set out the sequence of planning policy that is considered relevant to the consideration of this application; these are separately examined in detail by assessing and interpreting the merits of the proposals against them. The legal test for all planning decisions is to determine the application in accordance with the statutory legislative duties; the key ones are set out below.

2.2 **Section 70(2)** of the Town and Country Planning Act 1990 states that:

"In dealing with an application for planning permission or permission in principle the authority shall have regard to -

(a) the provisions of the development plan, so far as material to the application,

(c) any other material considerations"

2.3 **Section 38(5)** of the Planning and Compulsory Purchase Act 2004 states that:

"If to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan"

2.4 **Section 38(6)** of the Planning and Compulsory Purchase Act 2004 states that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

2.5 The approach should therefore be to identify the provisions of the development plan and determine if the application proposals are in general accordance or in conflict. If in compliance (as we believe is the case here) the starting point will be to approve proposals by granting planning permission as the decision is in accordance with the plan and that those policies in the latest plan will be considered the most up-to-date.

2.6 A material consideration is a matter that should be taken into account in deciding a planning application or planning application and will not simply involve government policy, development plan policy or issues of highway safety, design or effects upon a heritage asset; they can involve positive benefits and deliverables associated with a scheme, such as employment, economic development investment, public access, biodiversity net gain and amenity betterment.

2.7 Furthermore, when applying development plan policies precedent case law (such as R. Cummins v Camden LBC 2001) has established that for a proposal to be in accordance with the Development Plan it is not necessary for it to accord with each and every policy, rather it should conform with the plan as a whole. So, whilst there may be key important policies there may also be other relevant ones too.

2.8 Additionally, another judgement (BDW Trading Ltd. (T/A David Wilson Homes (Central, Mercia and West Midlands) 27 May 2016)) involved Lord Justice Lindblom offering clarification on how the approach to planning decisions is not and should not be rigid and the person making the decision has some discretionary scope and autonomy in how they approach the policy position.

The Local Development Plan Framework

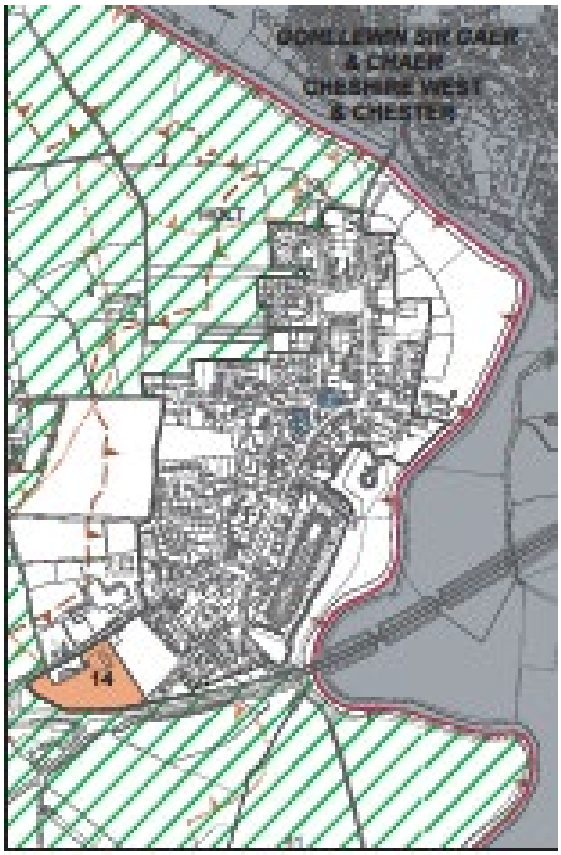
2.9 In accordance with **S38(6)** the starting point of any planning policy assessment is the Development Plan. The key material consideration will be whether the development plan is up to date. We have adduced that, in this instance, the development plan (for the purposes of **Sections 38(5)** and **38(6)** of the Planning and Compulsory Purchase Act 2004) comprises the policies of the:

"Wrexham Local Development Plan" (WLDP) that was adopted in December 2023 and whose plan policies are used for Development Control purposes and covers a plan period of 2013 to 2028.

2.10 Clearly, any presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making, because where a planning application conflicts with an up-to-date development plan, permission should not usually be granted.

2.11 However, local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations indicate that the plan should not be followed.

2.12 The application site lies entirely inside the WLDP settlement boundary for Wrexham. An extract of the LDP Proposals Map is provided below.



23. Holt

2.13 The applicant's view is that the proposed development does accord and comply with the policies in the WLDP and is entirely consistent with its policies; in particular **Policy H1** which governs the sites' allocation as a Housing Allocation Site (H14).

2.14 Previously, planning applications for housing that were not allocated and would be a departure from the development plan (i.e. those on sites outside the LDP settlement boundaries) would, under the provisions of TAN 1, have been awarded considerable weight in terms of meeting housing supply, subject to them otherwise meeting national and local planning policy requirements. Since the abolition of TAN 1, when dealing with such applications national policy is largely silent on the weight to be attributed to the need to increase housing delivery so it is for the decision-maker to determine how much weight should be given to the need to increase housing land supply, based on the merits of the individual application and after taking into account all other material considerations.

2.15 However, guidance within PPW12 applies (i.e. paragraphs 4.2.3 to 4.2.35) regarding Housing Requirement, Housing Delivery and Affordable Housing ensure that LPA's maintain an adequate supply of housing. **This is a significant material consideration, as we will demonstrate and in particular this will be addressed under the PPW12 assessment section of this statement.**

2.16 Furthermore, under the new housing monitoring process as set out in the Development Plans Manual (DPM), housing delivery is assessed against the housing trajectory contained in an adopted Local Development Plan. When considering planning applications for "departure" proposals the applicant is of the opinion that housing provision must be considered against the fact that the housing requirement (against which there is presently a clear under-delivery of housing) is simply not being met. Wrexham have continually under-delivered and the adopted housing trajectory for the LDP is now under what can only be described as intense pressure due to the significant slippage in the programme for plan adoption and the trouble caused by Phosphate delays and recent LDP challenges through the courts.

2.17 The LDP Examination commenced in September 2019, but then paused (due to issues associated with Gypsy & Traveller Accommodation and questions raised about housing provision and supply). It re-opened in February 2020 to consider the G&T issue but the Inspectors then suspended the Examination in June 2020 because this matter had still not been satisfactorily addressed.

2.18 In the meantime, the Covid pandemic took hold from March 2020 with a series of lockdowns and social distancing restrictions in place across Wales through to the end of March 2022.

2.19 By the time January 2021 was reached the Council considered that much of what they had been asked to consider had been done and they were ready to consult on the Matters Arising Changes (MAC's); the Inspectors provided some guidance on this but within a week, in early February 2021, they asked the Council to consider the implications for the plan in the light of NRW's published interim planning advice on the potential increase of phosphate levels in river Special Areas of Conservation (SACs).

2.20 The whole LDP process stalled, due to a "Phosphates" issue that had emerged which related to the capacity limitations at Five Fords Waste Water Treatment Works, for an entire year until, in February 2022, the Inspectors considered that the MAC's consultation could proceed. Local elections in May 2022 resulted in a further pause and whilst the MAC's consultation took place in July 2022, it was not until February 2023 when the Inspectors (binding) Report was finally published.

2.21 There then followed two attempts to adopt the plan; on 19 April and 14 June 2023, until a High Court challenge decision led to the adoption of the plan being sanctioned by Wrexham's Full Council on 20 December 2023.

2.22 A further legal challenge was made to contest the High Court ruling on the basis that the legislation states that the decision maker "may" adopt a plan and that there was discretion in the plan process that had not been correctly exercised. This led to a counter-appeal being lodged to the Court of Appeal and in October 2024 a 2-day hearing was arranged and on 21 December 2024 the Court of Appeal overturned the High Court judgement stating that the Authority had indeed had a right not to "adopt their plan".

2.23 An appeal to the Supreme Court by the Welsh Government to challenge this ruling has recently been dismissed (April 2025).

2.24 This introduces a degree of further uncertainty and ambiguity for those involved in the plan making process in both Wrexham and across Wales. What the Court of Appeal ruling did not do was to judge whether the adopted LDP was sound or not; its sole focus was on whether procedural errors or impropriety had crept in.

2.25 This, as we have suggested above, is not helpful for decision makers, but the applicant is of the opinion that the status of the adopted LDP has not changed and it remains the development plan for the purpose of and in accordance with S38(6) of the 2004 Act. Thus, planning applications must be determined in accordance with the adopted LDP, unless material considerations indicate otherwise.

2.26 What is clear is that the former UDP (adopted in February 2005), and whose plan period was 1996 to 2011, carries no weight and has long expired. For a start it provides no housing trajectory; its policies have been largely superseded by PPW and NDP and in addition, even with doubt surrounding the future of the "adopted LDP" the fact remains that the LDP is based upon the latest credible evidence base and was found to be "sound2 by the Plan Inspectors. The UDP can no longer therefore be considered a material consideration of any weight.

2.27 Moreover, the applicant is of the opinion that the very fact the LDP and its evidence base was found "sound" by independent planning inspectors carries significant weight; so notwithstanding what might happen to the current LDP, until it is replaced by an alternative adopted plan it is and must remain as the development plan for decision making purposes.

2.28 The adopted LDP has a plan period through to the end of December 2028. This leaves the plan just 3.5 years in which to deliver its housing trajectory.

2.29 The applicant is of the opinion that the plan is already falling dramatically short of meeting its planned trajectory and could end up being somewhere in the region of 3,000+ units below where completions ought to be by the time the plan expires on 31 December 2028.

2.30 The Council clearly accepts that their position over housing land supply and delivery is weak and fragile. Its pre-application response letter (see **Appendix A**) dated September 2021 confirms this in stating that:

"The deposit LDP identifies a requirement for 7,750 homes to be built over the plan period (2013-2028). This equates to an annual average of 517 dwellings. As it stands, to date (2021), the total number of completions during the plan period equates to 2,200 dwellings which represents a large undersupply of housing. The site is allocated under policy H1 of the deposit LDP as a Tier 3 Local Service Centre. Holt settlement limit is proposed to encompass the site. The site would be allocated for 35 houses, however, any additional units would be welcomed given the existing under supply of homes during the plan period. With the underpinning evidence in mind and as the LDP is close to being afforded additional weight (binding report), when coupled with the fact that the site would represent a logical extension to the settlement, it is considered that there is the potential for the development of this site to be acceptable in principle. Taking all of the above into account, the need to increase housing supply in the County Borough and to deliver an allocated site weigh in favour of the proposal."

2.31 The LDP Housing Trajectory provided at Appendix 2 (Tables 9 and 9a) of the Adopted LDP cannot realistically be relied upon as its base date was 2019 before anyone could have anticipated the onset of a Covid-pandemic, the moratorium to development caused by Phosphates, the dire slippage in the LDP programme to adoption and the subsequent havoc caused by court interventions to the LDP.

2.32 This means that the anticipated delivery of housing between 2018 and 2025 has been practically wiped from the delivery total; amounting to some 1,829 allocated site completions and a good proportion of the 768 outstanding commitments over the period 2018/19 to 2023/24.

2.33 The Phosphates issue had been strategically resolved during 2024, yet it may still impact upon the adopted housing trajectory and its delivery without clear, proportionate and workable transitionary arrangements being in place for all sites that are expected to contribute towards the trajectory. The applicant is keen to work with the Council and all statutory and community stakeholders to ensure the ability of the Council to deliver its housing trajectory is not undermined any further.

2.34 The plan examination stage tackled and considered a full suite of evidence base, draft policies and allocations. The key issues relating housing and this particular site was never challenged by 3rd parties or the Inspectors. Indeed, the Inspectors interim findings letter of 18 September 2019 (ref. INSP017) and their subsequent letter of 27 January 2021 (ref. INSP025A) consolidated this position.

2.35 Finally, the Inspectors (binding) Report raised no concerns in respect of these matters and found the plan to be "sound" and this housing site to be sound and worthy of allocation; in the light of this, the applicant considers that significant weight must now apply.

2.36 The applicant has identified some key findings from the Inspector Report in relation to **Healthcare, Housing numbers, General Public Services, BMV and Housing LHMA** and reproduced the key points here:

> ***HEALTHCARE : Para 4.17*** *: In relation to health, we heard during the sessions of shortcomings in the County Borough in the provision of health facilities such as doctors' surgeries. The local Health Board, which has not objected to the Plan, states in its consultation responses that it is not the provision of buildings for additional services which is the issue but the availability of the required workforce. We have little evidence, therefore, that the availability of health services is a compelling reason to prevent or limit residential development.*
>
> ***HOUSING NUMBERS : Para 6.7 :*** *During the examination we have become aware of reluctance by some parties to support anything but minimal development in the County Borough. We were concerned that this was the underlying reason for the reduced housing requirement in the Deposit Plan. Having explored the housing and population data extensively during the hearing sessions, however, we are now satisfied that the lower figures provided by the 2014-based projections are the primary reason for the reduction in the housing requirement from the PS. We are also confident that the reduction is proportionate and accurate. Furthermore, by selecting the figures which correlate with the Employment Review jobs forecast, the Plan is maintaining its growth aspirations. The housing requirement set out in the Plan will therefore meet the future needs of a growing population by providing the right amount of development, consistent with Objective SO5.*

GENERAL PUBLIC SERVICES : Para 6.11 *: The final reason for reducing the housing requirement was that the level of growth identified was considered to place too much strain on infrastructure such as highways, education, schools, council services and health providers. Again, we are not convinced that this is relevant to the assessment of the need for new housing. Moreover, it is a requirement for developers to make provision, through planning obligations and commensurate with the scale of development, for infrastructure to be provided where existing capacity would not meet the additional demands and needs of new development.*

BMV : Para 7.5 *: In the County Borough there is a pressing need for housing, infrastructure and other development in sustainable locations. The presence of BMVAL has been a key consideration throughout the SA and site selection process. We are, therefore, satisfied that sites have only been allocated where there is an overriding need for development.*

HOUSING LHMA : Para 8.1 : *As required by national planning policy, the Local Housing Market Assessment (LHMA) is a fundamental component of the evidence base which has informed the affordable housing policies in the LDP. Initially undertaken in March 2015 and updated in 2017, the LHMA identified a need for 2355 units over the Plan period (or 157 affordable units per year) with a tenure split of 70% social rented and 30% intermediate.*

2.37 Clearly, the planning system now places great emphasis on a deliverable housing trajectory and national policy recognises that the Annual Monitoring Report (AMR) is to be treated as a "material consideration" and must be afforded great weight.

2.38 Neither the over-arching Housing Provision Policy SP1 or the site-specific Policy H1 states that these figures should be fixed and at the LDP examination it was accepted that they would be seen and expressed as a minimum, subject to the capacity of the individual sites being proven and justified through subsequent evidence at an application stage. This has been addressed the applicant has been able to demonstrate that the site under their control has a capacity for almost 40 dwellings (as opposed to the assumed 35) and therefore it will be for any subsequent Reserved Matters application to fully demonstrate capacity.

2.39 The site will, importantly, deliver a significant quantum of new affordable housing to address the acute needs facing the community. The option of relying upon infill will not deliver any social and community benefits and only something of a scale akin to the application site will do this. Again, the delivery of affordable housing is considered to be material to the positive determination of this proposal.

2.40 This application site will be able to deliver a host of other community benefits, infrastructure and meaningful levels of affordable housing that will serve to meet the needs of the community over the LDP plan period and beyond. It offers an entirely logical and sustainable extension to Holt with access to local services, facilities and infrastructure, free of constraint.

2.41 The LDP Inspector logically and rationally found, through their own examination of evidence, that the application site performs on all levels, is free from constraint, is deliverable and is a "sound" allocation.

2.42 In the meantime, the approach has been to identify the provisions of the adopted LDP policies. The applicant has considered whether the application is in accordance or in conflict with policy. If in compliance (as is considered the case here) the starting point will be to approve proposals by granting planning permission as the decision is in accordance with the plans and within the context of the national planning policy and guidance framework.

2.43 The proposed development has been assessed against the relevant LDP policies and a detailed appraisal is provided in the table below. It is important to recognise here that the LDP has identified this site as a housing allocation under **Policy H1**.

LDP POLICY	**APPLICATION CONFORMITY**
SP1 **Housing Provision**	Policy seeks to "maximise" the delivery of affordable housing where a need is identified, recognising the varying levels of development viability across the County Borough and also seeks to achieve a minimum density of 30 dph, whilst having regard to the context of the site. The illustrative Masterplan achieves a net density of 31 dph can be achieved across a range of house types.
SP2 **Location of Development**	Holt is rightly identified as a Tier 3 location and this site in included in this hierarchy given its location, function, high level of sustainability and available services/facilities. The proposed allocation of the site under H1 (site H14) will essentially redefine the settlement boundary of this part of Holt, within which the proposed development will be sited.
SP5 **Planning Obligations**	This policy sets out a shopping list of items that could be sought from developments. This must be read in the context of recognising a viability mechanism to ensure that schemes are not "over-loaded" with challenging obligations and moreover that some prioritisation is given so developers can be clear on what items are most important. A host of deliverables are already being presented these are considered appropriate and reasonable. To "load" more obligations onto a scheme (beyond these and the standard affordable, POS and education contributions) would harm viability and deliverability, but they must also comply with CIL regulation 122. Draft s106 Heads of Terms are provided in meeting this policy.
SP11 **Transport and Accessibility**	Wrexham's transport network will be developed in a safe, efficient and sustainable manner and this policy sets out a number of measures for the achievement of this; the TA and Framework Travel Plan demonstrate that this policy can be met.
SP12	The DAS has demonstrated that best practice that goes beyond and fits with this policy is achieved; finer detail will be addressed at a Reserved Matters stage, but the principle of high-quality design, sustainable place-making and creating locally distinctive places are considered to have been achieved and the masterplan clearly shows this has been achieved.

