PLANNING STATEMENT

Prepared on behalf of Harworth Estates Investments Ltd

in support of an

Outline Planning Application

for the

Proposed phased residential development for the construction of up to 900 residential dwellings with associated infrastructure (primary school, playing fields, open space and SUDs attenuation) with all matters reserved except for detailed means of primary highway access

to Wrexham County Borough Council

Land off Cefn Road, Erlas Park, Wrexham, LL13 9TT

May 2025

Ref. J10-HE-PS-RevC

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CONTENTS PAGE

1.0	**INTRODUCTION & BACKGROUND**	**3**
	Summary of the Application	3
	The Application Pack	4
	Site Description	5
	The Proposed Development	11
	Pre-Application Engagement	18
	Some Key Issues	20
	Green Wedge Assessment	25
2.0	**PLANNING POLICY CONTEXT**	**29**
	Planning Legislation	29
	The Local Development Plan Framework	31
	Supplementary Planning Policy	43
3.0	**OTHER MATERIAL PLANNING CONSIDERATIONS**	**44**
	The National Planning Policy Framework	44
	The Benefits of the Proposed Development	67
	Very Exceptional Circumstances	70
	Relevant Caselaw	72
4.0	**DECISION MAKING : PLANNING BALANCE**	**74**
	Planning Conditions	74
	Planning Obligation	74
	Conclusions : Section 38(6) of the 2004 Act	75

5.0 APPENDICES *bound separately*

A : Pre-Application Planning Guidance

B : EIA Scoping Response

C : Draft s106 Heads of Terms

D : SoCG for KSS2

E : Green Wedge Review extract

F : Relevant Caselaw

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 Harworth Estates Investments Ltd (the Applicants).

1.2 The land associated with this proposal comprises an area of previously undeveloped agricultural land, part of which has been under lease to the Council by Ysgol Morgan Llwyd as overspill playing field (comprising the southernmost field to the northern parcel) and is located to the east of Cefn Road, Wrexham, LL13 9TT.

1.3 The application site extends to an area of land comprising 40.27 ha (99.5 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 compliance with the strategic housing allocation known as KSS2 (land east of Cefn Road and south of Bryn Estyn Road) as set out by Policy SP4 of the adopted Wrexham Local Development Plan (LDP).

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 / Harworth***
- *EIA Statement and Non-Technical Summary :* ***RJK***
- *Planning Statement :* ***J10 Planning***
- *Pre-Application Consultation Report (PAC) :* ***J10 Planning***
- *Architectural Masterplan drawings :* ***TetraTech***
- *Design & Access Statement :* ***TetraTech***
- *Landscape & Visual Impact Assessment :* ***Tyler Grange***
- *Landscape Strategy Plan :* ***Tyler Grange***
- *Ecological Assessment (incl. confidential Badger Report) :* ***Tyler Grange***
- *Arboricultural Impact & Method Assessment :* ***Tyler Grange***
- *Archaeological Assessment :* ***TetraTech***
- *Heritage Impact Statement :* ***TetraTech***
- *Settings Assessment :* ***Tetra Tech***
- *Geophysical Surveys and WSI :* ***ARC / Magnitude***
- *Utility Study :* ***UCML***
- *Flood Consequences Assessment & Drainage Strategy :* ***Adept***
- *Phosphates Mitigation Strategy :* ***Hydrock***
- *Geo-Environmental Site Assessment (+ a redacted version due to badger findings) :* ***Hydrock***
- *Transport Assessment and Highway Access drawings :* ***SLR***
- *Framework Travel Plan :* ***SLR***
- *Agricultural Land Quality & Soil Resources Report :* ***Reading Agricultural***
- *Minerals : Prior Extraction Statement :* ***TetraTech***
- *Sustainability Assessment :* ***Element Sustainability***
- *Acoustics Report :* ***Miller Goodall***
- *Air Quality Assessment :* ***Miller Goodall***
- *Education Impact Assessment :* ***Alfredson & York***
- *Health Impact Assessment :* ***Alfredson & York***

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 provided by Matthew Phillips at WCBC (see **Appendix A**) dated 10 June 2022, but indeed exceeds the requirements sought. These documents and drawings are all provided and itemised in greater detail on a separate Planning Application submission schedule spreadsheet that accompanies this application.

Site Description

1.9 The application site is located approximately 2km east of Wrexham city centre at the edge of the existing built form and around 2km to the north-west of the Wrexham Industrial Estate. The site is generally flat and predominantly in agricultural use with existing field boundaries marked by hedgerows.

1.10 To the north and west lies the established residential areas of Borras, Rhosnesni and Caia Park which have a range of services including numerous schools, shops, health and care facilities and sports facilities. Cefn Road forms the western boundary of the site and forms a north-south route along the eastern side of Wrexham, providing access to the Caia Park residential area and providing connections for the A534 to the north and A525 to the south.

1.11 Bryn Estyn Road is close to the site's northern boundary and is a rural lane providing limited vehicle access to a small number of properties but it also serves as an east-west route for pedestrians and cyclists linking to and from the Wrexham Industrial Estate.

1.12 The land associated with this proposal comprises an area of previously undeveloped agricultural land, part of which has been under lease to the Council by Ysgol Morgan Llwyd as overspill playing fields. There is no planning history associated with this site and one that could be considered relevant. The playing fields comprise an area of land extending to 91,039 sqm (9.1 ha) shown edged red on the plan below (**Figure 1**); not all of which is usable as sports pitches due to landscaping features. It has been used by the Morgan Llwyd School and the Wrexham Rugby Club.



FIGURE 1 : LAND SUBJECT TO FORMER PLAYING FIELD LEASE

1.13 The site is generally level although there is a natural fall towards the east. The site benefits from a host of mature landscape features; most notably field boundaries defined by native hawthorn hedgerows but also a number of key feature trees. Just 5 trees are proposed to be removed along with 202 metres of hedgerow to facilitate access off Cefn Road. However, this loss will be more than compensated for by way of new strategic and localised planting that will be secured at Reserved matters stage. Retention of natural landscape features are important to enhance and deliver place-making.

1.14 The total KSS2 allocation boundary comprises 91.13 ha (225.18 acres) of land and aims to deliver the total 1,680 allocation. It comprises land in several ownerships.

1.15 The land to the north of Bryn Estyn Road, is referred to as "KSS2 (north)" and is being promoted by Barratt and Bloor Homes for 600 new homes. The original application (ref P/2019/005) was refused permission on 27 July 2020 and is subject of an outstanding planning appeal, whilst a resubmitted version (ref. P/2021/0436) remains undetermined pending the outcome of the appeal (ref. APP?H6955/A/20/3263516).



FIGURE 2 : HARWORTH LAND AND KSS2 BOUNDARY

1.16 The land to the south of Bryn Estyn Road includes the Wrexham Rugby Club land, the Erlas Victorian Walled Garden and the Council owned Bryn Estyn Hall site. The southern part aims to deliver 1,080 dwellings in total (980 over the LDP plan period and 100 beyond 2028) and is referred to as "KSS2 (south)".

1.17 The applicants (Harworth) have a total of 40.27 ha (99.5 acres) within the KSS2 site boundary under their control. This is illustrated on the plan above (**Figure 2**). The application demonstrates that the site has a technical (highways, drainage, acoustic, etc) capacity for 900 dwellings; this means that the balance (c. 180 units) can be delivered within the remainder of the KSS2 allocation.

1.18 The current means of vehicular access into the site is limited to an access off Cefn Road that is located directly opposite the Sutton Drive access to the Morgan Llwyd School. An adjacent pedestrian access is located some 5 metres south of this – these both access the existing playing pitches and are shown on the image below (**Plate 1**). These will be sealed off and replaced by new, safer access arrangements.



PLATE 1 : Existing Vehicular Access into Site off Cefn Road

1.19 An additional pedestrian access is provided a further 100 metres to the south along Cefn Road which comprises an overhead footbridge that links the Morgan Llwyd School to the playing pitches; as shown in the image below (**Plate 2**). This footbridge is proposed to be complemented by a new grade level pedestrian crossing.



PLATE 2 : Existing Pedestrian Footbridge over Cefn Road

1.20 The site offers the opportunity to be delivered as separate parcels and in two phases. An indicative phasing plan has been provided which is illustrated below (**Figure 3**).

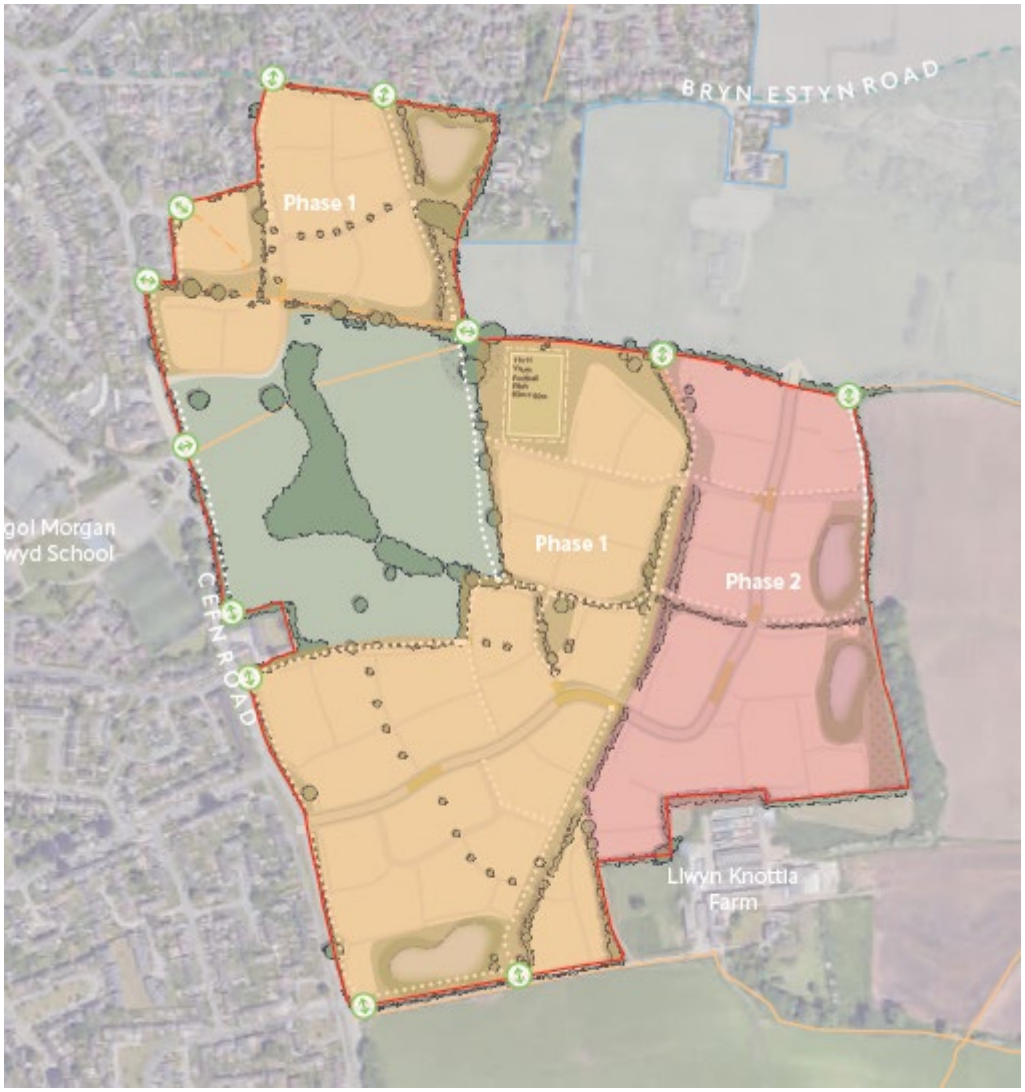


FIGURE 3 : INDICATIVE PHASING PLAN

1.21 The approach is that a Phase 1 (14.87 ha) would be capable of delivering some 600 dwellings, the retained/enhanced playing pitches and a SUDs drainage solution that addresses the needs of this phase; whilst a Phase 2 (6.21 ha) would be able to deliver the balance of some 300 dwellings, thereby totalling up to 900 units across the site.