Design Principles and Masterplanning Framework	
SP13 **Health and Wellbeing**	Presently there is believed to be sufficient access to healthcare facilities for existing and new residents. Access to sports and recreational facilities are enabled along with active travel measures and high levels of greenspace.
SP14 **Natural Environment**	The proposal and its supporting statements (Ecology and DAS) demonstrate that it will protect, conserve and enhance the natural environment; in safeguarding assets and delivering biodiversity habitat creation and betterment, with suitable measures advocated for mitigation and compensation for any loss.
SP15 **Historic and Cultural Environment**	The development will serve to conserve, protect and enhance the cultural and heritage assets known to exist within the locality and their settings. Conditions can adequately and appropriately address any archaeological considerations that might be found to exist. Appropriate reports (Archaeology, incl. Geophysics) are provided and demonstrate there are no assets of any heritage interest in existence.
SP19 **Green Infrastructure**	Significant levels of multi-functional green infrastructure can be provided and the illustrative masterplan demonstrates that green infrastructure has been used as a cornerstone to the urban design placemaking approach adopted by the applicant.
NE3 **Trees, Woodland and Trees**	The submitted Tree Survey and Arboricultural Implications Assessment demonstrates that the development can be delivered without unacceptable harm to trees or hedgerows.
NE6 **Waste Water Treatment and River Water Quality**	The accompanying Floodrisk and Drainage report confirm that satisfactory foul and surface water drainage solutions exist. Development will only be supported where there is no adverse impact on the integrity of the River Dee and Bala Lake SAC and its conservation objectives, in particular through the treatment of wastewater. Developments should, in the first instance, seek to connect to the existing mains wastewater infrastructure network. Where this would result in nutrient levels exceeding conservation objectives targets within the SAC, then proposals will need to fully mitigate the adverse effects caused by the proposed development. This is an ongoing issue that may still need resolution. However, the proposed development will be served by extensive drainage infrastructure, connecting to the existing network. This will be refined at the Reserved Matters stage but the applicant considers there to be no planning impediment to this arrangement from being achieved and indeed the Nutrient Neutrality report identifies a Grampian condition solution to address this and Welsh water have accepted this as being a viable and reasonable solution.
H1 **Housing Allocations**	The site is identified as H14 with an assumed capacity for 35 dwellings at a density ratio of 20 dph. However, this policy does not define whether the numbers should be a maximum or minimum and given that Policy SP1 recommends a min. of 30 dph should be achieved and in view of the masterplanning exercise that the applicants have undertaken it has been determined that the site capacity is actually higher at 39 dwellings and a policy compliant density ratio of 31 dph. This application seeks to therefore bring this allocation forward for development.

H2 **Affordable Housing**	This policy seeks contributions on all sites above 10+ units in line with area-based target quotas. The DVS evidence base released during September 2019 recommended different area-specific target levels of affordable for various areas of the County Borough (as set out in the MAC's) and the target percentage is 30% for this area. The scheme has assumed a 30% delivery rate for 12 units (which marginally exceeds the policy requirement of 11.7 units) to represent 30.8%. This will be managed and delivered through the s106 legal agreement.
DM1 **Development Management Considerations**	This is an over-arching general development management policy and we can confirm full compliance with it through the material submitted on all the various technical aspects of the submission. Much of this detail will be addressed at the Reserved Matters stage.
T1 **Managing Transport Impacts**	The TA sets out how the site will be accessed, serviced and shows how sustainable it is whilst not serving to harm the existing network by providing a series of off-site improvements that can be introduced to improve capacity and flow.
T2 **Active Travel**	The location of the application site serves to maximise active travel options to employment, education, healthcare and other essential services.
T3 **Passenger Transport**	This policy seeks to reduce private car modes of travel and the scheme will trigger and enable improvements to active travel but also provide opportunities for new bus route services to/into/through the site, along with facilitating enhanced levels of connections and linkages for pedestrian and cycle movement.
CF2 **Provision of New Open Space**	This policy seeks to have new public open space provided on all residential schemes over 10+ units at a rate of 0.25 ha per 50 dwellings (or 50 sqm per dwelling). For a site of 39 dwellings this would equate to 50 sqm per dwelling and a total of 1,950 sqm. The proposal is delivering over double this at 4,100 sqm or 105 sqm per dwelling.
RE1 **Development and Renewable Energy / Low Carbon Technology**	This policy seeks to encourage developers of the Key Strategic Sites and major sites (100 dwellings or more or development exceeding 1,000 sqm) to incorporate schemes which generate energy from renewable and low carbon technologies. This includes opportunities to minimise carbon emissions associated with the heating, cooling and power systems for new development. An independent energy assessment investigating the financial viability and technical feasibility of incorporating such schemes will be required to support applications. This level of detail would be provided at a Reserved Matters stage as detailed design evolves. In the meantime a Sustainability Report has been submitted to consider such issues.

2.44 The applicant concludes that the application proposals clearly fully comply with the adopted LDP and considers that substantial weight must be afforded to the evidence base underpinning the LDP and its policies.

Supplementary Planning Policy

2.45 There are a series of locally approved/adopted non-statutory supplementary planning guidance documents that presently exist. These were published following and in association with the former Unitary Development Plan. Amongst them, they comprise the following:

- *SPG7 : Landscape and Development*
- *SPG10 : Public Open Space on New Housing Development*
- *SPG15 : Cycling*
- *SPG16 : Parking Standards*
- *SPG17 : Trees & Development*
- *SPG21 : Space Around Dwellings*
- *SPG24 : Designing Out Crime*
- *SPG27 : Developer Contributions to Schools*
- *SPG28 : Affordable Housing*
- *SPG30 : Design Guide for Developers & Architects when Designing Residential Development*
- *SPG31 : The Welsh Language & Welsh Communities*
- *SPG32 : Biodiversity & Development*

2.46 None have been through any formal examination. The applicant must therefore question what weight can realistically be afforded SPG, not least because the relevant Planning Acts (2004 and 2012) and DPM3 (Para 9.1) are clear as to the Regulations under which such guidance is published and the fact is that unless a document has been through "examination" its weight is tempered and diluted. In view of this, the applicant considers that nothing more than limited weight can be given to SPG.

2.47 In the light of this, the only natural measure to be taken by the decision maker in this instance is to grant permission. The applicant's view is that, looked at in totality, the proposed development accords with the latest development plan that was found sound by Plan Inspectors.

3.0 OTHER MATERIAL PLANNING CONSIDERATIONS

3.1 I now turn to address other material planning considerations, which the applicant considers must be given significant weight. These can be identified as follows:

- NDP Future Wales
- Welsh Government Ministerial publications
- PPW11
- TANS
- DPM3 and DMM2
- The Benefits of the Proposed Development

The National Planning Policy Framework

3.2 The overarching policy framework in Wales comprises the **National Development Plan (NDP) Future Wales 2040** which was first published in February 2021; it replaces the Wales Spatial Strategy.

3.3 **Planning Policy Wales (PPW12)** was also published in February 2024 and provides more detailed planning policy direction.

3.4 Ministerial Papers **"Building Better Places"** was published in July 2020 in response to the Covid-19 pandemic and follows on from the earlier **"Prosperity for Wales"** published in September 2017; both are considered material to the proposal and their messages support the economic development and employment proposals.

3.5 Welsh Government Policy for placemaking and sustainable development is shaped by its ambition for development to achieve and meet the 7 well-being goals enshrined within the Well-being of Future Generations (Wales) Act of 2015.



3.6 The applicant considers that the proposal and the location of the site effortlessly demonstrates that it is a sustainable place and will engender well-being and a sense of place by being attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. The proposal will create and sustain communities by delivering a housing need; make the best use of resources; maximise environmental protection and limit impact by providing integrate green infrastructure , being resilient to climate change and providing net gains; and facilitate an accessible and healthy environment by minimising the need to travel, being well connected and offering active travel means and being safe and inclusive.

3.7 The table below provides an assessment and appraisal of these national policy tools and how the proposal reflects and responds to these messages.

PLANNING POLICY FRAMEWORK : Conformity and Consistency Checklist		
NDP : FUTURE WALES 2040 (February 2021)	**What the policy document says**	**J10 Comment**
Outcome 1	*Emphasis placed upon development being well located in relation to jobs, services and accessible green and open spaces*	This proposal is in an established location within easy reach and close proximity to the major employment destination of Wrexham WIE.
Forward by Minister for Housing and Local Government (p5)	*As Minister for Housing and Local Government I am determined to deliver social and affordable housing and town centre regeneration.*	This scheme will deliver much needed affordable housing tenure.
Planning Policy and the Development Plan (p15)	*we believe affordable housing is currently a critically important issue in all parts of Wales*	Affordable housing is considered a national priority and without significant open market housing allocations the affordable housing ambitions of the WG will not be met.
An Overview : Housing (p50)	*Good quality affordable homes are the bedrock of communities and form the basis for individuals and families to flourish in all aspects of their lives. Future Wales provides evidence of the need for housing across Wales at both a national and regional level. This evidence demonstrates the need for a focus on increasing the delivery of social and affordable homes. The Welsh Government is targeting its housing and planning interventions towards achieving this aim within the broader context of increasing supply and responding to different needs, including our ageing society and climate change.*	This repeats what the 2017 Prosperity For All document mentioned. But it is clear that the need to deliver affordable housing is a key priority and significant material consideration in decision making processes.
Policy 1 : where Wales will grow	Wrexham is designated as a National Growth Area	This proposal promotes the continued growth and regeneration of Wrexham. The designation of Wrexham as a National Growth Area cannot be underestimated and this site will play a role in the future prosperity and economic development of Wrexham.
Policy 2 : shaping urban growth and regeneration : strategic placemaking	*The growth and regeneration of towns and cities should positively contribute towards building sustainable places that support active and healthy lives, with urban neighbourhoods that are compact and walkable, organised around mixed-use centres and public transport, and integrated with green infrastructure.*	This proposal provides significant levels of quality public access linkages and on-site greenspace will be managed and offer biodiversity benefits.
Policy 7 : delivering affordable homes	*The Welsh Government will increase delivery of affordable homes by ensuring that funding for these homes is effectively allocated and utilised. Through their Strategic and Local Development Plans planning authorities should develop strong evidence-based policy frameworks to deliver affordable housing, including setting development plan targets*	The housing need estimates for Wrexham indicate that the provision of affordable homes should become a key focus for housing delivery and this proposal will serve to make a valuable contribution towards this aim.

	based on regional estimates of housing need and local assessments. In response to local and regional needs, planning authorities should identify sites for affordable housing led developments and explore all opportunities to increase the supply of affordable housing.	The Welsh Government is committed to increasing the delivery of affordable housing, with a focus on social housing,
Policy 9 : resilient ecological networks and green infrastructure	*action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.*	This proposal offers an integrated and managed plan approach to deliver significant levels of greenspace and biodiversity net gain; which will be secured/addressed in more detail through the Reserved Matters stage
Policy 20 : national growth area	*Wrexham and Deeside will be the main focus for growth and investment in the North region.*	Wrexham is a National Growth Area, a location for key strategic economic growth and the WIE is specifically mentioned as a place to play a strategic national role. The housing site will assist in delivering this ambition by providing for housing growth needs. Wrexham was awarded city status in September 2022 and moreover in January 2025 the Westminster Government confirmed Wrexham as part of the "Ambition North Wales" investment zone (forming Wrexham and Flintshire areas) with the Wrexham WI identified as a "tax site". Combined with the focus that the new owners of Wrexham AFC have placed upon Wrexham since they took over in February 2021 really does suggest that Wrexham needs to take seriously its role and responsibility as a strategic hub and growth point and this means not just delivering jobs, but homes and infrastructure.
BUILDING BETTER PLACES (July 2020)	**What the policy document says**	**J10 Comment**
On Development Management	*PPW and the NDF can be used directly in the decision-making process, particularly where an LDP is silent or out-of-date on an issue. The Welsh Government will support decisions taken in this context, particularly in the short-term until an LDP is adopted.* *Decision makers should consider widely what is material to a particular application and apply this to their considerations, particularly where the outcome will be a benefit to creating better places*	Whilst the adopted UDP supports the proposal the emerging LDP has yet to be adopted and as such NDP and PPW12 can assist in the taking of decisions. The decision-maker is invited to place significant weight on the placemaking credentials and sustainability of this proposal and in the context of it meeting a known acute housing need.

On Staying Local : creating neighbourhoods	*Through the Covid-19 crisis we have all been spending more time at home and within our local neighbourhoods which has highlighted the importance of where we live and the quality of the environment around us. The crisis has also placed additional emphasis on the importance of well located, secure and affordable homes for people's health and well-being. …… We have also seen the importance of local services and infrastructure with people spending more time in their local neighbourhoods. The continuation of people working from home and more locally is expected to be a long-term trend. We need to plan for these trends and, even more than before, ensure we are building homes and neighbourhoods that are great places to live, with easy access to services and appropriate infrastructure and greenspace …… the NDF will provide evidence of the need for housing at both a national and regional level and it will demonstrate the necessity for a focus on increasing the delivery of affordable homes.*	Affordable housing is recognised as a priority for the Welsh Government and a site like this will seek to deliver on the known need that exists and upon this ambition. Spatially and sustainably this proposal is exactly what will enable better, more cohesive and sustainable neighbourhoods. The focus of the NDP is on the delivery of affordable homes.
PROSPERITY FOR ALL (September 2017)	**What the policy document says**	**J10 Comment**
Key themes	*1. Prosperous & Secure : in supporting people and businesses to drive prosperity and tackling regional inequality and promote fair work; and drive sustainable growth* *2. Health & Active : building healthier communities and better environments* *3. Ambitious & Learning : equip everyone with the right skills for a changing world* *4. United & Connected : build resilient communities and deliver modern and connected infrastructure*	This proposal will serve to meet these objectives and through new affordable housing being created will provide prosperity and well-being; whilst recognising that prosperity is not just about material wealth, but living in a strong, safe and sustainable community.
Priority Areas	***Housing**: the bedrock of living well is a good quality, affordable home which brings a wide range of benefits to health, learning and prosperity.*	One of 5 priority areas, affordable housing delivery is a key priority that has subsequently fed through into PPW11 and NDP.
Cross-cutting Priorities	***Affordable Housing*** *The housing market in Wales, like that across the UK, is under extreme pressure. There is a complex picture of provision, and the challenges* *that people face vary significantly, depending on* *income and where they live in Wales. Government intervention, therefore, needs to be specifically targeted, using all the levers at our disposal, and working with housing associations, local authorities, private housebuilders and the* *private rented sector to maximise supply and respond to different needs.*	The proposal is looking to meet an identified need and deliver new affordable homes. A national target of 20,000 affordable homes by 2021 was set, but this has not been met and this site will look to deliver an important number of affordable homes.