1.22 The second phase would also reflect both market and logistical infrastructure arrangements; for example the quantum of recreational greenspace and the definitive route of the spine road link between KSS2 north and south and also taking account of ensuring enhanced access to the Erlas Victorian Walled Garden is facilitated and protected in line with Policy SP4 requirements.

1.23 The site is publicly accessible and several PROW's run through the site (see **Figure 4**). Footpaths ABE/1 and ABE/2 run from east to west through the northern parcel whilst Bridleway ABE10 runs through the southern parcel. The illustrative masterplan layout seeks to retain all routes and provide enhanced connections to/from them, so as to maximise pedestrian and cycle accessibility in promoting Active Travel.

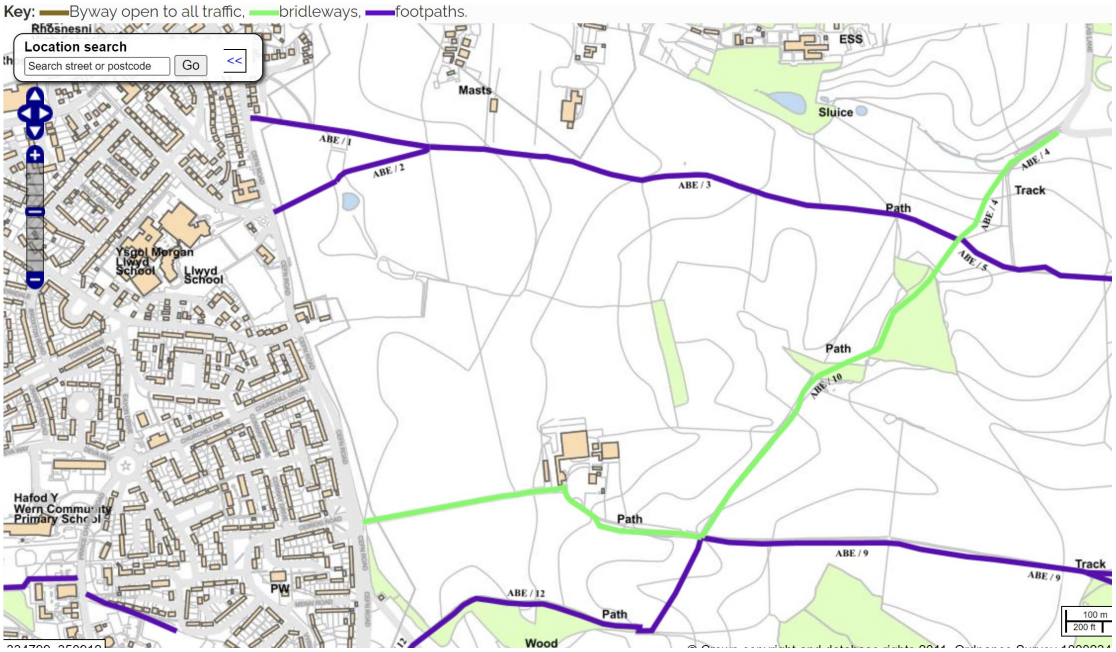


FIGURE 4 : PROW ROUTES

1.24 The site is well served by public transport service routes that run along Cefn Road and Holt Road with bus stops existing within close and immediate walking distance of the site, with dedicated pedestrian footways.

1.25 The site is considered to be located in a highly sustainable and accessible position to take advantage of existing community facility and transportation related infrastructure and the applicant believes it benefits from excellent sustainability credentials. The site is well served by facilities available in Wrexham city centre (Town Hall, Library, Supermarkets, Rail Stations, Maelor General Hospital, etc) but more locally the following are available, including, inter alia:

- *Doctor's surgery (Caia Park and Hillcrest Medical centres)*
- *Pharmacy on Churchill Drive*
- *Care Home (Parc Rhosnesni)*
- *Day Nursery (Abbeyfield and Ysgol Cae'r Gwenyn Early)*
- *Primary Schools (Hofod Y Wem Community, St Anne's Catholic, Gwenfro Community)*
- *Secondary Schools (Ysgol Morgan Llwyd and Ysgol Rhosnesni)*
- *Leisure Centre (at Morgan Llwyd)*
- *Post Office (Rhosnesni and Bryn Hafod) and Post Boxes*
- *Community Halls*
- *Convenience stores (Co-op, McColls, Premier Stores, Nisa)*
- *Petrol Filling Station*
- *Public houses (Greyhound)*
- *Takeaway*
- *Various places of worship (St Mark's, St Annes RC, St John's Church)*
- *Golf course, Wrexham Rugby Club, Football clubs*

1.26 Further facilities such as schools, supermarkets, employment places (WIE and Wrexham city centre) and other facilities and public services are available within easy range.

1.27 The opportunity now exists to secure the delivery of a new residential neighbourhood that delivers additional benefits (affordable housing, public access, greenspace, educational, public transport, biodiversity and recreational activity) for existing and new residents alike; thus reflecting the aims and ambitions of the adopted LDP Policy SP4.

The Proposed Development

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

Proposed phased residential development for the construction of up to 900 residential dwellings with associated infrastructure (playing fields, open space and SUDs attenuation) with all matters reserved except for detailed means of primary highway access

1.29 A summary of the site accommodation schedule comprises the following:

Total area of site	*40.27 ha*
Number of dwellings	*Up to 900 dwellings*
Open market tenure (80%)	*Up to 720 homes*
Affordable tenure (20%)	*Up to 180 homes*
Assumed indicative mix (total)	*2-bed : 331 : equates to 37%* *3-bed : 428 : equates to 47%* *4-bed : 141 : equates to 16%*
Assumed scale	*2 to 2.5 storey*
SUDS / Drainage + POS / Greenspace + Playing Fields + Hard Surfaces	*16.94 : made up of 9.1 ha of playing field + 7.84 ha POS, SUD's etc*
Playing Pitches	*9.1 ha retained; with 0.96 ha lost but replaced by another 0.96 ha of new fully drained playing field*
Gross to net ratio **(developable vs non-developable)**	*21.07 ha developable : equates to 53 %* *19.20 ha non-developable : equates to 47 %*
Density per hectare	*22.3 dph (based upon gross area of 40.27 ha)*
Density per hectare	*44.8 dph (based upon net developable of 20.07 ha)*
Parking spaces	*1,800 spaces*
Hedgerow lost	*202 metres*
Trees lost	*5 no. specimens (Category C (4 no.) and Category U (1 no.)*
Hedgerow planted, Trees planted and area of Net Benefit for Biodiversity	*to be determined at the Reserved Matters stage*

1.30 Housing mix, layout and scale are matters for determination at the Reserved Matters stage, the masterplan proposals have assumed an indicative and illustrative housing quantum; this and the precise layout are clearly not for determination at this stage.

1.31 However, Detailed Approval for site access is being applied for as part of this Outline application. The principal vehicular accesses into the site are proposed off Cefn Road; this shall dictate the pursuant layouts that will come forward in delivering the strategic site through Reserved Matters.

1.32 A new (replacement) vehicular access point is proposed to access the Phase 1 northern parcel and playing pitches. In addition a new pedestrian crossing to complement the footbridge is also proposed for the playing pitches. Two further vehicular access points are proposed to access the Phase 1 southern parcels in locations further south along Cefn Road; where a primary access with Toucan pedestrian crossings and a secondary access will be provided. These are shown below (**Figures 5 and 6**).



FIGURE 5 : SITE ACCESS

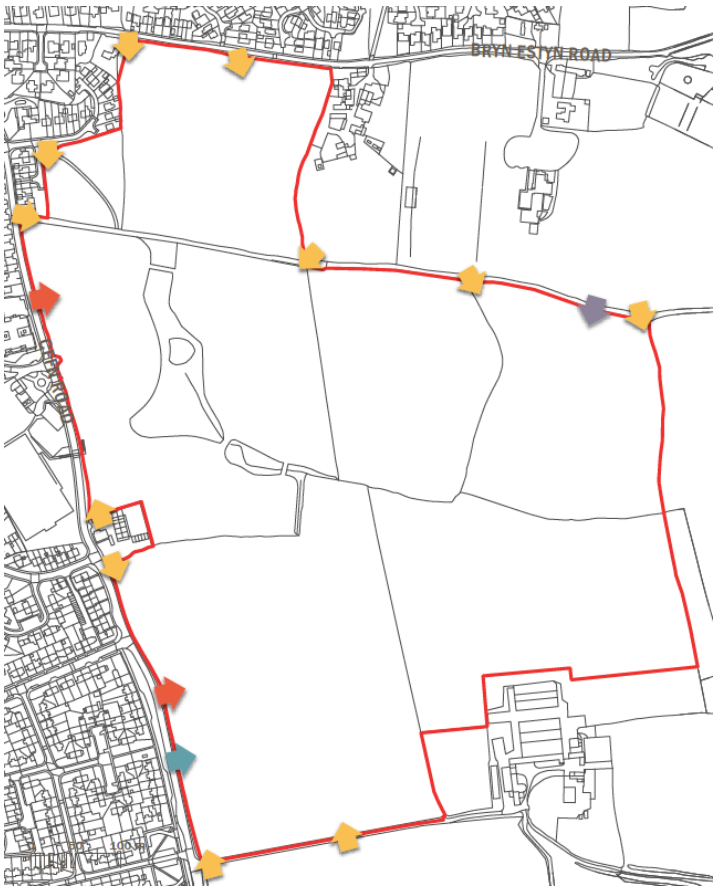


FIGURE 6 : SITE ACCESS POINTS

1.33 The applicant has invested heavily in a technical and design team that has been tasked to prove the capacity of the site covering all bases. This has resulted in the applicant being able to establish a quantum of potential development that will be of a type, scale and quality that reflects the desire to deliver an exemplar high-quality sustainable scheme.

1.34 Design and landscape solutions have gone hand-in-hand with other technical areas such as ecology, cultural heritage and drainage. The output of this has been to arrive at an illustrative masterplan (**Figure 7**), providing an example and indication of how this site might come forward at subsequent Reserved Matters stages.



FIGURE 7 : ILLUSTRATIVE MASTERPLAN LAYOUT

1.35 A series of pedestrian linkages are shown by the illustrative masterplan with the purpose of integrating and connecting with existing PROW's; also enabling dual use for cycle users within the site.

1.36 The strategic spine road route that will link KSS2 north and south together has been illustrated on the strategic masterplan but it is clear that the route will commence/terminate on Cefn Road within the southern parcel of this application where a Primary access point has been identified. The intention will be that this will be where bus services will travel to and stops will be provided along this route to maximise the sites sustainable access credentials.

1.37 Areas of Public Open Space (POS) are proposed that are likely to far exceed the Policy CF2 standards of 50sqm per dwelling; which reflects the development's "green infrastructure" characterisation and vision. With 16.94 ha being provided this exceeds the 4.5 ha requirement based on 900 dwellings.

1.38 The applicant has identified a quantum of land that will be needed to accommodate a Sustainable Urban Drainage System (SUDS) in the form of attenuation drainage basins that will serve each phase. This is to avoid surface water drawing being discharged into combined sewers. These have been shown to be needed in the lower levels of the site and avoiding site constraint features such as the playing fields, utility routes and ecology and landscape features. They will comprise shallow engineered basins of no more than 3 metres in depth that will appear as natural landscaped features. The basins cannot be located on higher areas of the site for obvious reasons (i.e. water naturally gravitates towards lower ground) so they have been located on lower ground to the south and east

1.39 The delivery of 20% affordable homes (up to 180 no.) can be delivered by this scheme; the benefit here being that because the scheme is focused on proving a scheme with an appropriate density; the resultant dwellings will therefore meet the need for starter and family style sizes that Wrexham most 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.

1.40 Additionally, an education contribution will be settled upon, subject to the evidence of need and requirement, at the point of delivery. As this is largely determined by bed numbers we can only make an assumption based upon the draft indicative accommodation schedule based upon the Council's own cost calculator at this Outline stage.

1.41 The applicant has drawn up a draft s106 Heads of Terms that can be used pursuant to a s106 legal agreement that addresses Affordable Housing, Education, POS, Playing Pitches, Spine Road Connectivity, Active Travel, Public Transport and Biodiversity (see **Appendix C**). Off-site highway improvements (common to both KSS2 and KSS3) can also be addressed by way of a s106 legal agreement, with any highway access detailing for the routes off Cefn Road to be handled by s278.

1.42 We can confirm that only a very limited number of trees will be lost and these are largely only those where their condition necessitates (Category C and U only) and some hedgerow, where access is required. This loss will be minor, but the compensation for any loss will be significant replanting and replacement with the provision of numerous "feature" trees and strategic planting. Reserved Matters applications will determine detailed landscaping schemes. Root protection areas and shading have all been addressed in the development of the illustrative masterplan to protect amenities.

1.43 Harworth's' 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 up to 900 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 and opportunities for recreational activities; but also delivering managed and enhanced public access providing permeable links and connections through the site for the benefit of existing and future residents, with more than adequate levels of amenity provision on site;*
- *The "community dividend" that will provide existing residents with access to affordable housing and contributions towards educational services and greenspace amenity opportunities with connective access; thus, making the community more sustainable and resilient;*
- *Offering up to 180 (20%) 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 adopted LDP allocation and has been long identified as suitable for housing by the Council, thus preventing speculative development and a development that will respect the identity of Wrexham;*
- *Offer a sustainable residential development that capitalises on the site's proximity to local shops and services by promoting pedestrian and cycle links; indeed its proximity to the Wrexham Industrial Estate is notable, as is its location close to other leisure and recreational facilities (Erlas Victorian Walled Garden, Wrexham Rugby Club, Wrexham Golf/Clays Golf courses) along with local educational and healthcare services and the City centre;*
- *Provide a sustainable development that utilises renewable energy sources, as well as low-carbon construction materials and modern methods of construction;*
- *Retain the existing trees and hedgerows and, where possible, incorporate them into green travel corridors throughout the site and 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";*
- *Using HBF/HCA cost calculator, it shall create over 400 jobs (direct and supply chain) during construction, including opportunities for local apprenticeships and supporting local businesses, with the construction investment of £200 million being worth triple that for the local economy over the construction period;*

- *Deliver highway improvements to the A534 / A5156 roundabout and laying the groundwork for a new link road between Cefn Road and Holt Road / A5156 roundabout; to ensure that traffic impacts are minimised upon the neighbouring residential areas to the east and north;*
- *Provide additional local expenditure of over £27 million per year as residents move to the area and spend locally, using the HBF/HCA cost calculator;*
- *Deliver additional Council Tax payments, with an estimated £2.4 million per year, that the Authority can spend on local services.*
- *Retaining existing sport and recreational sporting facilities but enhancing these with improved pitch markings and a new replacement fully drained pitch.*

1.44 The guidance conferred by the Council during informal pre-application discussions and from the more formal WG DMO consultation stages (May 2022 and April 2024) 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.

1.45 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, CPAT, NMWTRA, Sport Wales, NW Minerals, etc), the Local Authority, Town/Community Councils, local Ward Councillors and local residents and neighbouring businesses.

1.46 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.

1.47 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, heritage, drainage, highways, sport, 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.

Pre-Application Engagement

1.48 Major planning applications are encouraged to undertake pre-application consultation. This has been done in this instance, on both a formal and preliminary informal basis. However, this site has been subject to a significant amount of scrutiny over many years, ever since it was first identified as a possible location to meet the growth needs of Wrexham in a Council published Key Strategic Sites Background Paper (Feb 2016), which fed through into the Deposit Plan of May 2018 that was submitted for Examination and was subsequently found to be sound by an independent Planning Inspector and then confirmed by the LDP being adopted in December 2023.

1.49 More recently, the applicant has been keen to engage with Officers in seeking their advice and guidance pertaining to "development control" matters and this resulted in a formal pre-application guidance letter being issued back in June 2022 (see **Appendix A**). As mentioned previously significant engagement with other statutory bodies and services (NRW, Welsh Water, Mineral Planning Service, CADW, CPAT, Sport Wales and Council highway and drainage services) have been undertaken.

1.50 In addition, a pre-application consultation exercise (according with Welsh Government DMO guidelines) was undertaken in May 2022 where local stakeholders, community representatives and local residents were engaged with in relation to a Phase 1 scheme for 425 units on part of the site. This involved webinars and direct methods of engagement. This never resulted in that application being submitted, largely because of the Phosphates issue that had emerged and was hindering progress on any applications being determined. Whilst the applicant sought to respond to matters raised by Welsh Water relating to nutrients and phosphates and the capacity limitations at Five Fords Waste Water Treatment Works that issue was (and has since been) dealt with strategically by the Authority in partnership with NRW and Welsh Water.

1.51 Instead, this pre-application consultation and engagement process has been re-activated and undertaken afresh on the basis that the scheme offers a more comprehensive solution and therefore now provides greater certainty over how it can meet the aims of the now adopted Policy SP4 in the LDP and has also found better and alternate design and technical solutions.

1.52 The applicant took their own legal advice in relation to Environmental Impact Assessment and in the light of this considered that a more comprehensive application would be sensible approach, hence why this application has been duly assembled and is now submitted for determination.

1.53 EIA Scoping was submitted to the Council (and its consultees) and resulted in a Scoping Opinion being issued (see **Appendix B**). Whilst Officers reached the conclusion that an Environmental Statement (ES) could be limited to Agricultural Land, Minerals and Ecology; the applicant has decided to take a more comprehensive approach and include other matters such as Drainage, Transport, Cultural Heritage, Landscape, Air Quality and Noise and on this basis the application is submitted with the benefit of an ES that addresses all these items as chapters.

1.54 The principle of the site being acceptable in planning policy terms has been firmly established through the sites' allocation in the adopted LDP under Policy SP4.

1.55 This statement respectfully signposts and invites the decision maker to reach a positive determination based upon the merits of the site alone and having applied planning balance and weight in reaching a recommendation for approval. The applicant is keen to continue to work with Officers, the community, its representatives and other stakeholders in making sure this site is able to address any outstanding areas of concern.

Some Key Issues

1.56 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. The adopted LDP, through Policy SP4, has specifically recognised this and sought to identify a package of community infrastructure items that the KSS2 site should deliver.

1.57 The applicant has sought to confirm compliance with Policy SP4 and deliver these infrastructure items through its s106 legal obligation; thus providing surety and comfort to the decision maker.

1.58 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.

1.59 If there is a need to expand local services, as a result of the new development, the applicant will agree to either physical and/or 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 will be met through a s106 legal agreement that is proportionate to the overall need and reflective of and consistent with any other agreements drafted for other area so of the KSS2 allocation site.

1.60 The significant infrastructure burdens being placed on this site (school, public transport, greenspace, playing fields, link road, etc) is challenging and the LDP Inspector recognised that large strategic allocations are unlike smaller schemes that do not have such significant infrastructure burdens placed upon them. Nonetheless, LDP Policy SP4 identifies a formal list of aims for the KSS2 site to deliver. The applicant believes that this application demonstrates it is entirely policy compliant and able to deliver upon these aspirations.

1.61 The applicant is anticipating further discussions on this matter, hence the drafting of a s106 Heads of Terms document (see **Appendix C**). This follows on from the Statement of Common Ground (SoCG) (see **Appendix D**) that was agreed between the Council and promotional stakeholders involved in KSS2 back in September 2019 which informed the “then” emerging LDP. This document identified a draft Infrastructure Contributions Model that responded to the “then” Policy SP5 (now SP4) for KSS2 and provided triggers for the delivery of key infrastructure items. It is evident that this needs to be refreshed and updated in the light of new stakeholder partners and the fact the KSS3 employment site on Bryn Lane at the WIE also has an interest in delivering highway improvements and active travel and public transport initiatives as part of that scheme.

EDUCATION

1.62 According to the WCBC Education team the development will generate a requirement for education contributions to support a new two-form entry Welsh Medium Primary School. A site to accommodate this had previously been identified by the applicant upon the application site in line with Policy SP4 aspirations. However, following the DMO consultation in April 2024 the Council Planning, Asset and Education team have expressed a preference that the school be sited upon Council owned land at Bryn Estyn instead and that this will be central to both north and south KSS2 parts.

1.63 The applicant has provided an Education Impact Assessment addressing the need for new local education provision. The Council have expressed a desire to see a school on their own site and any contributions towards this will be handled through a s106 legal agreement and can 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.

HEALTHCARE

1.64 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.

1.65 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.

1.66 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.

1.67 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.

AFFORDABLE HOUSING

1.68 The applicant is proposing the scheme deliver 20% affordable housing which is fully compliant with Policy SP4. Whilst some areas of the County Borough seek to deliver higher rates there are other sites and areas that offer lower rates; these variable rates were informed by independent advice sought by the Council and provided by the DVS in September 2019 as part of the LDP process; the findings of which were found sound by the LDP Inspectors.

TECHNCIAL ISSUES : highways and drainage

1.69 The applicants technical advisory team have addressed both these issues with assessments grounded in technical evidence and their solutions are the result of detailed discussions with the statutory bodies and authorities responsible for highways and drainage. Their findings have been central to the shaping of this application, the determination of dwelling numbers and any possible phasing. Agreement has been duly sought and the supporting technical material provides answers and solutions that the applicant team is confident are robust and defensible.

HIGHWAYS

1.70 With respect to Highways, a review of the 2019 VISSIM modelling has been undertaken. This study originally found that there was an ability to deliver the KSS in a phased manner based upon a latent capacity of some 710 dwellings (split between 460 units on KSS south and 250 units on KSS north). The review, undertaken by SLR on behalf of Harworth, has factored in potential growth from KSS3 and found that as background rates have fallen (following Covid) there is now a capacity to provide for 600 units on KSS south prior to any spine road connection needing to be made. The applicant therefore believes a Grampian condition can be applied to limit the number to 600 for this application and this almost aligns with the Phase 1 total. A s106 clause can be agreed with the Council over the timing of spine road connection so that the balance for both KSS2 South and KSS2 North parcels can be delivered; this being based upon a proportionate s106 contribution based upon a roof tariff approach.