PPW12 (February 2024)	What the policy document says	J10 Comment
Para 1.18 Plan-led system Sustainable development	*Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise*	There is a clear presumption in favour of sustainable development and the key aim is to achieve sustainable development using a plan-led approach which this proposal represents.
Para 2.15 National sustainable placemaking outcomes	*The national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals.*	Placemaking is considered core to creating sustainable development and the proposal serves to meet the 5 principles of: 1. creating and sustaining communities (by enabling the Welsh language to thrive, achieving appropriate densities, delivering housing need); 2. growing our economy in a sustainable manner (by embracing technology, enabling easy communication and being vibrant and dynamic); 3. making the best use of resources (by being high quality and built to last and making the best use of resources); 4. maximising environmental protection and limiting environmental impact (by securing and enhancing resilient biodiversity, safeguarding special landscape, integrating green infrastructure, reducing environmental risk, protecting historic assets and managing waste and water resources); and 5. facilitating accessible and healthy environments (by adopting an accessible and high-quality greenspace strategy, being accessible to active travel and public transport, reducing car dependency and minimising the need to travel, being safe and inclusive ; being well connected and benefiting from convenient access to services and facilities and promoting well-being through design)
Paras 2.26 to 2.28 Assessing the Sustainable Benefits of Development	*Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. There may be occasions when one benefit of a development proposal or site allocation outweighs others, and in such cases robust evidence should be presented to support these decisions,*	The decision-maker must take into account key factors when reaching a decision which should include Social, Economic, Cultural and Environmental consideration. The applicant has presented how this proposal positively meets and delivers these benefits and values at **Section 3** of this statement.

	whilst seeking to maximise contributions against all the well-being goals.	
Para 3.5 Design	*Good design is inclusive design. Development proposals should place people at the heart of the design process, acknowledge diversity and difference, offer choice where a single design solution cannot accommodate all users, provide for flexibility in use and provide buildings and environments that are convenient and enjoyable to use for everyone.*	The DAS and other technical and design/landscape supporting material illustrates that the proposal has embraced design and placemaking at its core.
Para 3.59 BMV	*When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.*	The LDP has been through this process and found that a small amount of BMV will be lost in delivering its housing need. This site has been through a rigorous and lengthy assessment process, resulting in it having been identified by the Council as a suitable and logical location directly adjacent the existing settlement boundary to provide for new housing needs.
Para 3.60 Development in the Countryside	*Development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, in particular where they meet a local need for affordable housing.*	This site is located on the edge of a highly sustainable settlement and will deliver a known affordable and open market housing need.
Para 4.1.29 Active Travel	*The planning system has an important role to play in promoting and supporting the delivery of the Active Travel Act and creating the right environments and infrastructure to make it easier for people to walk and cycle, including new and improved routes and related facilities.*	The proposal supports active travel.
Para 4.2.4 Housing Requirement	*Where housing market areas cross local authority boundaries, authorities must consider potential implications with neighbouring authorities and work collaboratively when formulating their housing requirements and identifying sites for housing. Effective monitoring of these issues is essential to ensure that there is an adequate and continuing supply of deliverable housing land to meet the identified requirement throughout the plan*	The Authority is obliged to ensure there is an adequate and continuing supply of housing land – the LDP serves to meet this need and this strategic site is central to achieving this ambition. Due to concerns about its deliverability within the plan period the Council would be well advised to re-align its trajectory when producing its first AMR and indeed it should also take steps to

	period. The housing requirement that has been identified by the planning authority must be realistic and deliverable.	instigate an early Review of the adopted plan due to its fast approaching expiry date.
Para 4.2.11 Housing Delivery	*The supply of land to meet the housing requirement proposed in a development plan must be deliverable. To achieve this, development plans must include a supply of land which delivers the identified housing requirement figure and makes a locally appropriate additional flexibility allowance for sites not coming forward during the plan period. The ability to deliver requirements must be demonstrated through a housing trajectory. The trajectory should be prepared as part of the development plan process and form part of the plan. The trajectory will illustrate the expected rate of housing delivery for both market and affordable housing for the plan period. To be 'deliverable', sites must be free, or readily freed, from planning, physical and ownership constraints and be economically viable at the point in the trajectory when they are due to come forward for development, in order to support the creation of sustainable communities.*	The site is key to Wrexham achieving its housing trajectory.
Para 4.2.12 Housing Delivery	*Planning authorities must use their housing trajectory as the basis for monitoring the delivery of their housing requirement. Accurate information on housing delivery assessed against the trajectory is necessary to form part of the evidence base for development plan Annual Monitoring Reports (AMRs) and for subsequent plan review. Under-delivery against the trajectory can itself be a reason to review a development plan. The monitoring of housing delivery for AMRs must be undertaken by planning authorities in accordance with the guidance set out in the Development Plans Manual.*	The under-delivery of housing being achieved in Wrexham is considered a significant material consideration and the Council must fast-track positive decision-making for sites like this that will assist in addressing this housing performance indicator.
Para 4.2.14 Housing Delivery	*As part of considering housing delivery options, planning authorities should understand the contribution that all sectors of the housing market and house-builders could make to meeting their housing requirement. When allocating sites, planning authorities need to consider providing a range of sustainable and deliverable sites to allow all sectors and types of house-builder, including nationals, regionals, registered social landlords (RSLs), Small and Medium-sized Enterprises (SMEs) and the custom and self-build sector, the opportunity to contribute to delivering the proposed housing requirement.*	This site will make a contribution towards both open market and affordable housing needs.

Para 4.2.21 Housing Delivery	*Where new housing is to be proposed, development plans must include policies to make clear that developers will be expected to provide community benefits which are reasonably related in scale and location to the development. In doing so, such policies should also take account of the economic viability of sites and ensure that the provision of community benefits would not be unrealistic or unreasonably impact on a site's delivery.*	The LDP has taken into account the need to deliver infrastructure but also recognises that viability cannot be over-stretched.
Para 4.2.26 Affordable Housing	*A community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications.*	This proposal involves provision for 30% affordable housing and its delivery is considered to be of significant material weight.
Para 4.2.28 Affordable Housing	*It is important that authorities have an appreciation of the demand for different types of affordable housing (i.e. intermediate and social rented) in relation to supply, so that they are well informed in negotiating the required appropriate mix of dwellings for new developments. To support policies and decisions on planning applications, planning authorities should refer to their LHMA to help determine the need for affordable housing including any evidence of localised affordability issues such as the impact of second homes and short-term lets.*	The Council knows that it needs to deliver affordable housing and is known to be in the process of updating its LHMA given that the current one is out of date (based upon an initial 2015 study and updated in 2017). This proposal seeks to address the under-delivery and chronic / acute need for affordable housing.
Para 4.2.29 Affordable Housing	*Development plans must include a target for affordable housing (expressed as numbers of homes). The target for affordable housing should be based on the LHMA and identify the expected contributions that the policy approaches identified in the development plan (for example, site thresholds, site specific targets, commuted sums and affordable housing exception sites) will make to meeting this target. The target should take account of deliverability and viability which will be influenced by the anticipated levels of finance available for affordable housing, including public subsidy, and other community benefit contributions being sought by the planning authority.*	A target of 30% for this area is shown in the LDP. It is critical that this need is met and this proposal will serve to address meeting some of the outstanding unmet need across the County Borough.
Para 4.2.30 Affordable Housing	*Where development plan policies make clear that an element of affordable housing or other developer contributions are required on specific sites, this will be a material consideration in determining relevant applications. Applicants for planning permission should therefore demonstrate and justify how they have arrived at a particular mix of housing, having regard to development plan policies. If, having had regard to all material considerations, the planning authority considers that*	Policy H2 seeks 30% provision in the Rural East sub-market and this is being met.

	the proposal does not contribute sufficiently towards the objective of creating mixed communities, then the authority will need to negotiate a revision of the mix of housing or may refuse the application. Development plan policies should also state what the authority would regard as affordable housing and the arrangements it would expect for ensuring that such housing remains reserved for those who need it in perpetuity. All affordable housing, including that provided through planning obligations and planning conditions, must meet the Welsh Government's development quality standards.	
Para 4.4.2 Community Facilities	*When considering development proposals planning authorities should consider the needs of the communities and ensure that community facilities continue to address the requirements of residents in the area.*	The level of community infrastructure must be determined based upon need in meeting CIL regulation 122.
Para 6.1.9 The Historic Environment	*Any decisions made through the planning system must fully consider the impact on the historic environment and on the significance and heritage values of individual historic assets and their contribution to the character of place.*	The applicant has considered any local heritage assets (above and below ground) as part of the masterplanning exercise and has presented an Archaeological report to show that there are no assets of any value/significance.
Para 6.2.9 Green infrastructure	*Planning authorities must encourage the appropriate management of features of the landscape which are of major importance for wild flora and fauna in order to complement and improve the ecological coherence of the Natura 2000 network. The features concerned are those which, because of their linear and continuous structure or their function as 'stepping stones' or 'wildlife corridors', are essential for migration, dispersal or genetic exchange. The development of networks of statutory and non-statutory sites and of the landscape features which provide links from one habitat to another can make an important contribution to ecosystem resilience and the maintenance and enhancement of biodiversity and the quality of the local environment, including enabling adaptation to climate change.*	The value of the sites' ecological habitats have been assessed by the applicant and the proposal involves net gain benefits.
Para 6.2.11 Integrating green infrastructure and development	*The planning system should protect and enhance green infrastructure assets and networks because of these multi-functional roles. The protection and enhancement of biodiversity must be carefully considered as part of green infrastructure provision alongside the need to meet society's wider social and economic objectives and the needs of local communities. The multiple benefits*	The proposal integrates green infrastructure into the scheme and ensures that the balance between housing development needs and biodiversity are proportionate. Moreover, linkages with existing provision (the neighbouring MUGA) and existing pedestrian access routes

	that resilient ecosystems and green infrastructure offer to society, including the economic and social contribution they make to local areas, should be taken into account when balancing and improving these needs. *With careful planning and design, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, helping to overcome the potential for conflicting objectives, and contributing towards health and well-being outcomes.*	are being made through physical connections.
Para 6.2.12 Green Infrastructure Statement	*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. In the case of minor development this will be a short description and should not be an onerous requirement for applicants. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied.*	The proposal integrates green infrastructure into the scheme and ensures that the balance between housing development needs and biodiversity are proportionate and that a ”stepwise” approach has been adopted by the applicant team.
Para 6.4.3 Biodiversity and ecological networks	*The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement.*	The proposal offers to deliver both protection and enhancement.
Para 6.4.15 Stepwise Approach	***NOT REPRODUCED HERE DUE TO LENGTH***	This has been followed by the applicant and a long-term management plan will be created.
Para 6.4.16 Stepwise Approach	*The following factors will affect the implementation of the above step-wise approach:* *• Pre-application surveys, research and data searches by developers will be necessary to establish the baseline state of biodiversity and ecosystem resilience on site taking into account the site's contribution to resilient ecological networks through its diversity, extent, connectivity and condition and the provision of ecosystem services. For householder scale applications, planning authorities should outline expectations regarding information required to accompany an application, recognising that the enhancement measures sought should be proportionate to the scale of the application.*	A Green Infrastructure Statement (GIS)) has been provided that demonstrates how the stepwise approach has been complied with. Pre-application surveys have been undertaken, no pre-emptive site clearance has taken place and opportunities for net benefit for biodiversity is considered to be available.

	Understanding the ecological context of a development will be essential in facilitating/enabling a proportionate response to the significance of any potential impact. *• Potential applicants should not conduct any pre-emptive site clearance works before submitting a planning application as this can make it more difficult for a development proposal to secure a net benefit for biodiversity. Where a site has been cleared prior to development its biodiversity value should be deemed to have been as it was before any site investigations or clearance took place. A net benefit for biodiversity must be achieved from that point. Habitat status can be established through evidence remaining on site and local desk-based assessments (planning authorities must ensure that they have access to these data sources). In such cases, habitat status will be presumed to be good in the absence of any evidence to the contrary.* *• All development must deliver a net benefit for biodiversity and ecosystem resilience from the baseline state (proportionate to the scale and nature of the development proposed). Even if the biodiversity value has been maintained, there must still be a pro-active process to look for and secure enhancement through the design and implementation of the development.*	
Para 6.4.37 and Para 6.4.39 Trees, Woodland and Hedgerows	*Trees, woodlands, copses and hedgerows are of great importance for biodiversity. They are important connecting habitats for resilient ecological networks and make a valuable wider contribution to landscape character, sense of place, air quality, recreation and local climate moderation.* *Planning authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial and identified green infrastructure function. Planning authorities should consider the importance of native woodland and valued trees, and should have regard, where appropriate, to local authority tree strategies or SPG. Permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland or trees are removed as part of a proposed scheme, developers will be expected to provide compensatory planting.*	The Tree report shows that no loss results and enhancement will be maximised by the proposal involving significant new planting.

Para 6.6.18 SUDS and Development	*The provision of SuDS must be considered as an integral part of the design of new development and considered at the earliest possible stage when formulating proposals for new development. In guiding new development the planning system should at the very least ensure the incorporation of measures at an individual site scale, particularly in urban areas, in order to secure cumulative benefits over a wider area. A concerted effort of this nature will bring benefits over a whole catchment. At a development plan level, however, there will be considerable advantages associated with developing collaborative approaches which, drawing on evidence obtained through green infrastructure assessments, integrate SuDS as part of growth strategies for particular areas.*	SUDS has been duly considered and designed into shaping the masterplan and provides for green and blue infrastructure benefits.
Para 6.6.19 SUDS and Development	*Development proposals should incorporate design for surface water management, based on principles which work with nature to facilitate the natural functioning of the water cycle, providing issues such as land contamination would not result in the mobilisation of contaminants which may have an impact over a wider area. Design for multiple benefits and green infrastructure should be secured wherever possible and as part of Green Infrastructure Assessments suitable approaches towards the provision of SuDS should be identified. It may, in some circumstances, be necessary for 'hard' infrastructure solutions to be preferred because of practical or archaeological considerations, but taking into account the role of water services in contributing to the quality of place, nature based solutions should be the preference.*	Locating the SUDS in the lower areas of the site and away from any sensitive receptors has been consciously addressed to maximise green and blue infrastructure benefits.
Para 6.6.20 Development in Sewered Areas	*Development proposals in sewered areas must connect foul drainage to the main sewer, and it will be necessary for developers to demonstrate to planning authorities that their proposal site can connect to the nearest main sewer. To ensure consistency of design and facilitate long-term maintenance, sewers should be built to Welsh Government standards and adopted. Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991 and Natural Resources Wales may refuse to issue an environmental permit for private treatment in such circumstances. Developers need an adoption agreement in place before construction commences and should consult sewerage undertakers in the early stages of design and planning.*	The site is located in a sewered area and a connection is proposed, Welsh water have a duty to connect.

TAN 2 PLANNING & AFFORDABLE HOUSING (June 2006)	**What the policy document says**	**J10 Comment**
Para 10.4 Thresholds and site-specific targets	*When setting site-capacity thresholds and site-specific targets local planning authorities should balance the need for affordable housing against site viability. This may involve making informed assumptions about the levels of finance available for affordable housing and the type of affordable housing to be provided. Local planning authorities should also take into account the impact on the delivery of the affordable housing target and the objective of creating sustainable communities across the plan area and in the individual parts of the plan area.*	A site-specific target of 30% subject to viability has been set in the LDP Policy H2.
Para 12.6 Securing affordable housing	*Where necessary, planning obligations should include an appropriate fallback mechanism to ensure delivery of affordable housing (as defined by the development plan), through an alternative arrangement (for example a different split between social rented and intermediate housing or a different proportion of affordable housing).*	Sensible fallback flexibility is advocated so that tenure type can reflect market conditions and need.
TAN 5 NATURE CONSERVATION & PLANNING (September 2009)	**What the policy document says**	**J10 Comment**
Para 4.3.4	*The information submitted with the planning application should be proportional to the likelihood of effects on nature conservation interests and to their potential significance.*	Protected species and habitats have been assessed and examined; with extended Ecological Assessments undertaken and mitigation and enhancement has been included.
TAN 12 DESIGN (March 2016)	**What the policy document says**	**J10 Comment**
Para 2.5	*Good design is not inevitable. It requires a collaborative, creative, inclusive, process of problem solving and innovation – embracing sustainability, architecture, place making, public realm, landscape, and infrastructure.*	The design solution arrived at (as expressed in the DAS) demonstrates that TAN12 has been followed and has taken a sensitive and sympathetic approach and response to the local natural and built environment assets. The applicant considers that this guidance has been met and the application documents establish parameters to ensure a positive design solution at Reserved Matters stage.
TAN 15 DEVELOPMENT & FLOODRISK (December 2021)	**What the policy document says**	**J10 Comment**
	An FCA and Drainage Strategy are required for schemes of this scale and nature.	The site does lies entirely within Flood Zone 1 (low risk category).