DRAINAGE

1.71 With respect Drainage, an appraisal of landform, of site constraints, of ground condition, infiltration testing and liaison with statutory bodies (Welsh Water) has allowed the team to calculate rates of runoff expected from a scheme of this scale and enable calculations of what scale of intervention might be necessary to support a site of this nature and scale. This has led to the drainage engineers to predict the optimum size, scale and location of SUDS drainage basins. In writing this up, a Flood Consequences Assessment & Drainage Strategy has been prepared.

1.72 The Transport Assessment, FCA/Drainage Strategy reports address these issues in greater detail; but to summarise, the proposal has found that there are positive solutions and betterment and that there are no legitimate grounds for refusing permission using either of these grounds as reasons. The applicant and their technical team will continue to engage with the Local Highway, Flood/Drainage and Planning Authority, along with partner bodies such as NMWTRA, WW and NRW.

MINERALS

1.73 The LDP confirms that the land within the settlement boundary is no longer a Mineral Safeguarding Area. The SA of the LDP undertaken by Wrexham judged that, on balance the site met the "overriding need" test and that this exercise has already been undertaken to demonstrate that prior extraction is not required on allocated sites.

1.74 Despite this, the applicant has (for completeness) has undertaken a Prior Extraction Assessment in understanding whether it is feasible and viable to consider prior extraction and how it might comply with LDP Policy MW1.

1.75 Having assessed the resource and duly provided a PEA; the applicant has demonstrated that it would be economically unviable to extract resource and that the overall site suffers from too any constraints (ecology, utility, landscape features, etc) and extraction would delay the delivery of the KSS2 allocation and even shallow extraction (to 3m depth as opposed to a commercial extraction level of 25 metres depth) would have significant landscape impacts; for example, vehicular movements and environmental noise and dust impacts on local residents.

1.76 The conclusion is that incidental extraction could be explored and take place where roads and drainage features (sic. the SUDS drainage basins) are located. Areas undeveloped would not be sterilised, but would be safeguarded.

1.77 Therefore, work required to excavate land to provide for the SUDS basins could reasonably assist in allowing some resource to be used/recovered and a condition could be applied to ensure the use of any useful extracted material could be re-used on site.

BMV

1.78 The Sustainability Assessment (SA) of the LDP undertaken by Wrexham judged that, on balance, the site met the "overriding need" test of housing over loss of BMV. Para 7.6 of the Inspectors Report states that "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". Therefore, in the applicants opinion it becomes a planning judgement and in their opinion housing needs outweigh any loss of BMV.

1.79 The LDP is silent on having its own BMV policy, so therefore one must defer to PPW12 where Para 3.59 states that there must be an overriding need for development of BMV. The applicant considers that the evidence is there in that WG did not intervene in this matter when it came to the LDP.

SPORT

1.80 The existing playing pitches off Cefn Road extend to some 9.1 ha and are proposed to be largely retained. There will be a small loss in the north western corner of the site that amounts to 0.91 ha but this will be offset and compensated for through direct mitigation of reprovision of 0.91 ha on land directly to the east, which involves a scheme of agronomy (drainage) works that will deliver a fully drained surface along with other elements of betterment (pitch re-marking, better re-orientation, grade access over Cefn Road) thereby delivering improvements to access and use of the existing pitches.

1.81 For instance, re-orientation and re-marking will complement the Wrexham Football Strategy in delivering youth and female football in the community and meet FAW standards; thereby providing better flexibility to meeting current local needs.

1.82 Moreover, the loss and re-provision will be in the same Phase 1 of the development, so that prior to any loss the new pitch can be made available before the loss takes place.

Green Wedge Assessment

1.83 The Authority published a Stage 1 Strategic Green Wedge Review in February 2016 and followed this up with the publication of a second stage report in October 2017, in support of its emerging LDP. We have provided an extract of the second stage document (ref. ENNB01_E : see **Appendix E**) which shows how the application site fell into an area that was referenced as "Area 2"; resulting in it being proposed for release as part of the LDP and subsequently removed from the Green Wedge as confirmed by the Inspectors Report and subsequent adoption of the LDP.

1.84 The applicant considers that the LVIA undertaken, underpins the view that the development of this site for residential development forms a logical sustainable extension to the settlement of Wrexham and the landscape assessment concludes that the proposed development would not result in any significant adverse landscape and visual effects.

1.85 The applicant has reached the conclusion that this submission has satisfactorily addressed all best practice technical, design and landscape masterplanning approaches in bringing forward an exemplar new residential neighbourhood. Notwithstanding, the weight that might be attributed to the LDP evidence base (sic. Green Wedge Review) the applicant is confident that the approach taken reflects and endorses the findings of the Council's decision to deliver new housing in this location and remove the site from the Green Wedge.

1.86 Members of the Council approved the Deposit version of the LDP and all of its supporting evidence base for examination and as a result they conferred with their Officers' recommendations with respect Green Wedge release and draft housing allocations being acceptable. These matters were duly examined by independently appointed Planning Inspectors and the Inspectors Report also agreed with the Green Barrier release and site allocations in finding the plan to be sound. With the plan having been finally adopted by the Council, the applicant (and decision-maker) must therefore conclude that these issues are of a "sound" nature and significant weight must be apportioned accordingly.

1.87 The direction of travel has been established through the LDP process in that it has been accepted that Green Wedge land needed to be released in order for Wrexham to deliver any meaningful level of growth. Since practically the whole of Wrexham and its satellite settlements are surrounded by Green Wedge in the UDP this has meant that the release of land from this designation has been necessary and unavoidable.

1.88 Since only a few infill sites now remain and Wrexham benefits from very limited reserves of brownfield land, the LDP sought not only to identify the most logical and sustainable locations for new development that might "knit in" with the existing fabric of the city but to also seek out the most realistic options capable of delivering growth and community infrastructure.

1.89 The conclusions of the Green Wedge Assessment was that this location was considered to be a logical, unconstrained and sustainable location that was available, achievable, viable and deliverable.

1.90 Turning to Green Wedge policy this is enshrined in PPW12 and Para 3.68 which states*: "Green wedges are local designations which essentially have the same purpose as Green Belts. They may be used to provide a buffer between the settlement edge and statutory designations and safeguard important views into and out of the area. Green Wedges should be proposed and be subject to review as part of the LDP process."* This has been done and the Green Wedge was found to be no longer required and should be removed in this location to facilitate housing growth.

1.91 Essentially in Wrexham, the Green Wedge designation was introduced, not like its equivalent Green Belt (in the English system), which was designed to have more permanence, but as a local designation with similar features but of a more temporary nature to be reviewed upon each occasion there was a development plan review.

1.92 It is recognised (PPW12 (Para 3.67) and LDP Policy) that there are essentially 5 purposes for including land in the Green Wedge and these are :

- *To prevent the coalescence of large towns and cities with other settlements;*
- *To manage urban form through controlled expansion of urban areas;*
- *To assist in safeguarding the countryside from encroachment;*
- *To protect the setting of an urban area; and*
- *To assist in urban regeneration by encouraging the recycling of derelict and other urban land.*

1.93 Our findings concur with the findings of the Council own Green Wedge Assessment in demonstrating that this site no longer functions or meets its definition and its loss would not have a significant impact upon any of its purposes. We will now deal with each purpose in turn.

1.94 **To prevent the coalescence of large towns and cities with other settlements :** the development of this site will contain development within a tightly defined and defensible boundary. The site is (visually) contained and enclosed by defined physical boundaries. It will not therefore result in any coalescence with neighbouring settlements and a strategic gap will be maintained between the site and Wrexham Industrial Estate. The LDP Proposals Map extract **(Figure 8**) illustrates how a strategic gap will be maintained.

1.95 **To *manage urban form through controlled expansion of urban areas* :** the above plan typifies the way in which the urban form of Wrexham can be controlled through the retention of a well-thought-out design within the context of maintaining a strategic gap. Thus, the expansion of Wrexham is controlled through this and the retained Green Wedge designation between the site and Wrexham Industrial Estate to the east.

1.96 **To assist in safeguarding the countryside from encroachment :** the sensitive and sympathetic design solution proposed and its character and style is influenced by a landscape "greenspace" vison and theme with large areas of the site devoted to open space (e.g. pocket parks and green routes) with the retention of existing landscaping (trees, hedgerows and elements of stone walling) and new planting and biodiversity areas to reinforce a sense of place. Thus, the countryside will be protected; the LVIA has demonstrated that the site is not entirely "open" but visually enclosed and its development will not harm or impact upon the wider "openness" of the countryside landscape.

1.97 **To protect the setting of an urban area :** the setting of Wrexham is not defined by this site. The development would not undermine the setting or character of Wrexham as a settlement area; the LVIA demonstrates that it can serve to enhance and redefine the urban edge to Wrexham; the benefit of it being contained by strong landscape enclosures is that development within it will be discreet and have a soft rural edge to it.

1.98 **To assist in urban regeneration by encouraging the recycling of derelict and other urban land :** the development of brownfield land in Wrexham has peaked and the availability of suitable, viable and developable brownfield sites is negligible; hence the LDP strategy to seek release of edge of settlement sites. There is a recognition that Green Wedge and open countryside must be identified to serve the future needs of delivering jobs, homes and other infrastructure. The Green Wedge is no longer serving this purpose and is undermining regeneration and economic growth and Wrexham is now identified as a National Growth Area in NDP Future Wales. The first incarnation of the LDP attempted to promote a spatial strategy based upon a brownfield land only policy and directing development towards the former mining villages; thereby avoiding any release of land on the edge of settlements; this ended up with the plan having to be withdrawn in 2012 following the intervention of an Inspector. A new spatial strategy was therefore required and, as the second incarnation of LDP emerged, Officers and Members correctly recognised that a Green Wedge Review was needed as part of this.

1.99 Notwithstanding the fact this site has been allocated in the LDP and therefore the issue of Green Wedge has been dealt with at a strategic plan-making level so as to have found this is no longer an issue the applicant has, through this submission found that this development would, regardless, meet the very exceptional circumstances test set out in PPW and, in summary, the following points can be made:

- *that the delivery of both open market and affordable housing is essential in addressing the significant shortfall and under-delivery of the Council's housing trajectory;*
- *that the Green Wedge (having been reviewed by the Council and by the applicant here and now) would (as it has done) find that this site ought to be released for development; with this and other evidence base to the LDP demonstrating that they are of material consideration;*
- *that our case is supported through all technical, landscape and design evidence presented in support of this application; notably that the site is located in a highly sustainable and logical location to deliver the future growth needs of Wrexham;*
- *there are a range of significant benefits (as presented in our summary conclusions section at the end of this statement : these offering a range of economic, social and environmental deliverables and roles;*
- *the delivery of essential infrastructure to enable the KSS2 and KSS3 to come forward;*
- *the delivery of up to 180 no. affordable homes will assist in addressing the chronic under-delivery of affordable housing since 2013;*
- *the site does not meet any of the 5 purposes of including and retaining the land within the Green Wedge and that any risk of coalescence with the Wrexham Industrial Estate is offset by the retained Green Wedge which will provide adequate separation.*

1.100 These, cumulatively, present a compelling case as to why this scheme should be supported and granted planning permission.