		Nonetheless an FCA and Drainage Strategy have been undertaken along with Infiltration testing to prove that a sustainable method of surface water drainage can be achieved. A feasible and suitable connection to the public sewer has been identified for foul water, and discussions are on-going with Dwr Cymru (Welsh Water) to confirm connection requirements.
TAN 18 TRANSPORT (March 2007)	**What the policy document says**	**J10 Comment**
	A TA and Travel Plan are required for schemes of this scale and nature.	A Transport Statement has been submitted. This demonstrates that safe and appropriate access to the site can be achieved and also addresses active travel and sustainable connectivity.
TAN 23 ECONOMIC DEVELOPMENT (February 2014)	**What the policy document says**	**J10 Comment**
Para 1.1.5	*Economic land uses also include construction, including house building, but housing once built is not an economic land use because it does not directly generate wealth, jobs and income. It is the final use of land which is the important issue.*	TAN24 recognises the positive economic impact of housing development and construction. The applicant is of the opinion that the economic benefits of housing must therefore be treated as a material consideration.
Para 2.1.1	*It should not be assumed that economic objectives are necessarily in conflict with social and environmental objectives. Often these different dimensions point in the same direction. Planning should positively and imaginatively seek such 'win-win' outcomes, where development contributes to all dimensions of sustainability.*	In weighing up economic benefit the proposal offers a "win-win" outcome for the social, environment and economic dimensions of sustainability.
DPM 3 DEVELOPMENT PLANS MANUAL (March 2020)	**What the policy document says**	**J10 Comment**
Para 1.1	*The Development Plans Manual, 'The Manual', is an online reference document for practitioners who are responsible for, or contribute to, the preparation and implementation of development plans. It contains practical guidance on how to prepare, monitor and revise a development plan, underpinned by robust evidence to ensure that plans are effective and deliverable and contribute to placemaking, as defined in national policy set out in Planning Policy Wales (PPW).*	The applicant considers that the evidence base supporting the LDP has been robust to provide confidence that the policies and the plan overall is effective, deliverable and will contribute to placemaking.
Paras 2.3 to 2.5	*The NDF will be a development plan, setting out the policies of the Welsh Ministers and*	The NDP carries weight.

	will comprise part of the statutory development plan to be used in decision making, when published. *The NDF will be reviewed on a 5-year cycle, reflecting an Assembly term.* *All SDPs and LDPs prepared in Wales will have to be in general conformity with the NDF, when published. LPAs will need to consider the implications for any LDP when the NDF is published. The Planning (Wales) Act 2015 (section 68A) states that following publication of the NDF an LPA must consider whether to carry out a review of an LDP.*	The NDP was published in February 2021 so will be updated by February 2026. The LDP must generally conform with NDP, which takes precedence.
Para 3.30	*Detailed evidence upfront and early in the plan making process is essential to inform the delivery of the preferred strategy and subsequent plan stages. A greater depth of evidence at the candidate site stage is essential.*	Wrexham undertook detailed assessments and provided evidence for BMV, site selection and viability which informed the candidate site selection process.
Para 3.36	*The evidence must enable the LPA to assess the following:* *• Is the site in a sustainable location and can it be freed from all constraints?* *• Is the site capable of being delivered?* *• Is the site viable?*	These core principles have been followed regarding the key principles behind evidence to prove and justify LDP site allocations.
Para 3.43	*The key objective an LPA should establish is whether a site promoter has a serious intention to develop the site and can do so within the timeframe of the plan ….. Candidate sites should be sustainable, deliverable and financially viable in order to be considered for inclusion in the plan by an LPA. All sites should satisfy the broad parameters and information emitted by the LPA and have sufficient financial headroom to accommodate all of the plan's policy requirements. For the purposes of this Manual ensuring sites in plans are deliverable means both in terms of deliverability and financial viability.*	This guidance has been followed.
Paras 3.79	*The foundation of a development plan is the evidence base.* ***A robust evidence base that is relevant, proportionate to the issues the plan is seeking to address and focussed on key issues and sites is critical****. This is important as more rigour becomes embedded in the process, specifically demonstrating delivery.*	The evidence base underpinning the LDP is considered by the applicant as being sound and it has not been questioned by the Inspectors.
Para 7.5	*Certainty regarding the content of the plan will only be achieved when the Inspector delivers their binding report. Thus, in considering what weight to give the specific policies in an emerging LDP that apply to a particular proposal, LPAs will need to consider carefully the underlying evidence*	The adopted LDP policies and its supporting evidence base are considered to have material weight; particularly since the binding Inspectors Report found the plan sound and it has since been adopted.

	and background to the policies. National policy can also be a material consideration in these circumstances.	
Para 7.7	*Whether planning permission should be refused on grounds of prematurity requires careful judgement and the LPA will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the LDP process.*	Using the reason of prematurity to refuse permission must not be taken lightly – in the case of Wrexham, the applicant cannot see how this could be used or justified given the fact this strategic site is core to the plan strategy. Also, the LDP evidence base and its plan policies are now adopted so must be given full weight.
Para 8.1	*an LPA must publish and submit to Welsh Government an Annual Monitoring Report (AMR) setting out how the objectives of the plan are being achieved, or not (by 31 October each year).* *an LPA must review its LDP no longer than 4 years from the date of adoption.*	With the LDP adopted in December 2023, the first AMR was due by the end of 2024, but has yet to be published. The Council must look to undertake an AMR annually to demonstrate where it is in its housing trajectory obligations (by presenting figures for both open market and affordable housing tenures against the anticipated annual build rate (AABR)) and must look to undertake a full LDP Review no later than 4 years from the date of adoption (i.e. by December 2027).
Para 8.16	*Where there is a shortfall of cumulative housing completions against the Anticipated Annual Build Rate (AABR) or Annual Average Requirement (AAR) for 2 consecutive years (annual completions, not number of AMRs published) the LPA must consider the scale of any deficiency and set out its conclusion/monitoring action in terms of implications for delivering the requirement level homes/strategy. Failure to deliver against the AABR/AAR can itself be a reason to trigger an early review of the plan.*	Wrexham may be at risk of failing to deliver against their AABR due to the delays issues such as the Covid pandemic, LDP programme slippage to adoption, the phosphates issue and plan challenges through the Courts. As a result the LDP desperately needs sites like this to come forward and deliver.
DMM 2 DEVELOPMENT MANAGEMNET MANUAL (May 2017)	**What the policy document says**	**J10 Comment**
Para 1.1. 1	*Development Management (DM) is a positive and proactive approach to shaping, considering, determining and delivering development proposals. It is led by the local planning authority (LPA), working collaboratively with those proposing developments and other stakeholders. It is undertaken in the spirit of partnership and inclusiveness, and supports the delivery of key priorities and outcomes.*	The applicant has been keen to collaborate and engage with the Council on this proposal.
Para 6.3.15	*LPA's have 21 days to provide a written response to the applicant*	A pre-app request was made on 23 July 2021 and a written response was received on 23 September 2021.

Para 9.4.7	*Material considerations could include current circumstances, policies in an emerging development plan, and planning policies of the Welsh Government. All applications should be considered in relation to up to date policies. An LPA should be able to determine through monitoring and review whether policies in the adopted development plan are outdated for the purposes of determining a planning application.*	The adopted housing delivery policies are afforded full material weight.
Para 9.4.8	*In making development management decisions, the weight to be attached to an emerging draft Local Development Plan (LDP) will in general depend on the stage it has reached, but does not simply increase as the plan progresses towards adoption. Following the submission of a LDP to the Welsh Ministers for examination, the appointed Inspector is required to consider the soundness of the whole plan in the context of national policy and all other matters which are material to it. Policies could be amended or deleted from the plan even though they may not have been the subject of a representation at deposit stage (or be retained despite generating substantial objection). Certainty regarding the content of the plan will only be achieved when the Inspector delivers the binding report. In considering what weight to give to the specific policies in an emerging LDP that apply to a particular proposal, LPAs will need to consider carefully the underlying evidence and background to the policies. National planning policy would be a material consideration in these circumstances.*	The Plan Inspectors have not raised any concerns over the allocation H14 (in so far as this site is concerned) and the applicant considers the adopted LDP to be sound and its supporting evidence base provides a credible level of weight. The site is allocated in the LDP, which has been subject to independent examination and found sound. It should therefore be afforded very significant weight. This is on the basis that 'certainty' regarding the content of an emerging plan is achieved when the Inspector delivers the binding report. This has been achieved. However, due to plan slippage, when considered in the context of national policy that requires an up-to-date housing trajectory and the plain fact that Wrexham appear to be some 3,000+ units behind their completion target there is mounting pressure on the Council to deliver its trajectory as quickly as possible and this means determining application proposals such as these favourably and without delay.
Para 9.4.9	*During the period between submission of a draft LDP for examination and its adoption, the existing development plan remains the extant development plan for the purposes of decision making. However, the evidence to support the policies in an emerging LDP could be used as a material consideration when making decisions.*	The applicant considers that the proposal accords with the LDP requirements for the site and expects the determining authority to be mindful of this protocol.
Para 9.6.17	*Where necessary, planning committees should defer applications by using a 'cooling off period' to the next committee meeting when minded to determine an application contrary to an officer recommendation. This is in order to allow time to reconsider, manage the risk associated with this action, and ensure officers can provide additional reports and draft robust reasons for refusal or necessary conditions for approval.*	The track record of Wrexham planning committee has largely ignored this protocol and the applicant would like to remind decision makers of this direction for the avoidance of doubt.

Para 10.3.1	*Developers may be asked to provide contributions for infrastructure in several ways. This may be through the Community Infrastructure Levy (CIL) or planning obligations in the form of an agreement under section 106 of the 1990 Act. LPAs should ensure that the combined total impact of such requests does not threaten the viability of the proposal and scale of development identified in the LDP.*	Viability is recognised as an important issue and over-loading a site with obligations should be avoided.

3.8 The applicant has followed and embraced this guidance and is of the opinion the development proposals are supported and adhere to this guidance and should be afforded full weight in favour of supporting the positive determination of this proposal.

The Benefits of the Proposed Development

3.9 In the applicants view the proposed development will together deliver very substantial and significant public interest and community benefits that should be given considerable weight in favour of the grant of planning permission when it comes to judging planning balance.

3.10 These can be summarised as scheme deliverables providing a series of **economic, social, cultural and environmental net gains/benefits and deliverables** which serve to secure the mutually supportive sustainability and placemaking objectives in the following manner:

ECONOMIC DELIVERABLES	
Construction jobs	30 no. direct and 50 no. supply chain jobs
Contract value	£9 M
Construction spend locally	£27 M *N.B. based upon construction industry body research that has found for every £1 spent £3 is generated in the local economy*
New householder expenditure	£351,000 local spend investment *N.B. based upon £9,000 per home average spend to "make a house a home"*
Ongoing new household expenditure	£1.17 M per annum spent locally by new householders on local services *N.B. based upon £30,000 spending power per household per annum*
Council Tax revenue : enhancing the local Town/Community Council precept dividend	£94,653 per annum into supporting existing and new Wrexham Borough Council services Which could also deliver a local community precept *N.B. based upon average Tax Band E of £2,427*
General	This proposal seeks to deliver jobs, economic growth and prosperity into the local economy.
SOCIAL & CULTURAL DELIVERABLES	
New jobs	Jobs will deliver social and economic wellbeing to residents of Wrexham Borough by creating wealth and underpinning investment in the local economy and supporting new infrastructure.
Affordable Housing	30% of all housing will be affordable : targeted at providing new homes for Wrexham residents in need of a roof over their head.
Housing Mix	The illustrative layout shows that the proposal can deliver a mixed range of new housing from 2 and 3-bed semi-detached through to 4 bed detached dwellings.
Locational sustainability	The site is located in an established residential area of Holt and is supported by its existing framework of services where it is logical to locate new housing, which will serve to safeguard, enhance and sustain new and existing local services and facilities.
Education	New families will secure the future of local schools and other important local services and facilities.
Bus Services	New residents will be served by existing public transport infrastructure that run between Wrexham and Chester.

Public Access, Open Space and Cultural Wellbeing	POS provision of 4,100 sqm of new high-quality open space that is expected to exceed standards, complemented by new local pedestrian links and safe routes to school. Providing safe pedestrian connections and routes with a variety of new linkages and connections into and around the development; with safe and connective access for all public transport, cycle and pedestrian users and enhanced footways.
ENVIRONMENTAL DELIVERABLES	
Environmental Dividend – Biodiversity net gain	Habitat provision, dark corridor, bird and bat boxes; resulting in a significant quantum of biodiversity net gain.
Design Quality	New housing design is anticipated to follow the illustrative layout provided and it will be at the Reserved Matters stage that this will be more fully determined. But setting the parameters now through good urban design is considered important as it looks to celebrate the special nature of the locality; ensuring a sense of place is achieved and protecting and enhancing the quality, distinctiveness, character and sensitivity of the locality and its setting.
Energy Efficient Homes	New homes with high levels of insulation and non-fossil-fuel heating and hot water solutions designed to "EPC A" rating.
Active Travel	Connective, permeable and safe pedestrian links, safer routes to school; designed to meet latest standards; DDA compliant housing and site access.
Landscape enhancement (trees)	New and enhanced landscape planting with opportunities for feature trees within the site are provided for by the illustrative layout.
Residential amenity	Ensuring the residential amenity of existing local residents is protected the layout shows that offset/interface distances can be achieved and that new and existing residents benefit likewise from a scheme that enhances amenity and quality of life / wellbeing through a placemaking design emphasis on greenspace and quality landscape solutions.
Public Access and accessibility	The proposal will offer new public access opportunities where they are compatible with the environmental management regime and that is connective, permeable and safe.
Public Open Space	The masterplan design has been developed through the prism of achieving a high-quality landscape and plenty of accessible and usable greenspace at its core, but also managing to access existing playspace (i.e. The MUGA located next to the site's south eastern corner.
Highway safety	Safe means of access can be achieved.
SUDS	A SAB's compliant scheme has been developed and is ready to be progressed at Reserved Matters stage.

3.11 The development proposals therefore generate significant and mutually supportive economic, social and environmental benefits and net gains which collectively constitute sustainable development and as such these are material planning considerations that must carry substantial weight and cannot be underestimated. The reality here is that this proposal will deliver jobs, economic growth, prosperity and investment. It shall also secure the environmental (built and natural) betterment benefits and associated public / community benefits, which in the view of the applicant must be given considerable weight.

3.12 The applicant therefore invites the decision-maker to consider the benefits cumulatively and significant material weight must be duly applied and, as a result, in this instance they respectfully request that the Council supports this scheme and approves the application, in line with its Local Development Plan.

4.0 DECISION MAKING : PLANNING BALANCE

Planning Conditions

4.1 Any conditions that are to be attached should follow the guidance set out in Welsh Government Planning Circular 016/2014 and meet the following 6 tests in being:

- *Necessary;*
- *Relevant to planning;*
- *Relevant to the development to be permitted;*
- *Enforceable;*
- *Precise and;*
- *Reasonable in all other respects.*

4.2 We would request that in the event a draft decision notice and conditions are prepared, that we are fully involved in the process in order to ensure that the wording of such conditions meet the above tests and enable the swift commencement of development through any subsequent Reserved Matters application.

Planning Obligation

4.3 A set of Heads of Terms (HOT's) has been drafted (see **APPENDIX B**) which is intended to provide the narrative and basis for a s106 legal agreement to provide surety with respect issues such as affordable housing, education and POS/greenspace its future management and maintenance and any biodiversity mitigation and net gain benefits.

4.4 The HOT's may need some fine-tuning but they represents a clear sign of intent and the applicant is keen that, in partnership with WCBC and any other stakeholders, they are agreed in a form that the Councils lawyers can proceed to formal drafting without any undue delay.

4.5 The applicant is committed to a positive partnership between all stakeholders. Ultimately, any obligation needs to meet the following tests:

a) necessary to make the development acceptable in planning terms;

b) directly related to the development; and

c) fairly and reasonably related in scale and kind to the development

4.6 The tests have statutory weight and in executing the need for a legal agreement pursuant to s106 of the Planning Act and with CIL Regulation 122 such obligations must follow the procedural guidance set out in the Welsh Office Circular 13/97.

Conclusions : Section 38(6) of the 2004 Act

4.7 The Planning & Compulsory Purchase Act 2004 requires an appraisal of whether, overall, the proposed development accords with the development plan, unless material considerations indicate otherwise as set out in S38(6).

4.8 This statement has shown that this proposal is fully compliant with and in accordance with all the most relevant and important development plan policies identified in adopted LDP along with a host of other relevant (yet less important) policies and that appropriate weight must be afforded those policies and the evidence base supporting the LDP. It has also been shown that this proposal is compliant and consistent with the NDP, PPW11, TAN's, DPM3, DMM2 and SPD. The applicant is of the view that the proposed development accords with the development plan and as such the proposal must be approved.

4.9 Furthermore, there are also a host of material planning considerations (including a range of benefits and the lack of any reasonable alternatives) that all point in favour of the development being approved and which must be given significant weight. Indeed, any material considerations that might be considered (by the decision maker) to weigh against the grant of planning permission are not, in the applicant's opinion, sufficient to outweigh the strong support of the considerations in favour of granting permission.

4.10 This is a scheme of high-quality and advanced sustainability; which strategically fits with the statutory planning legislative framework. This application is technically robust, and it has been demonstrated that there are few, if any, negative impacts that would result. The overall planning balance is, in my opinion, weighted strongly in favour of granting permission as per Section 38(6) of the Planning & Compulsory Purchase Act 2004.

4.11 The proposals must be supported, and permission approved without any delay in accordance with the Framework, because we have demonstrated that no adverse impacts are evident in impeding a positive determination being reached. The approval of this proposal would make a valuable and significant contribution towards securing the sustainable future of Wrexham and delivering much needed open market and affordable housing.

4.12 **In the applicant's view, the only reasonable conclusion is that the Officers of Wrexham County Borough Council must now recommend and/or approve this scheme. Accordingly, the applicant commends these proposals to the decision maker and respectfully requests that permission is granted for Outline planning permission. The applicant reserves the right to comment further on any third-party comments, any proposed planning conditions and any planning policy that might emerge between now and the application determination; along with any change in LDP status that might arise as a result of the December 2024 ruling made by the High Court.**

APPENDIX A : Pre-application Submission and Guidance

Wrexham County Borough Council / Cyngor Bwrdeistref Sirol Wrecsam
Guildhall, Wrexham. LL11 1AY
Neuadd y Dref, Wrecsam. LL11 1AY
DX: 721924 - Wrexham 4
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JUSTIN PAUL
J10 PLANNING LTD

Your Ref/Eich Cyf	
Our Ref/Ein Cyf	ENQ/2021 /0227
Date/Dyddiad	23/09/21
Ask for/Gofynner am	Bryn Bolton
Direct Dial/Rhif Union	01978 298777
E-mail/E-bost	bryn.bolton@wrexham.gov.uk

Dear Sir/Madam,

Town and Country Planning Act 1990

RESIDENTIAL DEVELOPMENT
LAND ADJACENT TO SYCAMORE HOUSE WREXHAM ROAD, HOLT, WREXHAM.

The proposal site measures approximately 1.7ha and is currently in agricultural use. The site is bound by hedgerows and the site immediately to the east has been developed for housing. A collection of buildings including Sycamore House would be located to the north with the development bounding that property on three sides. There is a small wooded area to the west and south west located outside of the site boundary.

The main planning policies that would apply to the proposal are:

National Policy:

Planning Policy Wales 11

Technical Advice Note 5: Nature Conservation and Planning

Technical Advice Note 12: Design

Technical Advice Note 18: Transport

Development Plan policies:

Wrexham Unitary Development Plan

Strategic Polices

Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.

We welcome correspondence in Welsh.
We will respond to any correspondence in Welsh and this will not lead to any delay.

Policy PS1 Strategic Policy
Policy PS2 Strategic Policy

Specific Policies

Policy GDP1 Development Objectives
Policy EC4 Trees
Policy EC6 Biodiversity Conservation
Policy EC13 Surfac water run-off
Policy H2 Housing on unannotated sites
Policy H7 Affordable Housing
Policy T8 Parking
Policy CLF5 Open Space Requirements from new Residential Developments.

Together with the following adopted Local Planning Guidance Notes:

Local Planning Guidance Note 10: Public Open Space in New Housing Development.
Local Planning Guidance Note: 16 Parking
Local Planning Guidance Note: 21 Space around Dwellings
Local Planning Guidance Note 27: Developer Contributions to Schools
Local Planning Guidance Note: 32 Biodiversity and development
Local Planning Guidance Note: 30 Design

Deposit Local Development Plan

Strategic Polices

Policy SP1 Location of Development

Topic, Criteria and Area based policies

Policy DM1: Development Management Considerations
Policy H2: Affordable Housing
Policy SP2: Location of Development
Policy H1: Housing Allocations

These documents are available from our website:

https://www.wrexham.gov.uk/service/development-plans-and-other-planning-policy/wrexham-unitary-development-plan

https://www.wrexham.gov.uk/service/development-plans-and-other-planning-policy/local-planning-guidance-notes

Relevant History:

P/2011/0899: ERECTION OF AGRICULTURAL BUILDING Granted 2011

Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.

We welcome correspondence in Welsh.
We will respond to any correspondence in Welsh and this will not lead to any delay.

Validation information:
Application Form
Planning statement
Arboricultural Impact Assessment
Ecology surveys and mitigation measures
Noise assessment
Location Plan
Block plan
Planning Fee
Elevation and floorplan drawings
Topographical survey and sections

http://old.wrexham.gov.uk/assets/pdfs/planning/info_sheets/validation_requirements.pdf

Views of Officer

The main material planning considerations of any forthcoming planning application will be the principle of development, ecology, highways, drainage, quality of accommodation, its design and appearance, impact on neighbour amenity and parking.

Developer Contribution Requirements:

School contributions may be required if there is insufficient capacity in local primary or secondary schools at the time a formal application being considered. These would be secured via a Planning Obligation that would need to be completed prior to the grant of planning permission.

Principle of development

In terms of the principle of the proposed development, UDP policy H2 seeks to direct housing development to within settlement boundaries.

As it stands the proposal is located outside the settlement limit of Holt. It also contains Best and Most Versatile (BMV) agricultural land.

Given the site area and number of units proposed the development does not accord with policy H5, which only permits small scale residential development on sites outside of settlement limits by way of subdivision, conversion, infill, affordable housing adjacent to settlement limits and to house rural enterprise workers. The proposals therefore conflicts with that policy as well as PS1 and EC2.

Notwithstanding the above, in this instance, there may be other material considerations which may allow a departure from the local development plan.

The existing development plan (Wrexham UDP) is time expired and the evidence which underpins the plan is out of date and in particular evidence in relation to housing supply.

Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.

We welcome correspondence in Welsh.
We will respond to any correspondence in Welsh and this will not lead to any delay.

On 26 March 2020 the Welsh Government revoked Technical Advice Note 1, amended Planning Policy Wales (PPW) and published Development Plans Manual Edition 3 (DPM3) to provide revised guidance on how housing delivery is to be monitored. The delivery of housing in the Country Borough now to be monitored using the Average Annual Requirement (AAR) as set out in a Local Development Plan. Despite the changes to national policy, housing delivery remains an important material consideration. This is evidenced by the advice in t paragraph 4.2.11 of PPW11 that a review of an LDP may prompted by an under delivery of housing.

It is acknowledged that Wrexham's LDP has yet to be adopted. The Unitary Development Plan therefore remains the operational development plan for the County Borough, however the Plan period expired in 2011 with much of the evidence underpinning it now being at least 20 years old. The UDP strategy, including settlement limits and Green Barriers, are therefore fundamentally out of date and although being a starting point for the consideration of planning applications can no longer be afforded full weight.

Both the Development Management Manual (DMM) and the DPM advise that certainty regarding the content of an LDP will only be achieved when LDP Inspectors delivers their binding report, which takes place following the completion of an Examination in Public (EiP). Paragraph 9.4.9 of the DMM does however acknowledge that the evidence underpinning an emerging LDP could be used as a material consideration when making planning decisions.

The deposit LDP identifies a requirement for 7,750 homes to be built over the plan period (2013-2028). This equates to an annual average of 517 dwellings. As it stands, to date (2021), the total number of completions during the plan period equates to 2,200 dwellings which represents a large undersupply of housing.

The site is allocated under policy H1 of the deposit LDP as a Tier 3 Local Service Centre. Holt settlement limit is proposed to encompass the site. The site would be allocated for 35 houses, however, any additional units would be welcomed given the existing under supply of homes during the plan period. With the underpinning evidence in mind and as the LDP is close to being afforded additional weight (binding report), when coupled with the fact that the site would represent a logical extension to the settlement, it is considered that there is the potential for the development of this site to be acceptable in principle.

Taking all of the above into account, the need to increase housing supply in the County Borough and to deliver an allocated site weigh in favour of the proposal.

Agricultural land

The entire site appears to fall within Best and Most Versatile Land (BMV) and therefore policy EC2 and Planning Policy Wales paragraph 3.58 are applicable. At this stage you would not be required to undertake any further survey work, however you can undertake an ALC assessment if you so wish. It's noted and as explained above the site is a LDP allocated site and as such the loss of BMV land had been considered at that stage. However, as it stands the LDP has not been adopted and therefore any forthcoming

application will need to be weighed up against the need for housing in this location. I would therefore suggest that the onus is on you to demonstrate that any loss of BMV is outweighed by other material planning considerations (e.g. housing supply).

Affordable housing

UDP policy H7 and accompanying Local Planning Guidance Note 28 which apply a uniform housing requirement across the County Borough for 25% of dwellings to be affordable on developments of 25 or more dwellings.

LPGN28 dates from 2013 and is therefore arguably out of date in light of more up to date evidence. The forthcoming Local Development Plan Policy H2 takes a different approach to current policy and LPG28 by applying a different affordable housing requirement to different areas of the County Borough, reflecting variations in viability. The appeal site lies in an area known as the Rural East.

The most recent County Borough wide viability study was completed by the District Valuer Services (DVS) in 2019. This recommends that a 30% affordable housing requirement should apply to the Rural East. The DVS Viability Study was submitted as updated evidence to the LDP Examination in Public along with a position statement setting out proposed amendments to LDP Policy H2 to take account of its findings.

It is recognised that the LDP has not been adopted and that certainty regarding the content of the plan will only be achieved when the Inspectors deliver their binding report following the conclusion of the Examination in Public. Notwithstanding this, paragraph 9.4.9 of the Development Management Manual acknowledges that the evidence underpinning an emerging LDP could be used as a material consideration when making planning decisions. The DVS Study is the most up to date evidence the Council currently has in regards to viability and as result it is a material consideration in the determination of this application. Notwithstanding the provisions of LGPN28, it is considered reasonable that provision for 30% affordable housing be made in this instance.

Design

The proposed layout appears to provide an acceptable basis for any forthcoming application. It is suggested that an open frontage onto the B5102 would be encouraged to appear in keeping with neighbouring development.

House types, designs and massing would be dealt with at reserved matters stage. Any forthcoming applications should acknowledge the design and scale of adjoining developments and should incorporate similar architectural detailing.

The majority of dwellings would be orientated in a southerly direction which would allow for the potential to maximise solar energy opportunities.

Open space

Policy CLF5 and guidance note 10 requires the provision of on-site open space where 20 units or more are being proposed. CLF5 requires a minimum level of 0.4ha per 50 dwellings this equates to 3.12ha. The emerging LDP requires 50sq.m per dwelling which equates to 1,950sq.m. The indicative plan shows 4,100sq.m which exceeds both policy requirements.

Overall, in terms of design, it is considered that the proposal site has the potential to meet the objectives of policy GDP1 and CLF5.

Neighbour amenity and quality of accommodation

In terms of providing acceptable daylight/sunlight, outlook and sufficient outdoor amenity spaces, the site has the potential to provide spaces around dwellings which meet the minimum standards as set out within LPGN 21. These standards are set as 22m window to window distances and 13m between an elevations fronting a blank wall. Floor areas should be adequate for modern living and each habitable room should be afforded acceptable levels of daylight/sunlight and outlook. Garden areas should measure a minimum area of 30sq.m for up to two people and 50sq.m for three or more people.

Ecology

National (TAN 5 and paragraphs 6.4.22 and 6.4.23 of PPW) and local plan policy and guidance (policy EC6) seeks to protect biodiversity interest. Policy EC6 states that development within or close to sites of biodiversity interest will be permitted where it can be clearly demonstrated that the need for the development outweighs the need to safeguard the intrinsic nature conservation value of the site.

Any applications on this site would require a preliminary ecological survey which dependent upon the results of the phase 1 and historical records check will likely require further survey work on badger, bats, reptiles and possibly invasive non-native species.

Any loss of mature hedgerows (for example to form the access) would need to be mitigated against and any loss should be avoided.

As outlined within PPW11 the proposals would be required to demonstrate a net gain in biodiversity.

Trees

There appears to be a number of trees present on and near to the site. In accordance with policy EC4 an Arboricultural Impact Assessment (AIA) would be required to be submitted.

Development which results in the loss or significant damage to valuable trees, important hedgerows or ancient woodland sites will not be permitted. New planting should be considered to enhance the character of the site.

Parking and vehicular access

Rydym yn croesawu gohebiaeth yn Gymraeg.
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Access
The proposed development site is located on Wrexham Road, Holt which is a classified road subject to a 30mph speed limit.

Based on typical speeds of 30mph any existing / proposed access would normally be required to provide visibility splays of 2.4 x 43m in both directions measured to the nearside edge of the adjoining highway. Visibility would appear achievable from the proposed access subject to removal of the existing mature hedgerow fronting the site. Any proposed access road serving the site will need to be a minimum width of 5.5m with 10m kerb radii. The estate road will require 2m wide footways long both sides of the road.

Layout
The proposed site will need to comply with WCBC adoptable standards / Manual for Streets. Any proposed section of carriageway / footway not constructed to the above standards will need to be managed / maintained in perpetuity by a private management. All proposed turning heads will need to comply with WCBC adoptable standards being capable of accommodating the turning movements of an 11.2m long refuse vehicle. Any proposed private, shared driveway will need to provide a turning head capable of accommodating the turning movements of a medium sized delivery vehicle ie/ 7m in length.

Any proposed internal junctions / shared private accesses will need to provide visibility splays of 2.4 x 25m in both directions to nearside edge. This needs to be demonstrated on a revised layout plan.

It is recommend that 2m wide footways are constructed either side of the main access along Wrexham Road linking up to the existing footway fronting the Castle Green development to the east and up to the pedestrian gate serving Sycamore house in the westerly direction A reduced footway width in the westerly direction may be required given the available verge width. Although such a footway would be less than our standard 2m width requirement, it would be considered acceptable given that the additional land required to deliver a 2m footway would require 3rd party land belonging to Sycamore House.

Appropriate dropped kerb / tactile crossing points will be required across Wrexham Road either side of the main access.

Parking provision at the site will need to be compliant with LPGN 16 and WCBC Standard Driveway details.

Footway / Cycleway Links
I would recommend that a suitable shared cycleway / footway (with appropriate signage / barriers / lighting / dropped kerbs - tactiles) is provided through the site from the north west corner of the site off Wrexham Road linking to the proposed open space, internal access road at the south eastern corner of the site and a link onto Francis Lane at the rear of the site. This needs to be demonstrated on a revised layout plan.

Construction Traffic Management Plan

Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.

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If the application is supported a construction traffic management plan would be conditioned.

Archaeology

Prior to submission I would suggest that you contact Clwyd and Powys Archaeological Trust in relation to any archaeological interest in the land.

Waste

It is shown that waste would be stored at points on the proposed private drives for ease to of access for refuse collection. A waste strategy should be submitted with any forthcoming application in order to ensure that waste and recycling is appropriately dealt with. I would recommend that the applicant liaises with our Waste Strategy Officer (Catherine Golightly) on Tel: 01978 729693.

Drainage

The development will be required to incorporate Sustainable Drainage Systems and ABS approval would be required. You are advised to fully consider this at design stage. Any development that results in an unacceptable adverse impact on the water environment due to additional surface water runoff will not be permitted under policy EC13.

Drainage and impact on protected sites

Where planning applications have the potential to increase phosphate levels into the River Dee Special Area of Conservation waste will need to be appropriately disposed of.

Where waste is connected to a public waste water treatment works (WwTW) it will be necessary to demonstrate that:
(a) there is capacity to treat additional wastewater and phosphorus from the proposed development (in combination with other planned development) within the existing discharge permit limits, or
(b) the necessary treatment capacity to remain within existing discharge permit limits will be delivered within the current Asset Management Plan (AMP) period.

It is understood that Holt WwTW does not have capacity or a permit to process additional waste water. From the information submitted it appears that you are aware of this and have suggested that any forthcoming application would demonstrate betterment as the land would no longer be in agricultural use. In theory, agricultural uses have the potential to release larger quantities of phosphates into the SAC catchment area. You will need to provide evidence to demonstrate that this would be the case on this particular site. You will need to compare the amounts of phosphates generated by both uses, if a betterment is shown then this might potentially resolve the issue. Seeking advice from consultants may be necessary and in this case evidence must be provided to support any such claim of trade-off / betterment. An appropriate assessment will need to be carried out by the LPA and NRW will be consulted on this assessment under the habitats and Species Regulations 2017 (as amended).

Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.

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For further information please follow Natural Recourse's Wales guidance below and you are advised to contact them prior to submitting an application.

Conclusion

It is concluded that the site has potential to gain officer support. The key consideration in terms of the principle of development will be demonstrating an overriding need for additional houses within the County Borough. Further evidence will be required to be submitted to demonstrate a betterment in terms of phosphates being discharged into the River Dee SAC. In terms of design, there is the potential for any forthcoming scheme to to incorporate design features which are present within the village and adjoining residential developments. It would be expected that the massing and scale of the proposed properties are in keeping with the local vernacular. In terms of neighbour amenity, the proposal would be required to meet minimum separation distances as outlined within Local Planning Guidance notes.

Other matters

The proposals would require Building Regulations consent. For further information please follow the link below:

https://www.wrexham.gov.uk/service/building-control

These comments are made without any prejudice to any formal decisions of the Local Planning Authority. Please also be advised that this response is based on the information available. It does not constitute a formal determination under the Town and Country Planning Act 1990. Any opinions contained in this response are those of the officer concerned and cannot be held as binding on the council or its members.

Yours faithfully,



Rydym yn croesawu gohebiaeth yn Gymraeg.
Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.

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We will respond to any correspondence in Welsh and this will not lead to any delay.

23 July 2021

Planning Department
Wrexham County Borough Council
16 Lord Street
Wrexham
LL11 1LG

BY EMAIL ONLY

Dear Sir / Madam

PRE-APPLICATION MEETING REQUEST

Land adj. Sycamore House, Wrexham Road, Holt, Wrexham, LL13 9YU : eLDP Housing site H13

My client (Pridding Framing Partnership) would like to engage with Officers prior to commencing the WG formal DMO consultation process, with a view to submitting an Outline planning application for the above site.

This site comprises the emerging LDP housing allocation site H13 at Holt.

DM officers (Matthew Phillips) and Policy officers (Sarah Brett) are aware of the scheme and we have put together a useful pre-application prospectus workbook that summarises all the work undertaken to date and identifies a draft masterplan.

The site is considered to offer capacity for 39 no dwellings, POS that exceeds current and emerging policy requirements and adequate affordable housing that could meet current UDP and emerging LDP policy expectations.

A significant body of technical environmental and engineering work has already been undertaken and has informed the masterplanning process.

We would value the input of Officers from across the Authority; most notably:

- Highways
- Planning Policy
- Planning Development Control
- Ecology & Trees

- Drainage
- Education

In the light of the Council's pre-application charging schedule my client will be making a payment for the pre-application fee of £1,000 (ref. PRIDDING LL139YU).

We would like to engage with Officers to present the proposals and listen to any guidance that will constructively assist in bringing this site forward.