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 (**Figure 8**) with the red line of the site overlain.

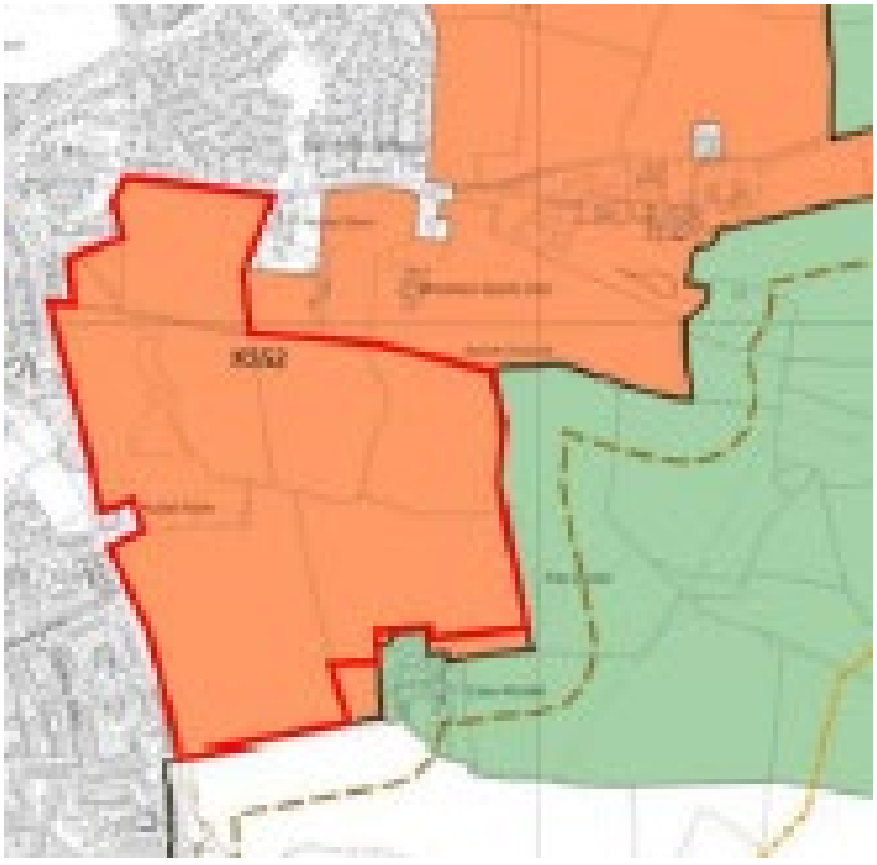


FIGURE 8 : LDP Proposals Map with site red line overlain

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 SP4** which governs the sites' allocation as a Key Strategic Site (KSS2).

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 not just a set of Very Exceptional Circumstances (*please refer to that section later in this statement*) but 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 Harworth are 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. This is partly the reason why the applicant has decided to bring forward an application for the entire area of land under their control as opposed to a smaller scheme (as consulted on in May 2022 which involved a 425-unit proposal).

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 June 2022 confirms this in stating that:

"The need to deliver 7,750 homes by 2028 equates to an annual average requirement (AAR) for 517 dwellings over the whole Plan period. The actual rate of completions over the 2013-2019 period has been around half this on average. This amounts to a persistent and considerable undersupply of housing. This can only be addressed by additional land being brought forward for development and it is clear this will require a considerable release of land outside of settlement limits."

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, Green Wedge 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 the KSS2 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, Green Wedge, Housing numbers, General Public Services, BMV, Minerals, KSS2 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.*

GREEN WEDGE : Para 5.16 *: In redrawing limited parts of the green wedge boundaries and allocating some housing sites, this is what the Council has rightly done. Such actions are, therefore, consistent with national policy and the allocations are not unsound in respect of the green wedge.*

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.*

MINERALS : Para 7.8 : *The County Borough is rich in natural resources. National policy does not put an outright ban on the development of sites underlain by minerals. The presence of minerals underneath a site is one of the considerations which has to be balanced against other factors such as the need for housing; ecological, landscape, heritage interests; infrastructure constraints and whether they could be mitigated; and so on. The LDP evidence base [BP11, Minerals background paper, KPD11 Sustainability Appraisal Report and KPD11b Appendices] demonstrates to our satisfaction that minerals have been properly considered throughout the LDP process including in the selection of allocated sites. Where there are minerals under a site (of at least 4 ha in area), LDP Policy MW1 requires that Prior Extraction Assessments (PEAs) must be provided. These will ensure that there is an opportunity to recover minerals prior to development taking place on the site.*

KSS2 (minerals) : Para 7.34 : *The SoCG also explains how primary and secondary education facilities will be provided; that existing school playing fields will be retained and new green infrastructure including public open space provided; and that the community facility of the Erlas Victorian Walled Garden will be protected. KSS2 is within a Category 1 aggregates safeguarding area for sand and gravel. Consequently, any planning applications for its development must be accompanied by a PEA.*

KSS2 (s106 triggers) : Para 7.35 : *The contents of the SoCG are summarised in an appendix [SoCG002 Appendix 1]. Of particular help is the table showing proposed infrastructure triggers which itemises the infrastructure requirements together with their timing and the parties which will be responsible for them.*

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 KSS2 Policy SP4 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 up to 900 dwellings and therefore it will be for any subsequent Reserved Matters application(s) to fully demonstrate capacity.

2.39 In the light of the technical exercise undertaken, Harworth believes that the site has a highway capacity for up to 900 dwellings which is within the highway network tolerance and the applicant has proven that 600 of these can be delivered (and occupied) prior to the spine road link connection between the KSS2 north and KSS2 south sites being provided.

2.40 The site will, importantly, deliver a significant quantum of new affordable housing to address the acute needs facing the community that simply cannot be resolved and addressed by many other allocation sites. 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 and essential infrastructure is considered to be material to the positive determination of this proposal.

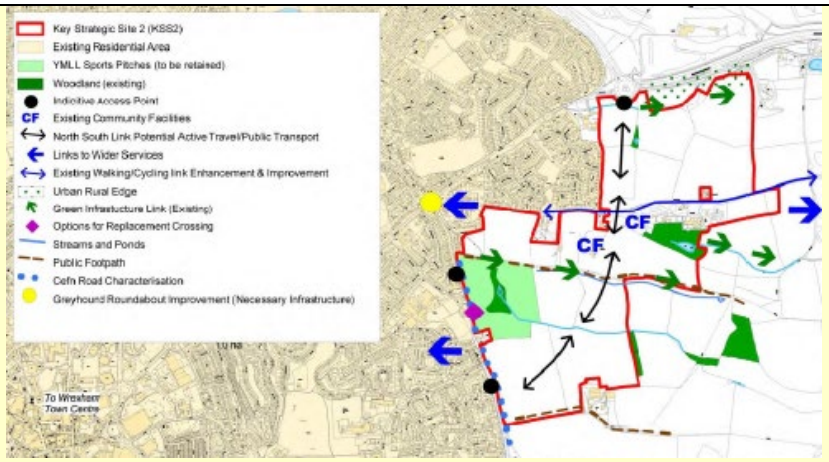
2.41 This application site will be able to deliver a host of other community benefits, infrastructure and meaningful levels of affordable housing that will serve to meet the needs of the community over the LDP plan period and beyond. It offers an entirely logical and sustainable extension to Wrexham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

2.42 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.

2.43 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.

2.44 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 key strategic housing allocation under **Policy SP4**.

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 Masterplan suggests the ability to deliver 900 dwellings and at 20% affordable this equates to up to 180 affordable homes; it also shows a net density of 44.8 dph can be achieved across a range of house types.
SP2 **Location of Development**	Wrexham City is rightly identified as a Tier 1 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 KSS2 will essentially redefine the settlement boundary of this part of Wrexham, within which the proposed development will be sited.
SP4 **Key Strategic Site 2 (KSS2)** **Land East of Cefn Road**	This is the site-specific policy for KSS2 and policy reads as follows: ***"Land is allocated east of Cefn Road, Wrexham, as shown on the proposals map to deliver a residential led mixed use scheme with a minimum of 1,680 new homes, 1,580 of which will be delivered within the Plan period. Development will include an element of affordable housing and associated communities uses, along with necessary infrastructure which will be delivered in a phased manner with specific details tied into planning consents:*** ***Necessary Infrastructure:*** ❖ ***Highways improvements to address known infrastructure capacity constraints at the Greyhound roundabout;*** ❖ ***Ensuring connectivity between the land north and south of Bryn Estyn Road;*** ❖ ***Education: on-site provision of a 420-place primary school, contributions towards secondary provision in the vicinity of the site and the retention of existing (65,393 sqm) of playing fields for Ysgol Morgan Llwyd;*** ❖ ***Public open space;*** ❖ ***Community and leisure facilities, including the retention of the Erlas Victorian Walled Garden;*** ❖ ***Active Travel; and*** ❖ ***Public Transport*** ***Affordable Housing:*** ❖ ***The starting point for negotiation will be the delivery of 20% affordable housing.*** ❖ ***Affordable housing will be expected to be delivered on site in the first instance and only in exceptional circumstances will off site or commuted sum contributions be accepted in lieu of on-site provision."*** The accompanying masterplan framework image is included (shown below) in the LDP and the proposal demonstrates (most notably through the various submitted drawings) that the applicant has followed and reflected the core principles identified in this.

	 This policy is met in full and the proposals deliver on each element. The proposals demonstrate that steps are being taken to ensure each element of this policy will be satisfactorily addressed and met in full. Draft s106 Heads of Terms are provided in meeting this policy (see **Appendix C**).
SP5 **Planning Obligations**	This policy is not strictly relevant given that Policy SP4 provides a bespoke list of aims and ambitions that the KSS2 site ought to deliver. This policy confirms that sites should not be split to avoid contributions and the applicant has submitted a comprehensive scheme that confirms delivery of each of the Policy SP4 aims. 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 in response to Policy SP4 and 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 (see **Appendix C**).
SP7 **Wrexham City**	It is agreed that Wrexham City should be focus for growth and this proposal fits with this ambition and reflects NDP Future Wales and Wrexham's identification as a National Growth Area under Policy 20 of that policy document.
SP10 **KSS3**	There are "shared" necessary infrastructure aims (sic. Active Travel, Public Transport) that the KSS3 employment site allocation have with KSS2; also notably the impact upon the highway network is one area that KSS3 will need to address with respect the VISSIM modelling of the network.
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 **Design Principles and Masterplanning Framework**	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 KSS2 masterplan framework schematic drawing (provided under the SP4 Policy) is clearly shown to have been met.