Please contact me at any time on either the office number, my mobile (07971 446630) or via email (justin@j10planning.com) in order to arrange the meeting.

I look forward to hearing from you.

Yours sincerely



Justin Paul BA BTP MRTPI

Encs **Pre-application workbook**
Pre-app form

Cc **V Pridding**

Land off Wrexham Road, Holt

Pridding Farming Partnership

Pre-application Prospectus

Site Appraisal, Proposals and Delivery

21st July 2021

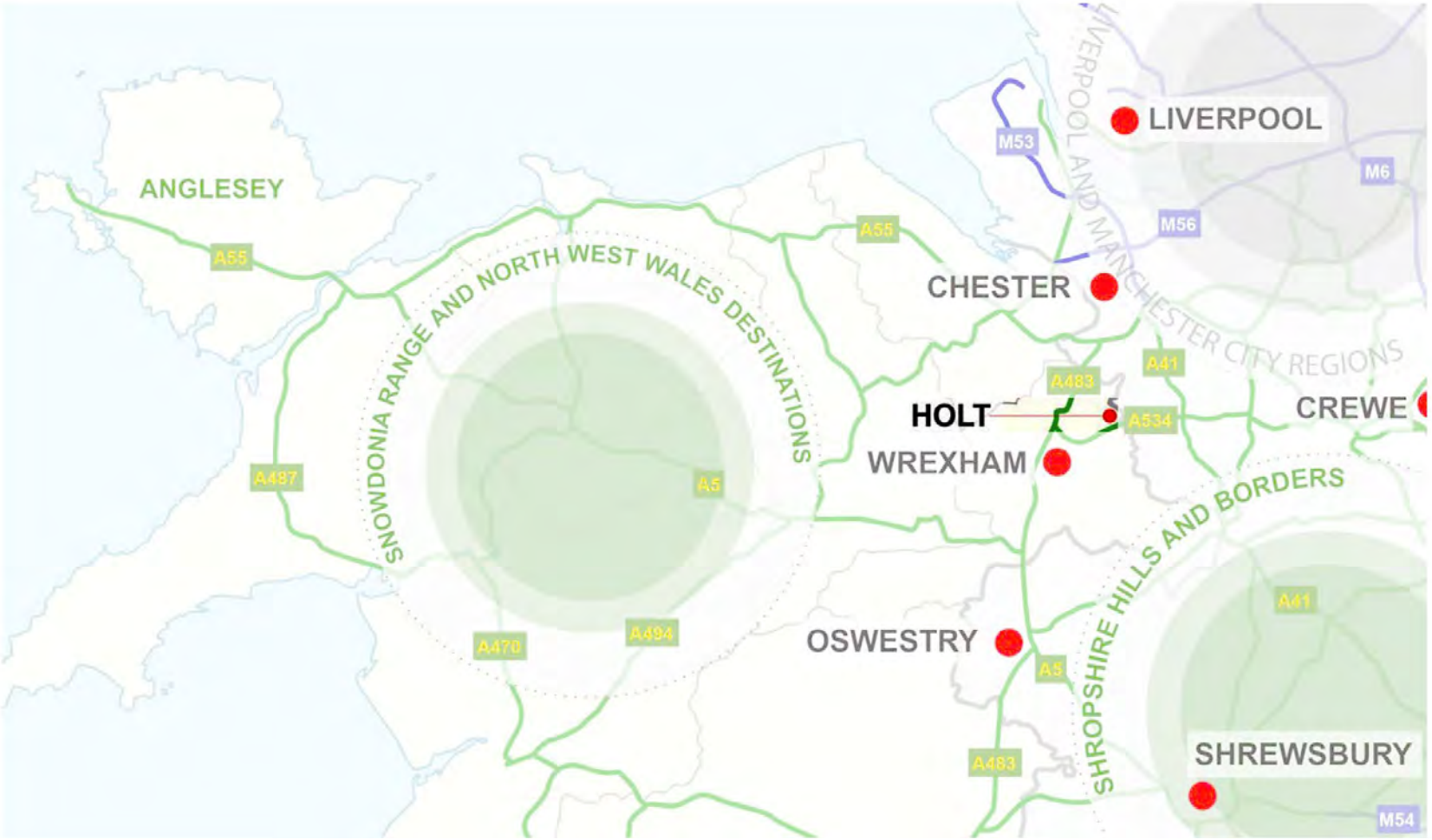
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Introduction and Site Appraisal

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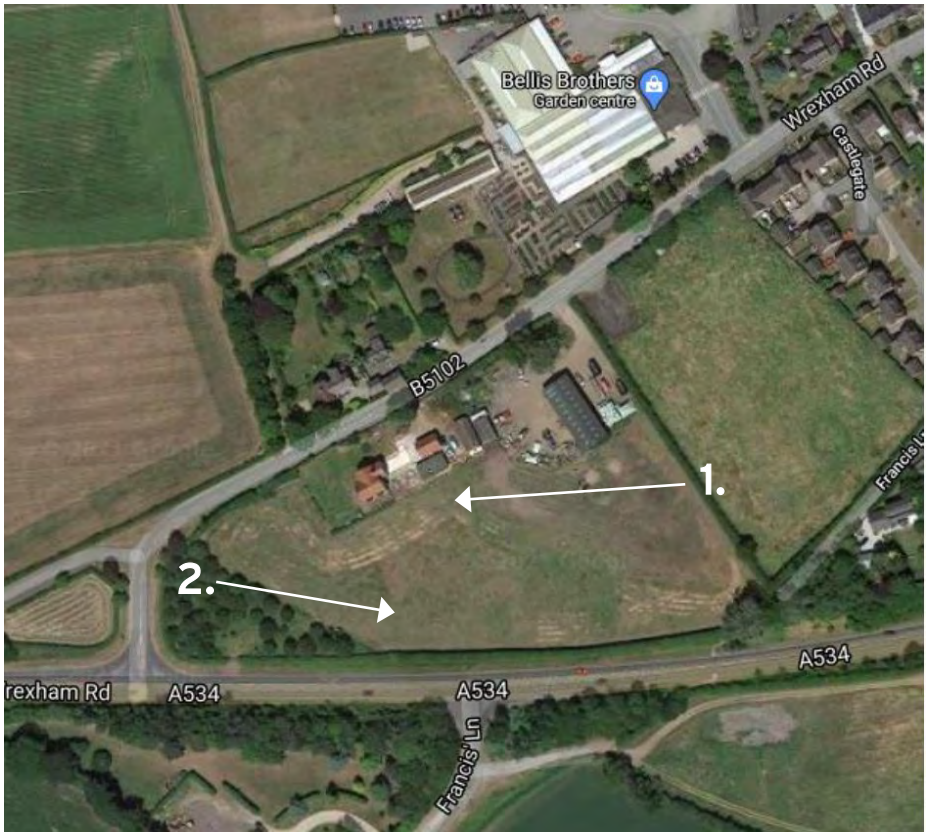
The site is located on the south western extents of the village of Holt, Wrexham.

The site is bounded to the south by the A534 – the strategic highway connection between Wrexham and Cheshire.

Strategic Context

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The Site is an open field of circa 1.7 Hectares at the southwestern extents of Holt Village, Wrexham.

It is currently in agricultural use for grazing/pasture. The field is bound by hedgerows with no features within the field.

To the north east – there is a building group of agricultural sheds and structures.

New homes are under construction to the immediate east. Sycamore House, an existing residence, is being extended to the immediate north.

The Site has immediate access to the B5102 which forms the northeastern site boundary.

Local Site Context

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The current Development Plan is the Wrexham Unitary Development Plan, which was adopted in February 2005.

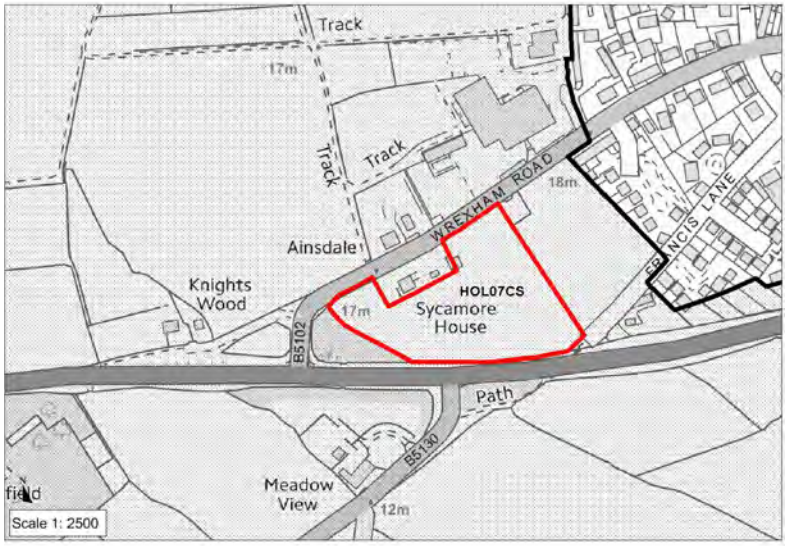
The emerging Wrexham Local Development Plan (2013 – 2028) is in development and it is anticipated that the plan is adopted in early 2022.

Holt is identified under draft policy SP2 as a Tier 3 Local Service centre in the settlement hierarchy where brownfield and greenfield allocations and windfall sites are encouraged to come forward.

The eLDP has identified the site as a proposed housing allocation site under Policy H1 (13) for 35 dwellings and the draft housing trajectory assumes delivery within the plan period.

The target figure is not expressed as a cap, so the proposal for 39 dwellings is considered to be appropriate having taken account of all technical and design parameters.

The applicant is aware that Wrexham Council is currently addressing the issue of phosphates, which has added some slippage to plan preparation. Holt feeds into a waste treatment plant that has limited phosphate mitigation in place, but this site will offer a trade-off/betterment given it will be taken out of what would be considered to be a higher phosphate generating agricultural use into a low-impact residential use.



Planning Policy



Castle Green

The adjacent site to the immediate east is being developed by Castle Green Homes to deliver 24 new homes on the former football playing field pitch, pursuant to P/2013/0823 and P/2018/0009.

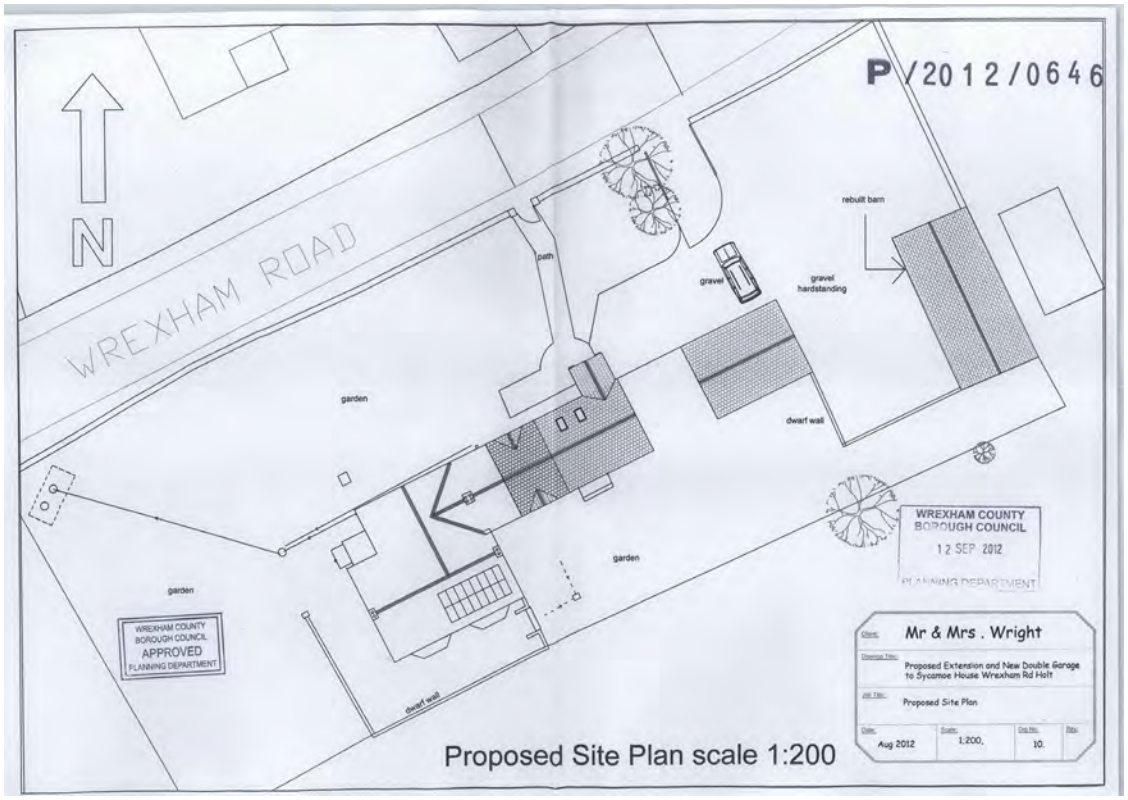
The Castle Green development involves mitigation for the playing pitch loss through provision of a community MUGA on its southern boundary with the A534.

The layout has been shaped by the need to deliver a MUGA but also a strong streetscape frontage along Wrexham Road.

Adjacent Sites and Properties – Castle Green

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Sycamore House

The existing Sycamore House, an occupied dwelling, adjoins the northern boundary of the Pridding Farm Partnership Site.

Sycamore House has planning permission for an extension and works are on-going.

We have reviewed the approved drawings and consideration has been given to the residential amenity of this dwelling and by also adhering to meeting the standard interface distances.

Adjacent Sites and Properties – Sycamore House

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A detailed Topographical Site Survey has been completed. The site is a low-lying, flat, intensively farmed pasture field enclosed by field boundary hedgerows with trees.

There are no landform features and the site falls gently and uniformly to the south and the A534.

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Site Topography

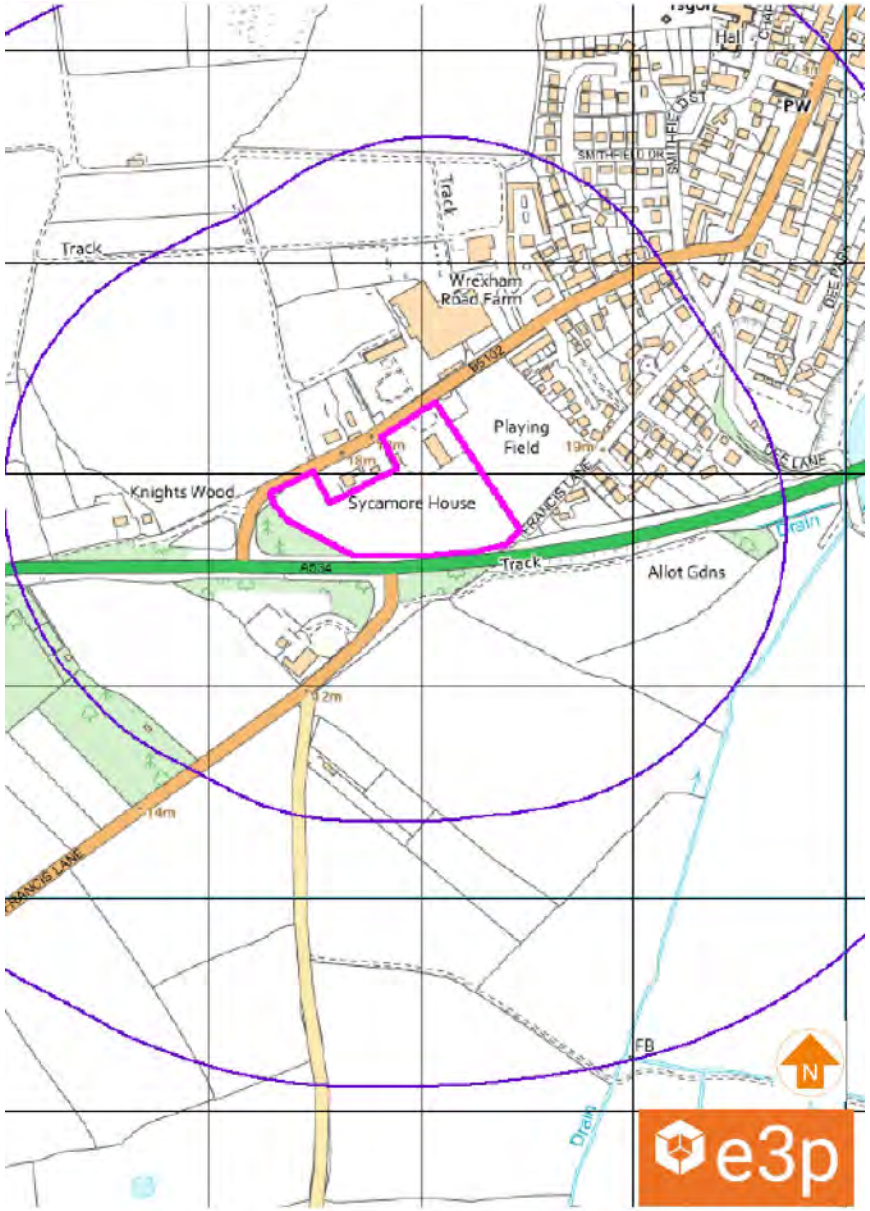


A Highway Appraisal has been completed.