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. Health and Education Impact Assessments and Sports Planning Statements have been provided.
SP14 **Natural Environment**	The proposal and its supporting statements (Ecology, Landscape 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 (Heritage and Archaeology, incl. Geophysics and WSI) are provided. Investigative trenching has been commissioned accordingly and the results have shown that no areas of interest have been found.
SP16 **Minerals Supply and Safeguarding**	This policy seeks to protect such areas from unnecessary sterilisation by directing new development away from areas underlain by minerals of importance or requiring prior extraction; conflict between mineral working and sensitive development will be avoided and support is offered for mineral extraction proposals that contribute towards maintaining an adequate supply. The SA/SEA into the LDP has addressed this matter and in having allocated the site for development the adopted LDP means that there is no need for the KSS2 applicant to consider this matter further. However, on account of the site involving some land to the east of the allocation outside of the settlement boundary where the SUDS drainage basins are proposed to be located the applicant has considered this matter by presenting a Prior Extraction Statement. Moreover, as Para 3.31 of the LDP states: *"The SA/ SEA identifies that these KSS will impact on Best and Most Versatile agricultural land and minerals of national importance, however the need to provide housing, infrastructure and other community facilities in sustainable locations outweighs the need to protect these resources in this instance. Agricultural land classification surveys have been undertaken for both sites and minerals impacts have been assessed on a strategic level. In order to minimise the loss of mineral, a Prior Extraction Assessment will be sought in accordance with Policy MW1 as it is considered that any opportunities to recover mineral prior to housing development should be sought on both sites."* And as such the applicant has duly provided a PEA.
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.
H1 **Housing Allocations**	This site is one of the two Key Strategic Sites identified and allocated in the plan. KSS2 and Policy SP4 duly governs the delivery of this site.
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, woodlands or hedgerows and that adequate mitigation for any minor necessary losses (202m of hedgerow to facilitate access) and the loss of 5 trees (Category C and U only) mitigation can be provided and the Reserved Matters stage will be
NE6	The accompanying Drainage reports confirm that satisfactory foul and surface water drainage solutions exist.

Waste Water Treatment and River Water Quality	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 has yet to be strategically resolved so it would be premature to consider what the implications might be for this application. 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.
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.
CF1 **Protection of Existing open Space, Sport and Recreation Facilities**	Sport Wales have confirmed that their priority is not to see any net loss of provision. Any loss is being replaced with better pitches so no loss in quantity and an improvement in quality. Importantly, the applicant has proven that the Policy SP4 ambition of retaining 65,393 sqm of playing fields can be achieved.
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 900 dwellings this would equate to 50 sqm per dwelling and a total of 4.5 ha (45,000 sqm). The illustrative masterplan demonstrates that the proposal is capable of delivering far in excess of this at 16.94 of POS/Greenspace/Pitches which equates to or 188 sqm per dwelling. The Reserved Matters stage will serve to provide greater detail on where LAPs, LEAPs, etc may be located.
WL1 **Welsh Language and the Social and Cultural Fabric of Communities**	The site is not located within a "Welsh Language Sensitive Area" and as such no Welsh Linguistic Impact Assessment (WLIA) is considered necessary.
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.

T6 **Strategic Transport Infrastructure Improvements**	The strategic transport improvements identified in this policy under Parts ix and xiii are relevant to KSS2. The TA demonstrates that site related and off-site related improvements can be achieved and will relate to new works and improvement works to the network on Cefn Road, the Greyhound Roundabout and the A5156 and A534 Llan-y-Pwll , but also the new spine link road.
MW1 **Minerals Safeguarding**	Within Minerals Safeguarding Areas (where the land involved exceeds 4 ha) non-mineral development will only be permitted in circumstances where either the mineral does not merit extraction; or where the need for the non-mineral development outweighs the need to protect the mineral resource; or where the mineral can be prior extracted; or where the development is of a temporary nature; and where it supports the supply of minerals would not be compromised. The LDP has confirmed (at Para 3.31) that : *"The SA/SEA identifies that these KSS will impact on Best and Most Versatile agricultural land and minerals of national importance, however the need to provide housing, infrastructure and other community facilities in sustainable locations outweighs the need to protect these resources in this instance. Agricultural land classification surveys have been undertaken for both sites and minerals impacts have been assessed on a strategic level. In order to minimise the loss of mineral, a Prior Extraction Assessment will be sought in accordance with Policy MW1 as it is considered that any opportunities to recover mineral prior to housing development should be sought on both sites." (i.e. KSS1 and KSS2)* And, as such, the applicant has duly provided a PEA for its own site. The applicant has assessed the resource and duly provided a PEA; they have found that it would be economically unviable to extract resource and that the overall site suffers from too any constraints (ecology, utility, landscape features, etc) and extraction would delay the delivery of the KSS2 allocation and even shallow extraction (to 3m depth as opposed to a commercial extraction level of 25 metres depth) would have significant landscape impacts. The conclusion is that incidental extraction could be explored and take place where roads and drainage features (sic. the SUDS drainage basins) are located. Areas undeveloped would not be sterilised but remaining resource would be safeguarded.
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.

2.45 The applicant concludes that the application proposals clearly fully complies with the adopted LDP and considers that substantial weight must be afforded to this plan and its policies.

Supplementary Planning Policy

2.46 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*

2.47 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.

2.48 In the light of this, the only natural measure to be taken by the decision maker in this instance is to grant permission, subject to placing appropriate weight upon a VEC case associated with any land that might be considered to be have been located within the former UDP Green Wedge. 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
- PPW12
- 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 located within the revised and extended urban settlement boundary for Wrexham as defined by the adopted LDP. The site is well related to the city and is in close proximity with the major employment destination of Wrexham Industrial Estate.
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 significant levels of 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. It is clear that the need to deliver affordable housing is a key priority and a significant material consideration in the 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 strategic site is pivotal to the future prosperity and economic development of Wrexham; providing homes to complement the jobs being sought.
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 and greenspace that will be managed and offer landscaping, place-making and biodiversity benefits.
Policy 3 : supporting urban growth and	*The public sector must show leadership and apply placemaking principles to support*	This policy encourages Wrexham Council to take a leadership role in

regeneration – public sector leadership	*growth and regeneration for the benefit of communities across Wales.* *The public sector's use of land, developments, investments and actions must build sustainable places that improve health and well-being.* *Planning authorities must take a proactive role and work in collaboration with the Welsh Government and other public sector bodies to identify the best locations for growth and regeneration, and provide certainty about how they should be developed.*	bringing the KSS2 site forward (sic. link road connectivity) to ensure later phases are enabled.
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 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 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 significant and valuable contribution towards this aim. 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; although the principle of securing this is being made here at this Outline 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; this site will assist in delivering this ambition through the delivery of new housing in a location that will be symbiotic with the employment area of the WIE and Wrexham City centre. 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 LDP has been adopted there is merit in considering the weight attributed to the NDP and PPW12, which can duly 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 acute 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 is reflected in both PPW12 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 a significant number of 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 A Plan-led system	*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, whilst seeking to maximise contributions against all the well-being goals.*	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.
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 3.21 Promoting Healthier Places	*Planning authorities have a role to play in the prevention of physical and mental illnesses caused, or exacerbated, by pollution, disconnection of people from social activities (which contributes to loneliness) as well as the promotion of travel patterns which facilitate active lifestyles. The planning system must consider the impacts of new development on existing communities and maximise health protection and well-being and safeguard amenity. This will include considering the provision of, and access to, community and health assets, such as community halls, libraries, doctor's surgeries and hospitals. Health impacts should be minimised in all instances, and particularly where new development could have an adverse impact on health, amenity and well-being. In such circumstances, where health or amenity impacts cannot be overcome satisfactorily, development should be refused.*	The applicant has undertaken to provide Health Impact and Education Impact Statements in support of this proposal; the resultant masterplan and development proposal illustrates that consideration and access to important community facilities and services has been safeguarded and integrated into the plan and its placemaking; with new and retained assets being promoted and meeting the aims and ambitions of LDP Policy SP4.
Para 3.28 The Welsh Language and Placemaking	*Considerations relating to the use of the Welsh language may be taken into account by decision makers so far as they are material to applications for planning permission. Policies and*	Para 3.27 states that LDPs must take account of linguistic impacts at the SA stage of plan preparation, whilst Para 3.29 states that windfall schemes may need to subject of a WLIA.

	decisions must not introduce any element of discrimination between individuals on the basis of their linguistic ability, and should not seek to control housing occupancy on linguistic grounds.	This site has been through the LDP SA and is an allocated site.
Para 3.51 Accessibility	*Higher densities should be encouraged in urban centres and near major public transport nodes or interchanges, to generate a critical mass of people to support services such as public transport, local shops and schools.*	The proposal is achieving a net density of 44.8 dph, reflective of the urban grain and in meeting the high rates needed in an environment that benefits from good levels of accessibility.
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 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 growth area and key strategic site in a logical location directly adjacent the existing settlement boundary.
Para 3.61 Supporting Infrastructure	*Adequate and efficient infrastructure, including services such as education and health facilities along with transport, water supply, sewers, sustainable waste management, electricity and gas (the utilities) and telecommunications, is crucial for economic, social and environmental sustainability. It underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working. Infrastructure which is poorly designed or badly located can exacerbate problems rather than solving them.*	This proposal delivers key infrastructure and fully complies with KSS2 Policy SP4 in the adopted LDP.
Para 3.73 Managing Settlement Form – Green Belts and Green Wedges	*When considering applications for planning permission in Green Belts or green wedges, a presumption against inappropriate development will apply. Substantial weight should be attached to any harmful impact which a development would have on the purposes of Green Belt or green wedge designation. Policies should be devised to outline the circumstances when development would be permitted in these areas where the openness of the Green Belt or green wedge will still be maintained.*	The LDP found that Green Wedge land was necessary to be released to deliver its housing needs.

Para 3.74 Managing Settlement Form – Green Belts and Green Wedges	*Inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Belt or green wedge. Green Belt and green wedge policies in development plans should ensure that any applications for inappropriate development would not be in accord with the plan. These very exceptional cases would therefore be treated as departures from the plan.*	"Need" must be weighted as a very exceptional circumstance with the additional social, economic and environmental benefits all attracting due weight and consideration in favour. The applicant has, notwithstanding the fact the site is no longer Green Wedge has provided a VEC case in this statement.
Para 3.77 Managing Settlement Form – Green Belts and Green Wedges	*Certain other forms of development may be appropriate in the Green Belt or green wedge provided they preserve its openness and do not conflict with the purposes of including land within it. These are:* *• mineral extraction;* *• renewable and low carbon energy generation;* *• engineering operations; and* *• local transport infrastructure.*	Prior extraction (mineral work) and engineering operations are classified as "appropriate development". LVIA has demonstrated that openness has not been harmed and caselaw exists to assist the decision-maker. This statement has also assessed the proposal against the 5 purposes of the Green Wedge and found no contravention.
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 and will deliver active travel initiatives.
Para 4.1.36 Public Transport	*The availability of public transport is an important part of ensuring a place is sustainable. It enables people to undertake medium and long journeys without being dependent on having access to a car. The planning system should facilitate this by locating development where there is, or can be, good access by public transport. The design, layout, density and mix of uses of a place are also fundamental to sustaining public transport services, and encouraging and enabling people to use them.*	This proposal is highly accessible to public transport modes
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 period. The housing requirement that has*	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 instigate an early Review of the

	been identified by the planning authority must be realistic and deliverable.	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 in Wrexham is considered a significant material consideration and the Council must fast-track positive decision-making for sites like KSS2 that will be core to 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 substantial levels of infrastructure for KSS2 as part of Policy SP4 and recognises that viability cannot be over-stretched.
Para 4.2.23 Densities	*Planning authorities will need to ensure that in development plans and through the development management process they make the most efficient use of land and buildings in their areas. Higher densities must be encouraged on sites in town centres and other sites which have good walking, cycling and public transport links.*	The proposal involves achieving a very good and appropriate net density of 44.8 dph.
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 20% 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 20% for KSS2 (under Policy SP4) 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*	Policy SP4 seeks 20% provision and this is being met.

	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 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, including those associated with asset transfer, planning authorities should consider the needs of the community 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 4.5.4 Recreational Spaces	*All playing fields whether owned by public, private or voluntary organisations, should be protected from development except where:* *• facilities can best be retained and enhanced through the redevelopment of a small part of the site;* *• alternative provision of equivalent community benefit is made available locally, avoiding any temporary loss of provision; or* *• there is an excess of such provision in the area.*	The LDP Policy SP4 seeks to maintain and deliver 6.5 ha playing fields at KSS2; the proposal is delivering 9.1 ha.
Para 5.9.1 Renewable and Low Carbon Energy	*Local authorities should facilitate all forms of renewable and low carbon energy development and should seek cross-department co-operation to achieve this. In doing so, planning authorities should seek to ensure their area's full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved. Planning authorities should seek to maximise the potential of renewable energy by linking the development plan with other local authority strategies, including Local Well-being plans and Economic/ Regeneration strategies.*	The opportunities to deliver and maximise the potential for renewable energy sources through the use of air source heat pumps, PV's and EVCP's along with modern methods of construction to reduce carbon emissions and allow the scheme to be less reliant upon fossil fuel energy resources will be explored in greater detail at the Reserved Matters stage. Besides, Building Regulations (Part L) expects the use of ASHP's in every dwelling across Wales.

Para 5.9.11 Local Energy Generation	*The Welsh Government encourages the use of local renewable and low carbon energy as part of the imperative to reduce carbon emissions. Renewable and low carbon energy developments offer significant potential for communities and small businesses to develop their own projects for local benefit.*	This is precisely what the applicant is seeking to achieve and a Sustainability Statement has been produced. Detail of key initiatives will be provided at the Reserved Matters stages.
Para 5.14.7 Safeguarding Mineral Resources	*It is important that access to mineral resources, including secondary, recycled and marine dredged materials, which society may need, as well as the minerals related infrastructure to deliver this need, is safeguarded in order to prevent sterilisation by other forms of permanent development. Planning authorities should consider the long term and the need for preventative action to avoid the creation of problems in the future. Safeguarding does not indicate an acceptance of mineral working, but that the location and quality of the mineral is known and that the environmental constraints associated with extraction, including the potential for extraction of mineral resources prior to undertaking other forms of development, have been considered.*	The LDP has already taken into account the loss of a mineral resource area and reached the conclusion that intensive prior extraction is neither realistically feasible nor viable faced with the need to deliver new homes. The applicant has though taken steps to consider an acceptable level of prior extraction and produced a Prior Extraction Statement that identifies what level of extraction might be feasible.
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 presented Heritage Impact, Archaeological, Geophysics and WSI statements to show that their value is not harmed and will be retained.
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 recognised by the applicant and the proposal involves management and maintenance of key habitats.

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. 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*	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.

	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 loss is minimised to just 5 trees (Category C and U only) and that just 202 metres of hedgerow will be lost to facilitate access. The opportunity for retention and enhancement will be available through the Reserved maters stage where significant levels of compensatory planting can be achieved. The applicant suggests that the public (access, amenity and biodiversity net gain) benefits are very likely to far outweigh any loss.
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*	SUDS has been duly considered and designed into shaping the masterplan and provides for green and blue infrastructure benefits.

	developing collaborative approaches which, drawing on evidence obtained through green infrastructure assessments, integrate SuDS as part of growth strategies for particular areas.	
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*	A site-specific target of 20% subject to viability has been set in the LDP Policy SP4 and this is being met.

	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.	
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)		
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)		
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 the Reserved Matters stage.
TAN 15 DEVELOPMENT & FLOODRISK (December 2021)		
	An FCA and Drainage Strategy are required for schemes of this scale and nature.	The site 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 16 RECREATION & OPEN SPACE (January 2009)		
Para 3.7	Only where it can be clearly shown that there is no deficiency, should the possibility of their use for alternative development be considered. Playing field loss will need to be justified in relation to policies in the LDP, PPW and, where available, be consistent with the findings of the Open Space Assessment.	A review has been undertaken and considered. No net loss will occur, but to the contrary there will be betterment and improvements to existing provision.
Para 3.8	Sometimes, the retention and enhancement of facilities may best be achieved through the redevelopment or rehabilitation of a small part of a site, particularly where this would be related to playing field use, for example the provision of changing facilities, which would not adversely affect the quantity or quality of remaining pitches, or their use. Some forms of development, for example housing, may affect the use of remaining playing areas, and the possible benefits offered by such development should be weighed against the possible effects on open space, which may occur.	TAN16 recognises that sometimes replacement can be achieved through qualitative improvements – this has been considered and presented in line with the quantitative position of no net loss.
Para 3.9	In some circumstances better, or at least equivalent, alternative provision can be made available. This means that the replacement land or facilities should be equivalent to, or better than, that taken in terms of its capacity to provide for the area's needs. It will usually, but not necessarily, relate to its size, characteristics, location and accessibility. Such provision should be made available for use as soon as possible, if necessary linked to a planning agreement and to any planning permission which may be granted for the development or use of the playing field to be lost. Consideration should be given to the proximity and nature of any replacement site or facilities to the communities affected, particularly where these are deprived or disadvantaged, to their accessibility to the community as a whole, and to disabled people.	Quantitative replacement is not always the answer – but no net loss will happen.
Para 3.16	For major new residential and mixed-use allocations, the LDP should set out clear guidance on the scale and form of provision sought, possibly amplified in supplementary planning guidance or in development briefs. These will need to reflect priorities from the Open Space Assessment where available.	Policy SP4 seeks to deliver a retention target of playing pitches which has been met and exceeded.
Para 3.38	Access to the countryside is important for the rural economy, community services, public transport and, when linked to recreation, as a means of improving health and well-being.	The proposals seek to deliver on these ambitions.

Para 3.40	Promotion of walking and cycling helps to address issues related to climate change, and is consistent with government sustainability objectives such as improved health, safe routes to school, a reduction in car journeys and the encouragement of tourism.	The proposals seek to deliver on these ambitions.
TAN 18 TRANSPORT (March 2007)		
	A TA and Travel Plan are required for schemes of this scale and nature.	A full Transport Assessment has been submitted, along with a Framework Travel Plan. This demonstrates that safe and appropriate access to the site can be achieved and also addresses active travel, public transport and sustainable connectivity initiatives.
TAN 20 PLANNING & THE WESH LANGUAGE (October 2017)		
Para 3.1.3	*Planning applications should not routinely be subject to Welsh language impact assessment, as this would duplicate the SA and LDP site selection processes. Provided that the SA has given due consideration to the Welsh Language, an impact assessment at application stage would not be based on any further information than that which has been presented during the plan preparation stage.*	The exception to this is if a windfall site is proposed. The fact is that the LDP ought to have addressed this as part of the sustainability appraisal to the plan and as such no WLIA is required.
TAN 23 ECONOMIC DEVELOPMENT (February 2014)		
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 1.2.4	*…. planning should guide development so that it benefits disadvantaged communities, concentrates people-intensive activities in town centres and aligns jobs with housing and infrastructure*	TAN24 recognises that associating and co-locating housing with infrastructure and with jobs is a sustainable thing to do; the KSS2 delivers just this with close access to the Wrexham Industrial Estate and supported by existing and proposed infrastructure.
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.

TAN 24 THE HISTORIC ENVIRONMENT (May 2017)		
	Section 1 discusses the importance of heritage impact assessment and the need to assess and understand sites and their significance. It also recognises the links between nature conservation and habitats and historic environment assets and the duty to ensure any works on one do not detrimentally impact upon the other. *Section 4 discusses the importance of not just assessing the presence but also the value of any archaeological remains; with a view that those significant enough for retention are providing surety over being protected in situ.*	An Historic Impact Statement and Archaeology reports have been completed; geophysics have been completed and a WSI has identified a programme of intrusive trenching, all within the scope of a written scheme of investigation involved CPAT. The trenching has revealed no areas of interest having been found.
DPM 3 DEVELOPMENT PLANS MANUAL (March 2020)	**What the policy document says**	**J10 Comment**
Paras 2.3 to 2.5	*The NDF will be a development plan, setting out the policies of the Welsh Ministers and 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 carries weight. The NDP was published in February 2021 and is due to be updated by February 2026. The LDP must generally conform with NDP.
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 Green Barrier, BMV, Minerals, site selection and viability which informed the candidate site selection process and key policies.
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*	This guidance has been followed.

	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.	
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 and background to the policies. National policy can also be a material consideration in these circumstances.*	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.
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*	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.

	level homes/strategy. Failure to deliver against the AABR/AAR can itself be a reason to trigger an early review of the plan.	As a result the LDP desperately needs sites like this to come forward and deliver.
DMM 2 DEVELOPMENT MANAGEMENT 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 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 did not raise any concerns over the KSS2 allocation, the Green Wedge Review (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 9.6.17	*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 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 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 that 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	200 no. direct and 200 no. supply chain jobs over a 5-year period
Contract value	£200 M
Construction spend locally	£600 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	£8.1 M local spend investment *N.B. based upon £9,000 per home average spend to "make a house a home"*
Ongoing new household expenditure	£27.0 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	£2.85 M per annum into supporting existing and new Wrexham Borough Council services; reducing the debt and preventing cut-backs to annual Council budgets Which could also deliver a local community precept *N.B. based upon average Tax Band F of £3,167*
Commuted sums	Education contributions towards primary and secondary provision locally, which may include a new Welsh Medium Primary School
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	20% of all housing will be affordable : targeted at providing new homes for Wrexham residents in need of a roof over their head.
Housing Mix	Far from being an "exclusive executive" housing estate the proposal involves a mixed range of new housing including a range of units from 2 to 4-bedroom homes, with a view to balancing the housing stock of Wrexham which has one of the highest proportions of social housing stock in Wales.
Locational sustainability	The site is located in an established residential quarter of the city and is supported by its existing framework of services. It is logical to locate new housing here and achieve the National Growth Area ambitions. Safeguarding, enhancing, securing and hopefully attracting new local services and facilities will serve to sustain the community and its existing framework of services.

Education	New families will secure the future of local schools and other important local services and facilities. Any enhanced provision will be delivered through either a new site or commuted sum contributions where the evidence of need to clearly demonstrated.
Bus Services	New residents will be served by existing public transport infrastructure; however, the KSS2 will serve to support and attract new and enhanced services which will benefit existing local residents too.
Public Access, Open Space and Cultural Wellbeing	POS / Greenspace provision of 16.94 ha of high-quality accessible playing fields and open space (park and playspace) that is expected to not just meet but exceed standards for the whole community to enjoy. 900 Dwellings requires 50sqm/dwelling which equate s to 4.15 ha New links with local pedestrian routes 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 back into the Wrexham centre and beyond towards the Wrexham Industrial Estate ensuring that car borne traffic is disaggregated from those more vulnerable users and offering opportunities for non-motorised access to employment and reducing the need to travel by such private means.
Sport and Recreation	Retention of existing pitches. Whilst there will be a small quantum loss of existing site area this will be offset and mitigated for by direct replacement of the exact same area but with pitches that will be fully drained. Additional betterment involves other significant improvements such as new safe surface grade level pedestrian crossings, pitch re-marking and enhanced pitch orientation that will lead to more (not less) pitches that are targeted at both Rugby and Football – with a particular focus on complementing the Wrexham Football Strategy in delivering youth and female football in the community and meet FAW standards.
Welsh Cultural and Linguistic	A series of mitigation measures will be proposed that will serve to enhance and deliver Welsh cultural and linguistic benefits at the Reserved Matters stage – such as site name, street names, marketing literature, resident welcome pack, etc
ENVIRONMENTAL DELIVERABLES	
Environmental Dividend : Biodiversity Net Gain Benefit	Habitat provision, dark corridors, bird and bat boxes; large physical areas of land dedicated to ecology and strategic buffer planting, resulting in a significant quantum of biodiversity net gain.
Design Quality	New housing will follow an approved Design Code to maintain and deliver quality; celebrating 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. Solar PV’s, air source heating and EVCP’s will be proposed at Reserved Matters stage to meet Part L Building Regulations.
Active Travel	Connective, permeable and safe pedestrian links, safer routes to school; designed to meet latest standards; DDA compliant housing and site access. New pedestrian crossings over Cefn Road. Pedestrian and cycle priority delivered through quality placemaking urban design.
Landscape enhancement (trees)	New and enhanced landscape planting, feature trees with a “boulevard” opportunity for a spine link road through the site.
Residential amenity	Ensuring the residential amenity of existing local residents is protected new 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.
Highway safety	Local off-site highway improvements to deliver betterment to highway network and greater capacity, along with priority junctions with safe crossings.
SUDS	A SAB's compliant scheme is under development and will be 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.