Wrexham Road (B5102) is a local distributor road through Holt. The north eastern site frontage is circa 60m in length – providing sufficient space for a high quality access point with associated clear visibility splays – this being deemed the best location for a principal site access, which will also maximise active travel and allow for a high quality landscape scheme.

The opportunity to deliver new housing in a highly accessible location that is served by public transport and is withing easy walking distance of local shops and services, including educational provision is achieved through this site coming forward. Existing pavement routes are good and there is an opportunity to make a direct pedestrian connection with the new MUGA to the east.

Highways and Connectivity



A Phase 1 Geo Environmental Site Assessment has been completed.

There are no current or historical landfill sites within 250m of the site.

No hazardous installations that could potentially prejudice the proposed residential use have been found within influencing distance of the site.

Potential contaminated land sources have been identified as farm buildings and activities. The overall risk for residential uses is considered to be low/moderate. The farm buildings will be removed for development.

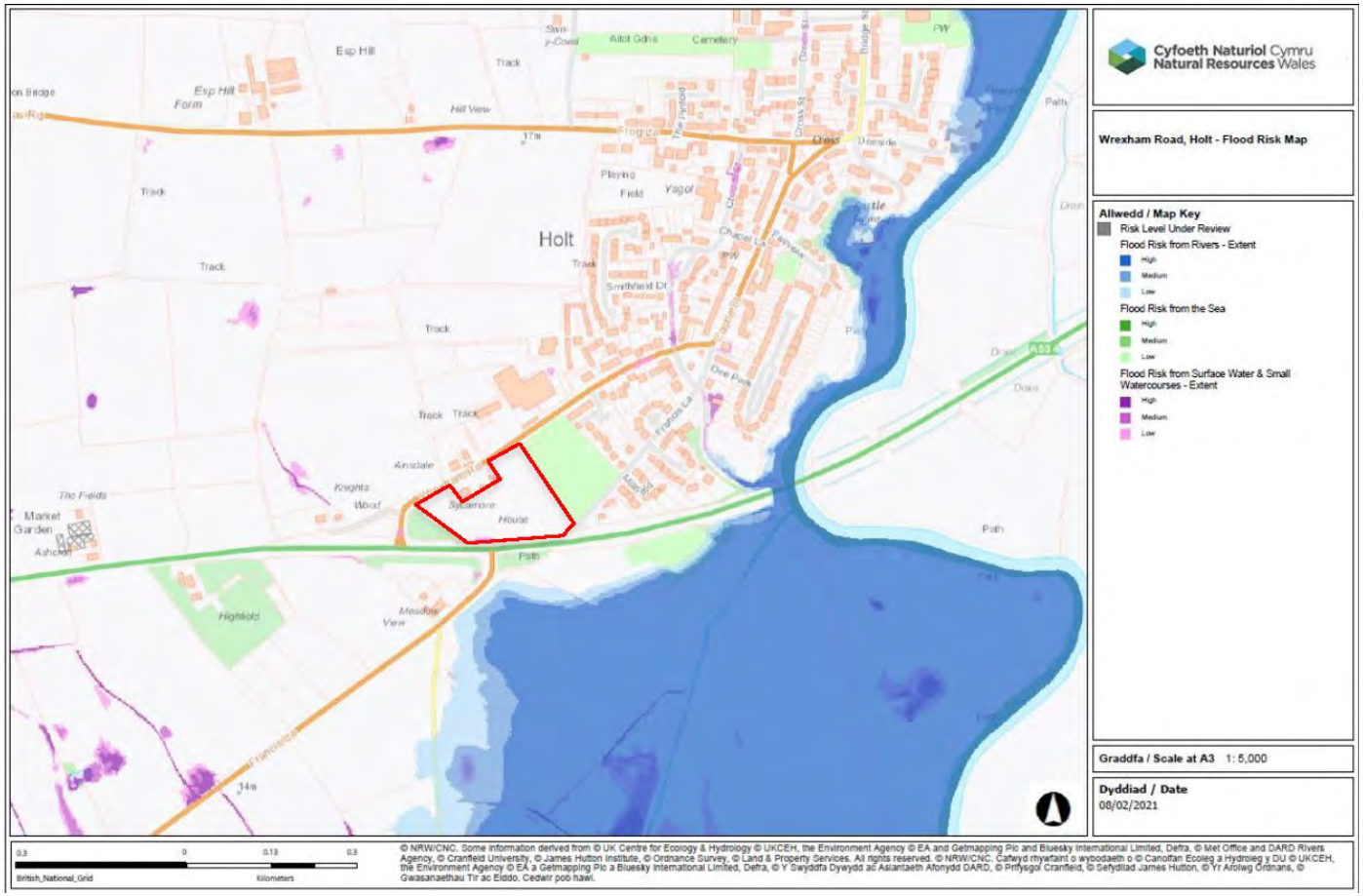
There are no surface waters within influencing distance of the site – as such risk to controlled waters is considered to be low.

The site sits over cohesive glacial drift deposits – as such the overall risk from ground gas is considered to be low.

Geotechnical

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A Flood Assessment has been completed.

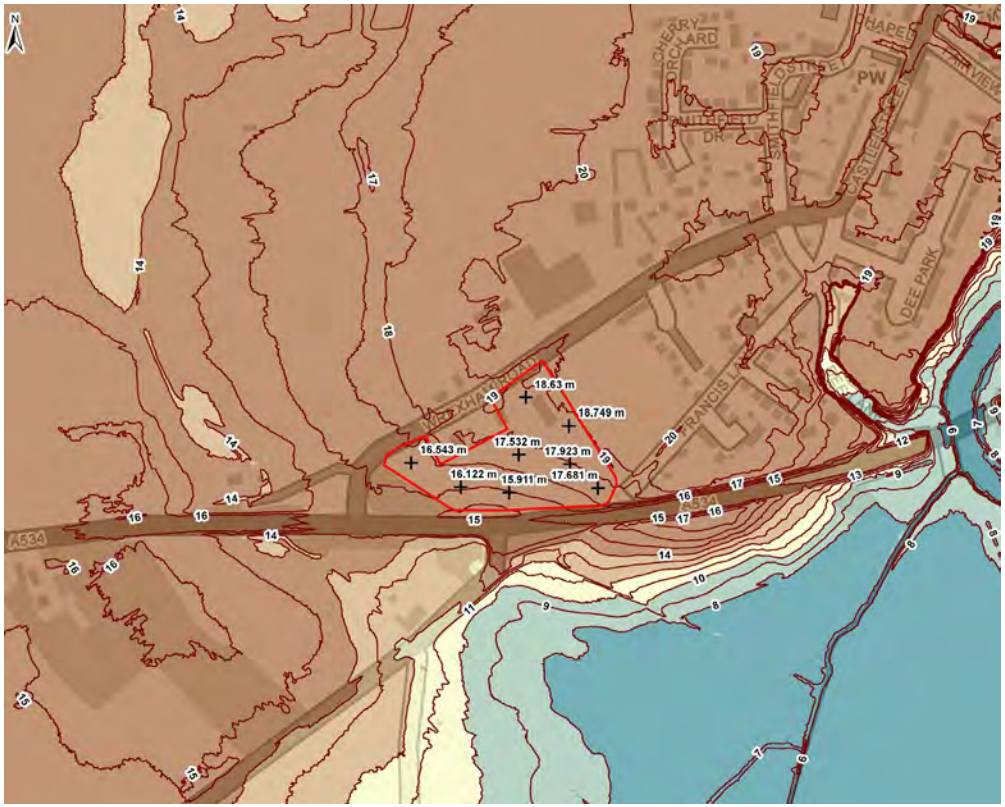
The site is located within a currently defined Zone 1, considered to be at little or no risk of fluvial or coastal or tidal flooding.

Land to the south is classified as Flood Zone 2 and consideration needs to be given to potential future flooding in view of the anticipated lifetime of the development.

Flooding

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A Drainage Assessment has been completed.

Surface water is able to be drained through SUDs with gravity drainage systems falling to attenuation ponds positioned within the south west part of the site. DCWW have confirmed a connection into the wider combined sewer network is acceptable – via a Surface Water Pumping Station in the south west part of the site.

Foul drainage is able to be drained to the south west part of the site and connected into the wider combined sewer network via a Type 3 Foul Pumping Station sited in the south west part of the site.

Drainage

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A Utilities Survey has been completed.

The existing utility infrastructure is capable of supporting additional demand and connections into the site to enable residential development.

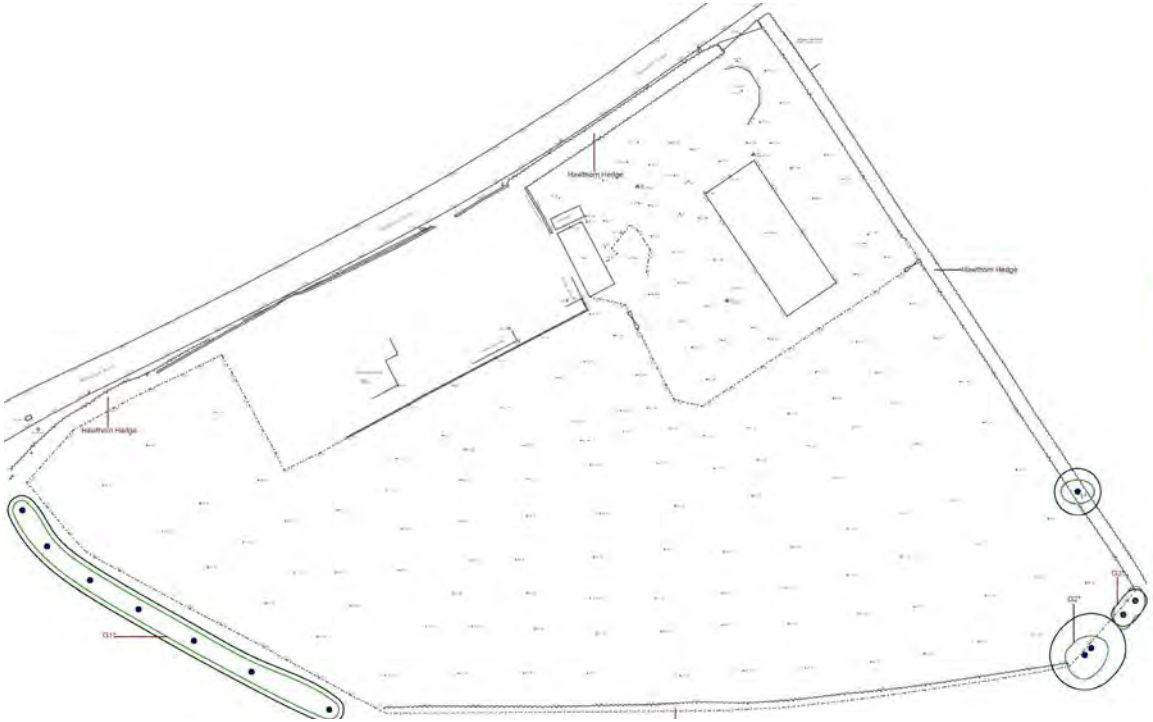
Capacity checks with relevant statutory network operators have confirmed that the existing electricity, water and telecoms services in the vicinity currently have sufficient capacity to serve future development.

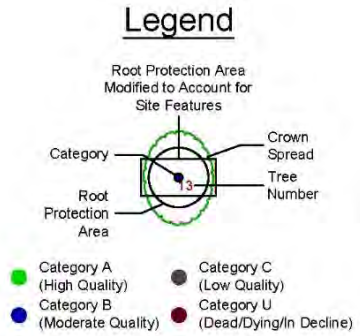
Cadent Gas have confirmed that network reinforcement will be required to service development of the site – deliverable through a standard application process.

Utilities

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A Tree Survey has been completed.

There is a single sycamore tree located within the hedgerow along the site's eastern boundary, and field hedgerows to the north, south and east. There are no other trees present within the site itself.

There are tree groups outwith the southeast and west site boundaries - with some Root Protection Areas (RPA's) extending into the site.

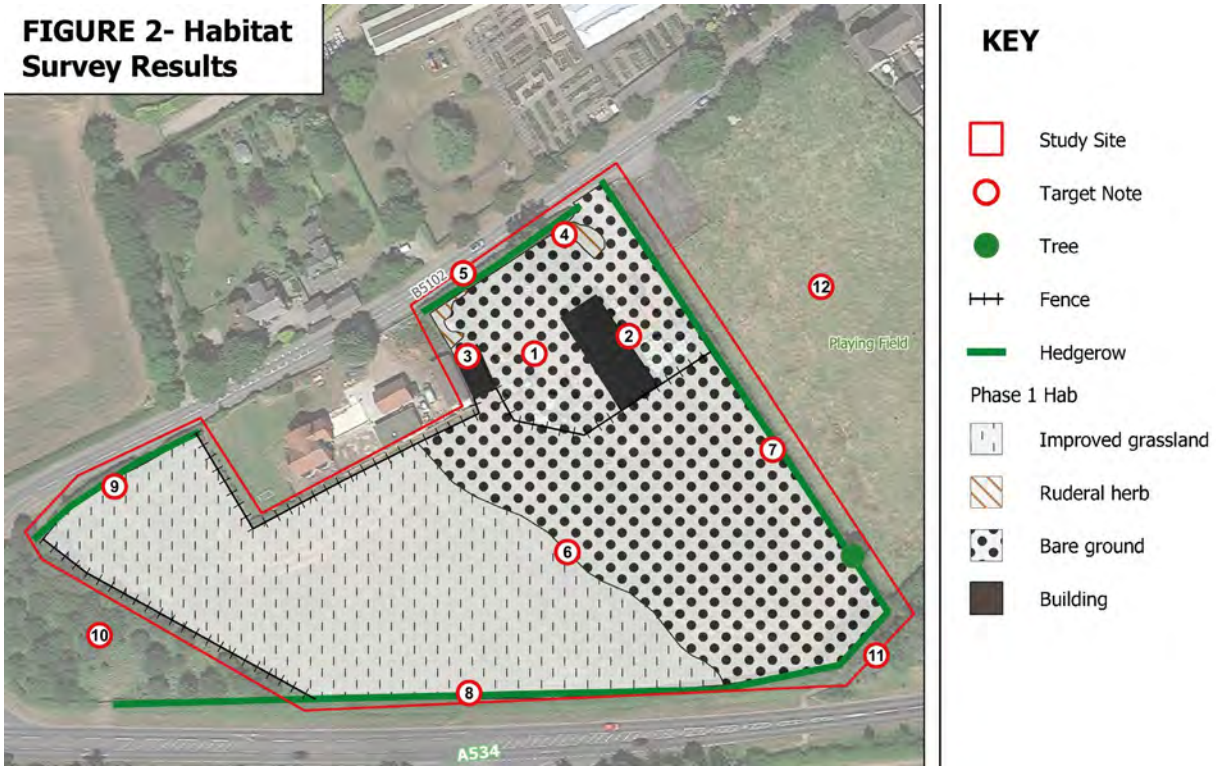
All trees and tree groups and can be retained and RPA's protected whilst allowing development of the site for new homes.

A section of the northern boundary hedgerow will need to be removed to create the site access.

Trees

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A Ecology Survey has been completed.

The site is a heavily poached open field grazed by cattle.

There are no ponds within 500m of the site, and the site is separated from the wider landscape. Therefore, it is considered very unlikely that great crested newts will be affected.

There is no evidence of badger activity, although the site may be used for occasional foraging.