Very Exceptional Circumstances

3.13 The benefits of the proposal have been expressed above and the applicant considers that they serve to support a Very Exceptional Circumstances (VEC) case in respect of the scheme. The decision-maker must consider them "cumulatively" and not individually.

3.14 However, the applicant does not consider a VEC case is necessary because the proposal involves bringing forward an allocated site in the adopted LDP that has found the Green Wedge Assessment to be sound and furthermore that the site be released from its former Green Wedge designation as a location for new growth. The former UDP Proposals Map extract for the site is shown in Figure 9, whereas the adopted LDP Proposals Map is shown earlier in this report at Figure 8.

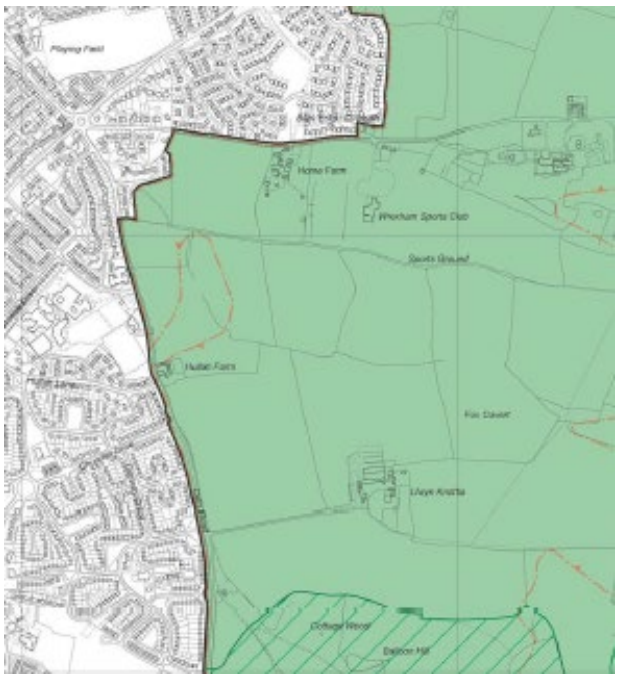


Figure 9 : Former Wrexham UDP : Proposal Map extract

3.15 Were a VEC case required then the applicant would suggest it as comprising the following:

a. **PUBLIC ACCESS** : The scheme will provide enhanced public access into areas formerly not accessible and usable open space and playing pitches.

b. **AFFORDABLE HOUSING** : There is a chronic and acute unmet housing need for both affordable and open market housing, which this proposal will help to address, and recent caselaw, firmly supports this position. There is evidential proof that this need is not being met; as set out in the Council's own LHMA, Housing Register and evidence base underpinning the LDP. This proposal will deliver 20% affordable (up to 180 dwellings).

c. **ECONOMIC BENEFITS** : They will deliver a host of economic benefits (as described in the previous section above) but most notably these include:

- *£2.4 million Council Tax per year directly into the public purse*
- *400+ jobs created and sustained during the build period*
- *£600 million injected into the local economy over the building period*
- *New householder spend into the local economy from the first day of occupation in making a "house a home" and then year on year, whilst also supporting economically active residents*

d. **COMMUNITY & CULTURAL INFRASTRUCTURE and ENVIRONMENTAL BENEFITS** : The development will deliver a series of social and environmental benefits (as described in the previous section above), but most notably these include local educational provision supporting Welsh Medium schooling, sport and recreational benefits aligned to Wrexham's Football Hub ambitions (especially with respect female/youth football); Public Open Space; landscape retention and biodiversity net gains that will go beyond standards and policy ambitions.

e. **IMPROVED HIGHWAY INFRASTRUCTURE & SUSTAINABLE MODES OF TRANSPORT** : The proposal will deliver network and capacity improvements, will deliver local betterment on Cefn Road and at the Greyhound Roundabout, will provide active travel and public transport initiatives and enhanced levels of pedestrian crossings. Moreover, it will unlock and assist the strategic highway improvements linked to bothKSS3 and KSS2 to be realised and delivered.

f. **HOUSING NEED** : There is a chronic and acute need for market housing in the County Borough and the application will bring forward up to 900 quality homes. The fact the Council accept that their housing supply and delivery is at risk of failing (see **Appendix A** pre-app guidance letter where it is accepted that they have not been hitting their targets) is telling.

3.16 The Councils own pre-application advice (see **Appendix A**) is another VEC itself in that it clearly states that a VEC case could also be based upon the failure to deliver housing land supply, the fact the site is highly sustainable and that there is no risk of coalescence with Wrexham Industrial Estate.

3.17 The applicant therefore considers that a VEC case exists and invites the decision-maker to consider them cumulatively and to duly apply significant material weight. As a result, there is only one decision that can and should be made and that is to support this scheme unequivocally.

RELEVANT CASELAW

3.18 The following cases, full decisions of which are provided (see **Appendix F**), provide a benchmark for the decision-maker to take account of, in particular the use of Green Wedge (formerly known as Green Barrier) land for housing delivery and meeting acute and chronic housing land supply positions, but also two cases (in English Green Belt) where land has been found to be appropriate for SUDS use:

APP/3160099 *(4 October 2017) : land at Hendredenny, Caerphilly (Redrow Homes) :* ***ALLOWED*** *: where the Welsh Minister agreed with the Inspector that the significant shortfall in housing land supply combined with the lack of a plan-led solution indicates there is an overriding need for the development, which satisfies local policy and VEC's comprise housing land supply and lack of a plan-led solution. It was noted that the site is located in a broadly sustainable location, with no evidence to suggest there would be unacceptable impacts on local economic, social or environmental infrastructure and where no other material harm has been identified. The Welsh Minister commented that "when all of these factors are considered in their totality, I agree they comprise the VEC required to satisfy national and local planning policies relating to inappropriate development in the green wedge."*

APP/3182282 *(10 June 2019) : land at Rhosrobin, Wrexham (Liberty Properties) :* ***ALLOWED*** *: where the Inspector and Welsh Ministers both of the view that given the position in respect of the Wrexham Council's housing land supply (no up to date UDP nor LDP), if the housing trajectory is to be achieved, and there being no immediate prospect of completions from proposed allocations in the LDP, considerable weight should continue to be attributed to the need to increase housing land supply in the determination of the appeal. It was noted that the site could be developed with the minimum of delay and would therefore make a significant contribution to housing numbers at a time when a significant increase in completions is required. Concluded that the housing land supply situation constitutes very exceptional circumstances which outweigh the harm the development would cause to the green barrier, despite the removal of TAN1.*

APP/3233167 *(18 November 2019) : Woodlands Farm, Gwersyllt, Wrexham (Wales & West Housing Association) :* ***ALLOWED*** *: where the Inspector found the proposal would comprise 'inappropriate development' despite encroaching into an area of open countryside between villages with a material loss of openness. However, weight to housing supply; the absence of an up to date development plan rendered the Local Authority without a five year land supply for housing; the need to therefore increase supply significantly weighing in favour of appeal with only limited weight given to emerging plan. It was considered that the site was sustainably located and although it would result in the narrowing of gap between two settlements, it was held that a physical and visual gap would be retained and distinctive characteristics preserved. Weight given to affordable housing provisions in an area of evident need.*

The Inspector commented "given the age of the adopted UDP, and in particular the fact that it is time-expired, there is little doubt that it attracts less than full weight in the determination of the appeal. Further, in the absence of an up to date development plan the LPA is without a five year land supply for housing. PPW requires LPAs to ensure that sufficient land is genuinely available to provide a five year supply of land for housing. As such, and notwithstanding the disapplication of TAN1 …, I consider the need to increase the supply to weigh significantly in favour of the appeal".

APP/3231048 *(14 February 2020) : land at Rossett (Bellis Bros) :* ***ALLOWED*** *: where the Welsh Minister agreed with the Inspector that given the age of the adopted UDP and the fact it is time expired, there is little doubt it attracts less than full weight in the determination of the appeal. Also, the absence of an up to date LDP rendered the LPA without a 5 year supply for housing. It is noted in considering what weight to give the Wrexham eLDP, it's necessary to consider the underlying evidence and background to the policies, noting that national planning policy and the evidence used to support policies in an eLDP can be material. It was noted despite the soundness of the plan not yet being determined; the council accepts such housing need can only be satisfied through the development of undeveloped sites. Inspector found relevance in the determination of the appeal the fact that the eLDP identifies the appeal site as within the settlement limits for Rossett and as a housing allocation. Inspector considered such factors to weigh significantly in favour of the development, not least because it represents a concession from the LPA that the site ultimately represents a suitable and sequentially preferable housing site despite the inevitable impact such a development would have on the landscape character and openness of the site.*

APP/3243303 *(27 April 2020) : land at Penyffordd, Flintshire (Heaton) :* ***ALLOWED*** *: where the Inspector allowed the appeal and is quoted as saying: "… the Government is committed to ensuring that the planning system delivers the housing Wales needs and that under delivery is a material consideration".*

APP/3238474 *(15 February 2021) : land north of Gatewen Road, New Broughton, Wrexham (Glyndwr University) :* ***ALLOWED*** *: the site was allocated in Wrexham's LDP as a housing allocation as part and parcel of a Green Barrier Review. The Inspector considered the site would make a significant contribution to meeting the housing requirement and addressing the shortfall in supply that had persisted for some years. Notably, it was quoted: "The changes to PPW and revocation of TAN1 have not reduced the importance of delivering new housing, just the way delivery is planned, measured and monitored …". The Inspector considered the site would make a significant contribution to meeting the council's market and affordable housing requirement and addressing the shortfall in supply that had persisted for some years. He felt it was sustainably located with good walking/cycling links and public transport provision. All these factors combined constituted, the inspector opined, the very exceptional circumstances required to clearly outweigh the harm from the conflict with the green barrier and locational policies.*

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 (that might be presented before Members in a Planning committee report) meet the above tests and enable the swift commencement of development through subsequent Reserved Matters applications.

Planning Obligation

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

4.4 The draft HOT's represent 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 lawyer 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 Very Exceptional Circumstances) 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 the applicant's opinion, weighed 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 approval of this proposal. 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.**