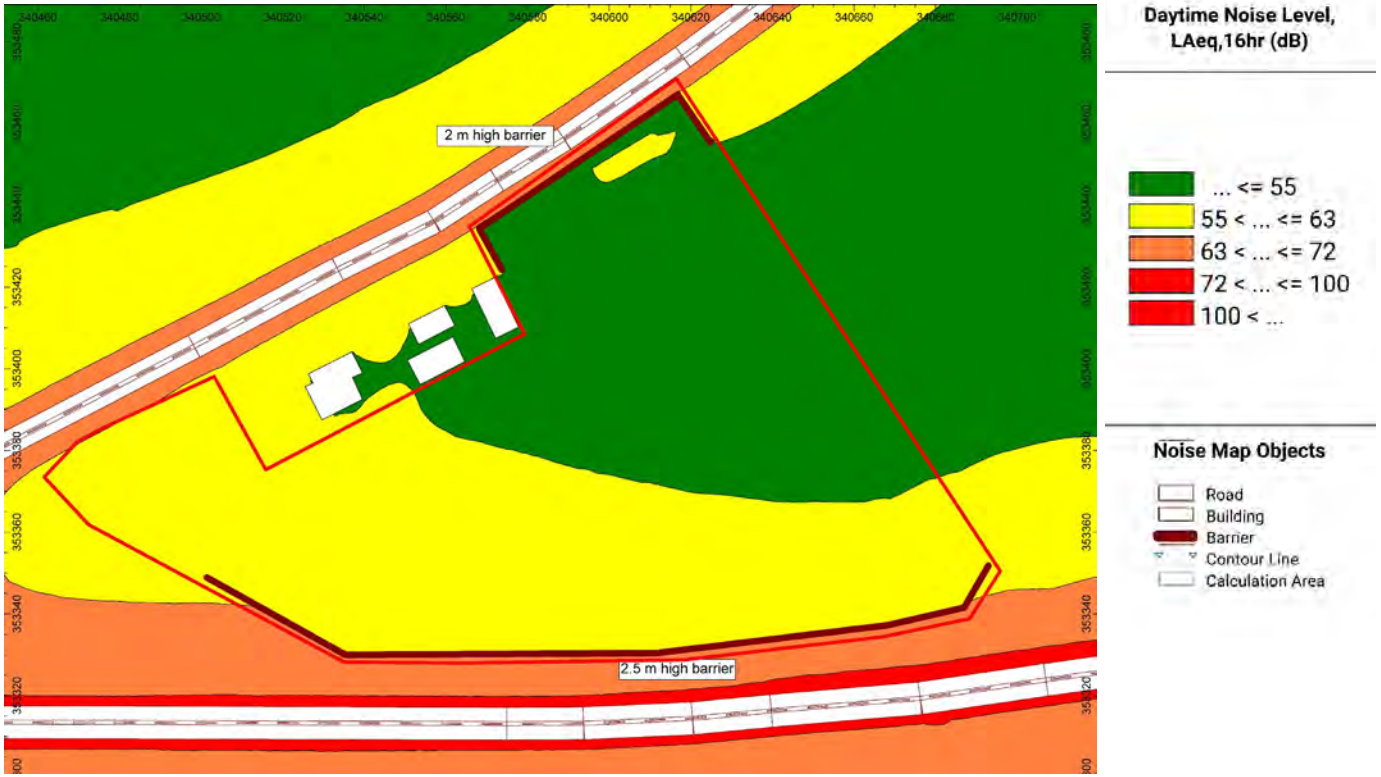
The field hedgerows are likely to support birds in the nesting season.

No other species are considered to be present within the site.

Ecology

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A Noise Constraints Assessment has been completed.

A 24-hour road traffic sound measurement survey was completed for Wrexham Road (A543).

The survey recommended that good acoustic design measures be incorporated into design proposals, particularly along the southern boundary.

Measures include an acoustic barrier along the southern boundary, homes orientated so that rear gardens are protected by buildings, gaps in building lines facing the southern boundary be kept to a minimum, open space and landscape planting along the southern parts of the site, and the use of high performance (acoustic) windows.

Acoustics

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KEY

- Grade 2
- Subgrade 3a
- Other land
- Site boundary

Table 1: Areas occupied by the different land grades

Grade/subgrade	*Area (ha)*	*% of the land*
Grade 2	0.4	26
Subgrade 3a	1.0	55
Other land	0.3	19
Total	1.7	100

An Agricultural Land Quality Survey has been undertaken.

The soils were found to comprise slightly stony sandy clay loam topsoil and upper subsoil, in the west over gravel and in the east over less stony sandy clay loam or sandy loam layers. The soils are permeable to over 80cm depth, but the subsoils now show evidence of seasonal waterlogging (greyish colours with ochreous mottles).

Given the size and scale of the parcel and the fact it is not contiguous with a wider area it cannot be farmed in a productive viable manner. This means that its loss would not be harmful compared with a site that might form part of a much larger more agriculturally viable parcel.

Soils and Agriculture

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An Archaeological Desk Based Asssessment has been undertaken – key findings being:

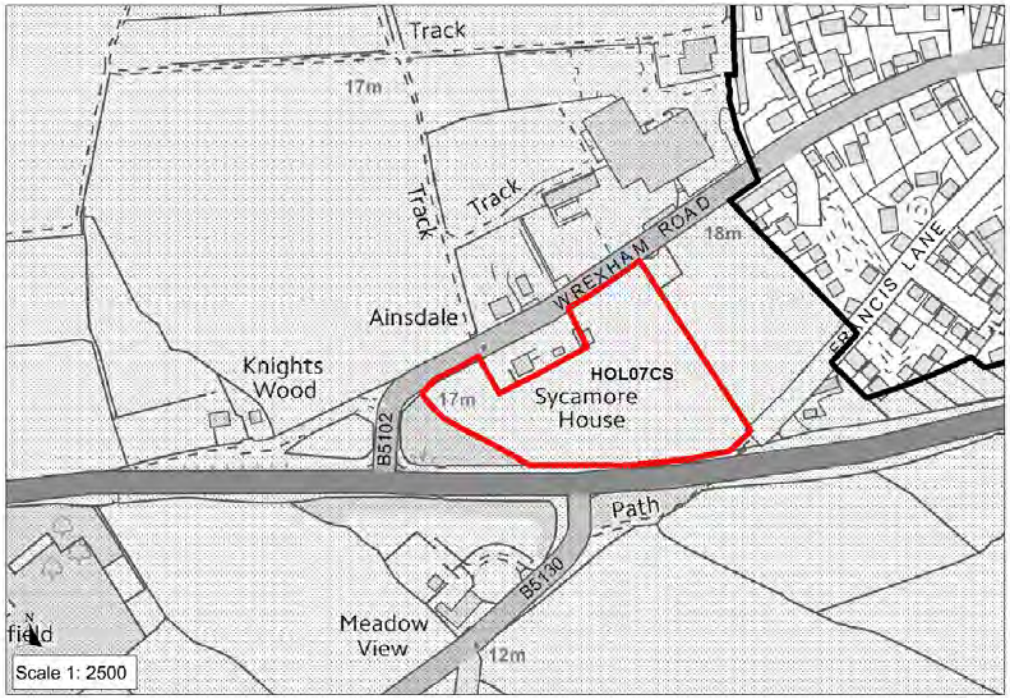


- The potential for significant Prehistoric remains to be found within the site boundary is low.
- The potential for Roman archaeological remains to be found within the site boundary is low to medium.
- The site lies outside the Medieval Core (Of Holt). There is low to medium potential for Medieval and Post Medieval below ground surviving remains.
- The Roman tile works and Medieval fishpond Scheduled Ancient Mounuments are not visible from the site – as such any new development would not affect their setting.
- Intervisibility between the northern edge of the site and the Holt Conservation Area is very minor. The Castle Green development will block visibility (once complete) and has set a precedent for modern construction. As such, the proposals are considered to have little further impact on the setting of the Conservation Area.
- There are several Listed Buildings in close proximity to the site. They have no intervisibility and the proposals are not considered to have any impact on their setting.
- To the immediate north of the site, there is a Post Medieval Listed Stone Gate (36758). The setting of the direct view from Wrexham Road will be affected by the proposals which will be visible behind and surrounding the site of Sycamore House. However, the current Sycamore House is a 20th Century rebuild and not an original structure. The Castle Green homes under construction have already affected the setting of the monument.
- Installing a hedgerow between the site and the rear of Sycamore House would greatly reduce the impact of the new development on the setting of the Listed Gates.

Archaeology

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The emerging Wrexham Local Development Plan (2013 – 2028) is in development.

Relevant housing policies include:

Public Open Space/Greenspace
- UDP Policy CLF15 requirement is 80sqm of greenspace/dwelling.
- emerging LDP Policy CF2 requirement is 50 sqm of greenspace/dwelling.

Affordable Housing
- UDP Policy H7 seeks 25% affordable homes on schemes of over 25 units.
- emerging LDP Policy H2 seeks 30% affordable homes on schemes of over 10 units.

Planning (Planning Application Requirements)

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Proposals

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Design Principles

Deliver a choice of housing types and sizes, with affordable homes 'pepper potted' throughout.

Create village scale parcels and development patterns – shaped by the field pattern.

Create a strong street frontage and sense of enclosure along Wrexham Road – supporting the approach taken at Castle Green to the east.

Create a clear street pattern linking new homes to the principal access point along Wrexham Road.

Larger properties are located along key street and greenspace frontages, and at junctions to provide a sense of enclosure and townscape.

Provide sensitive boundaries with Sycamore House with generous offset distances and the use of gable/rear elevations.

Create a continuous building line along the southern edge to provide a strong sense of enclosure and natural surveillance for the park – and buffer rear gardens from noise from the A534.

Retain and strengthen existing boundary hedgerows and tree groups.

Create a native landscape corridor along the southern edge – linking with Castle Green (MUGA) to the east and Community Woodlands to the west.

Deliver SUDs with attenuation ponds and pumping stations along the southwest boundary.

Masterplan – Design Principles

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Planning Parameters

- The Application seeks outline approval for 39 new homes.
- The application (gross) site is 1.72 Hectares (4.26 Acres) giving a density of 22.6 dwellings per hectare.
- A mix of housing types and sizes is provided across the Masterplan – all as 2 storeys.

Public Open Space/Greenspace
UDP Policy CLF15 requirement is 80sqm of greenspace /dwelling – so 39 homes = 3,120 sqm.

Emerging LDP Policy CF2 requirement is 50 sqm of greenspace/dwelling – so 39 homes = 1,950 sqm.

- The Masterplan provides for 4,100sqm (0.41 Hectares/1 Acre) of greenspace. As such, the provision of 1 Acre exceeds the policy requirement.

Affordable Housing
UDP Policy H7 seeks 25% affordable homes on schemes of over 25 units - so 39 homes = 9.75 (10) units.

Emerging LDP Policy H2 seeks 30% affordable homes on schemes of over 10 units - so 39 homes = 11.7 (12) units.

- 12 Affordable Homes are 'pepper-potted' across the Masterplan – meeting the highest policy requirement.
- The Masterplan provides SUDs and Surface Water and Foul Water Pumping Stations along the south west boundary.
- The Masterplan delivers high quality, sustainable growth and is in accordance with/exceeds policy requirements.

Masterplan – Planning Parameters

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REF	BEDS	SQ FT	QTY	TOTAL	TYPE
A	2	964	17	16384	2 BED SEMI
B	3	1100	10	11000	3 BED SEMI
C	3	1200	3	3600	4 BED DETACHED
D	3	1240	3	3720	4 BED DETACHED
E	3	1250	2	2500	4 BED DETACHED
F	4	1350	2	2700	4 BED DETACHED
	TOTAL		39	42021	

Units / Net Hectare / Acre 31 / 12
Gross area 1.72 hectares / 4.26 acres
POS area 0.41 hectares / 1.01 acres
Undevelopable area 0.06 hectares / 0.15 acres
Net area 1.24 hectares / 3.10 acres

Legend

Root Protection Area Modified to Account for Site Features

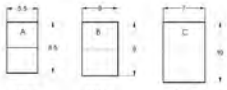
Category
Crown Spread
Tree Number
Root Protection Area

- Category A (High Quality)
- Category B (Moderate Quality)
- Category C (Low Quality)
- Category U (Dead/Dying/In Decline)
- Tree Position Approximate (not shown on original survey)
- Tree Proposed for Removal

Key

- Open Space
- Suds
- Dwelling
- Affordable dwelling
- Acoustic Fence

Typical Property Sizes.



2 Bed 3 Bed 4 Bed

* NOTE
ALL BUILDINGS ARE UP TO 2.5 STOREY MAX
(9.7m GROUND TO RIDGE LEVEL)
DIMENSIONS SHOWN HAVE A DEVIATION OF +/- 3m

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PROJECT
LAND OFF WREXHAM ROAD, HOLT

CLIENT
PRIDDING FARMING PARTNERSHIP

DRAWING TITLE
SITE PLAN

SCALE	1:500 @ A1	PROJECT REF: Prin 10083 Holt Pridding
DATE	20.07.21	DRAWING REF: Prin 100_82_SP 01
CHECKED	IP	

Masterplan (Illustrative)

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- **January to July 2021:** assembling technical assessments and surveys to demonstrate the site is capable of delivering 39 no. dwellings with higher than standard POS and an appropriate affordable housing levy.
- **July 2021:** pre-application submission to WCBC
- **September 2021:** subject to guidance received from Officers we shall then embark upon the formal WG DMO pre-app consultation exercise
- **November 2021:** adjust scheme, following DMO feedback, and complete PAC with a view to lodging Outline Planning Application with WCBC
- **Spring 2022:** seek approval that will coincide with the anticipated adoption of the emerging LDP
- **Summer 2022:** site marketed for disposal with a view that this might allow a sale to be completed by the end of 2022
- **Q1 2023:** Reserved Matters submitted; allowing for commencement of development during Summer 2023; a 2 year build-out will allow site to be completed and occupied by around Summer 2025

Delivery Programme

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APPENDIX B :

Draft s106 Heads of Terms

Land adj. Sycamore House, Wrexham Road, Holt, LL13 9YU

DRAFT s106 Heads of Terms

Document Ref : J10-PFP-HOTS-RevA

19 May 2025

Introduction

These draft s106 Heads of Terms have been prepared by the applicant (Pridding Farming Partnership) to support an outline planning application at land off Wrexham Road, Holt for the:

"Proposed residential development for the construction of up to 39 residential dwellings with all matters reserved except for detailed means of primary highway access and indicative provision made for pedestrian linkages, public open space, landscaping, drainage and biodiversity."

It is anticipated that the following matters will be addressed through a Section 106 Legal Agreement, where it meets the tests of Regulation 122 of the CIL Regulations 2010.

The contributions below are in draft and their detail will be agreed with the Local Planning Authority during the determination of the planning application.

Policy Background

In the event that, during the course of the planning application, evidence is presented that suggests that there is a need for additional physical infrastructure or commuted sum contributions to mitigate against the impacts arising from the proposed development, and it can be shown that this would comply with Regulation 122 of the CIL Regulations 2010, then obligations will also be secured (subject to viability) in this respect via the s106 legal agreement. Clearly, there is a risk that should contributions become excessive that this could place viability under pressure.

Affordable Housing

LDP Policy H2 seeks the delivery of 30% affordable housing from this site; this reflects the former UDP Policy H7.

The proposals include for the provision of 30% affordable housing which will, on the basis of 39 no. dwellings, net a total of 11.7 no. affordable dwellings; rounded up to 12.0 no. dwellings this represnts 30.8% provision.

The method by which affordable housing is to be delivered and the precise mix and tenure split of affordable housing deemed appropriate is to be agreed with the Council at the Reserved Matters stage as set out in an Affordable Housing Scheme to be be agreed with the Council.

A "cascading" approach should be adopted based upon the applicant being obliged to submit an "Affordable Housing Scheme" having first liaised with Registered Providers and the Council's Housing Strategy team; as it will be based upon housing mix / type being sought at the Reserved Matters stage

No more than 75% of the market housing will be occupied until the affordable housing units within that phase have been constructed, ready for occupation and have been disposed of to a registered provider.

Biodiversity

Whilst not specifically identified as an item under any specific LDP Policy the applicant considers that there are opportunities for enhancements to the natural environment through new landscape planting and habitat management, protection and creation that can be identified in a Biodiversity Action Management Plan with a view that this achieves Net Benefit for Biodiversity (NBB). This may, therefore, be best delivered through a suitably worded planning condition instead of any s106 legal agreement.

Public Open Space

The illustrative layout shows approximately 0.41 ha of public open space. The exact provision will be determined in detail at the Reserved Matters stage.

This significantly exceeds the required standards set out in the adopted Local Development Plan Policy CF2 (which seeks 50 sqm per dwelling : 39 x 50 = 1,950 sqm (0.195 ha)).

A POS Management Plan will be provided at the Reserved Matters stage and no more than 90% of dwellings shall be occupied until the POS has been completed to the satisfaction of the Council.

The intention is that the main access road will be adopted by the Council.

The remaining estate roads, common landscaped areas, parking courts, SUDS, POS, etc will be managed by a Management Company set up by the applicant at the Reserved Matters stage.

Education

The applicant is not aware of there being any need for additional school places to support this development with there being sufficient capacity for both primary and secondary places in Wrexham locally and a falling birth rate.

If, however, a need is found to exist (for either Primary or Secondary) then any s106 must clearly show/link that educational contributions are being used to directly mitigate the effects of the development and used in a specifc manner; funds cannot be used for "other projects". This is enshrined in Planning Law. In addition, any unspent funds must also be returned (with interest) to the payee after a defined time period of 5 (but no more than 10) years from the date of first payment being received.

The applicant suggests that any request for educational commuted sum contributions must be based upon an objectively assessed need and deedmed bothreasonable and necessary; and for agreement to be reached between the Education team at Wrexham Council and the applicant.

Drainage

Development will only be supported where there is no adverse impact on the integrity of the River Dee and Bala Lake SAC and its conservation objectives, in particular through the treatment of wastewater. Developments should, in the first instance, seek to connect to the existing mains wastewater infrastructure network. Where this would result in nutrient levels exceeding conservation objectives targets within the SAC, then proposals will need to fully mitigate the adverse effects caused by the proposed development.

It is suggested that a pre-occupation Grampian condition would provide sufficient certainty that the dwellings will not be occupied until after the effective date for the Holt WwTW permit. This in turn should provide certainty that proposed development will not result in adverse effects on the Dee SAC due to increased P inputs. The development is also incorporating a SuDS pond as part of its drainage strategy, which will lower the P export from surface runoff at the site. This will help to provide additional certainty that the development will be nutrient neutral. This may, therefore, be best delivered through a suitably worded planning condition instead of any s106 legal agreement.
