Planning Application Supporting Statement (including Design & Access)

Residential development of 3 dwellings

Land to the north of Wilmaye, Green Farm Court, Penley, Wrexham LL13 0QJ

June 2025

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PROJECT
Residential development of 3 dwellings

PLEASE NOTE:
This report (including any attachments) has been prepared with care and due diligence in response to our instruction to prepare and submit a planning application for the development of 3 dwellings on land north of Wilmaye, Green Farm Court, Penley, Wrexham. It is prepared solely for the purpose for which it is provided. Unless we provide express prior written consent, no part of this report should be reproduced, distributed or communicated to any third party. We do not accept any liability if this report is used for an alternative purpose to which it is intended, nor to any third party in respect of this report.

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1. Introduction

Purpose of this Statement

1.1 This document provides supporting information in respect of a full planning application by Mr Roy Evison for the proposed development of 3 dwellings on land in Penley.

1.2 The information contained in this statement is supplementary to that provided on the completed planning application form and is to be regarded as forming part of the application. The information contained in this statement is intended to assist the Planning Authority in determination of the proposals as it provides a concise overview and explanation of the background to the proposal, and in particular:

- Details the planning policy context within which an application for the development proposal should be considered and determined;
- Considers any site specific planning issues; and
- Provides an assessment of the planning merits of the development proposal.

Background to the Development

1.3 The application site was formerly part of Big Green Farm farmstead and part within the residential curtilage of Wilmaye, as identified on the image at figure 1.



Fig.1: Google Streetview image (Mar 2009)

1.4 Following the approval (on Appeal) of planning application P/2016/1118, Big Green Farmstead has been redeveloped for a residential development of 13 dwellings (as identified on figure 2).



Fig.2: Google Streetview image (Feb 2023)

1.5 As a consequence, the application site is now a vacant parcel of land of no agricultural value, surrounded on three sides by residential development. The applicant is therefore seeking to make best use of this land by proposing its development for 3 dwellings as such a proposal would assimilate with ease into this part of the settlement.

2. The Site and Surroundings

Introduction

2.1 This section explains the nature of the application area and its immediate environment. It also sets the context for demonstrating that the site is suitable for the proposed development.

The Site and its Environs

2.2 The site lies adjacent to the adopted development plan's settlement limit for the village of Penley, as shown on figure 3. However, it lies within the built form of the settlement, with Ellesmere Lane on the eastern boundary of the site and existing residential development bounding the site to the north, south and west.

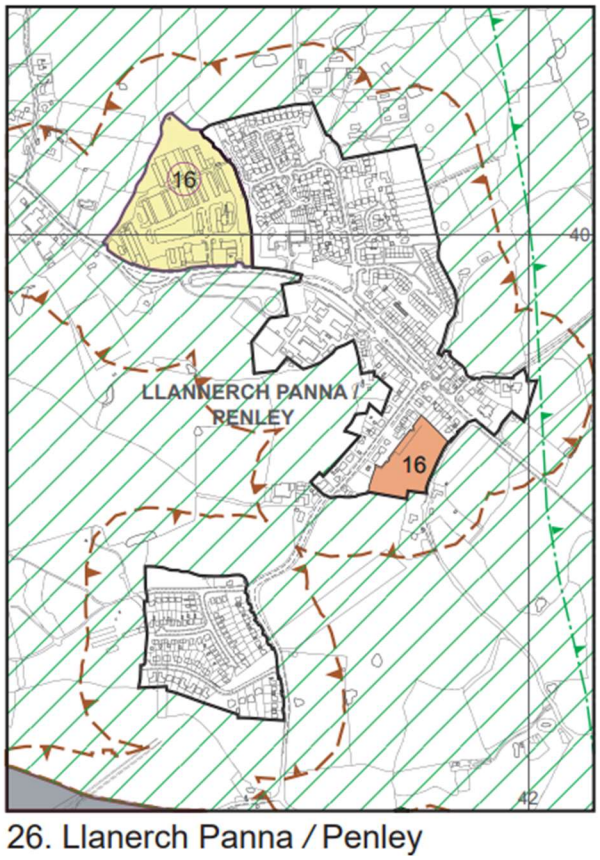


Fig.3: Adopted Local Development Plan Proposals Map Inset 26 - Penley

2.3 All the land outside the settlement limit of Penley, including the existing residential development that adjoins the site, is designated as Special Landscape Area, shown hatched green on Figure 3. This designation covers extensive parts of the County Borough. Apart from the Special Landscape

Area, the only other designation affecting the site is the Registered Historic Landscape designation, as shown on figure 4.

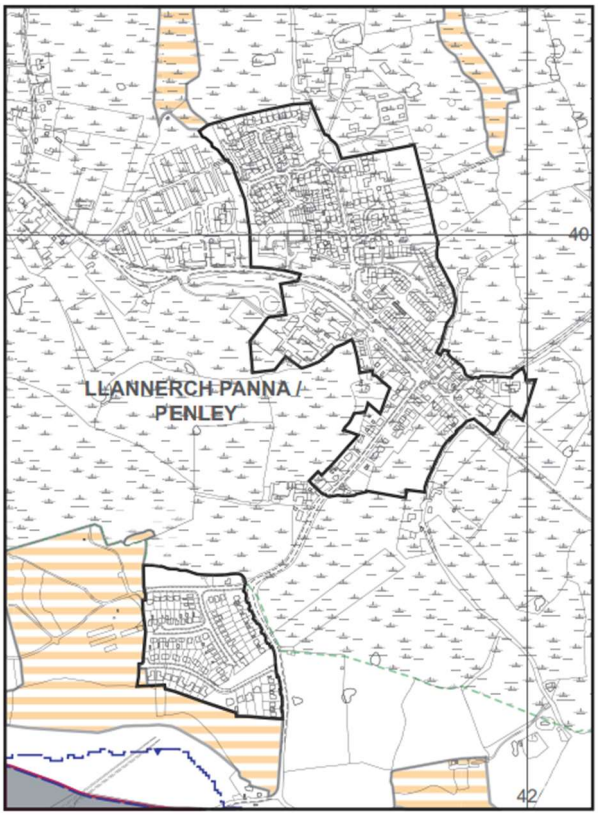


Fig.4: Adopted Local Development Plan Constraints Map Inset 26 - Penley

2.4 The site is not affected by any other designations, as it has no specific heritage or natural environment features. In this regard, Natural Resources Wales' flood map for Planning, which accompanies the Welsh Government's Technical Advice Note 15, shows that the site lies wholly outside of areas at risk of flooding.

2.5 The settlement of Penley offers a good range of services and facilities, including Primary and Secondary Schools, a Village Hall, Shop, Places of Worship and Employment opportunities. A full range of services, facilities and employment opportunities are available in the local and regional service centres of Ellesmere (4 miles), Wrexham (9 miles), Whitchurch (9 miles) and Oswestry (12 miles). The site is therefore in a location that benefits from good access to the full range of services and facilities.

2.6 Given the above, the application site is considered to be an appropriate location for the proposed development with no unacceptable adverse impacts anticipated to arise as a result of its development.

3. The Proposed Development

Design

3.1 The development proposed is fully illustrated on the submitted drawings. These drawings identify that the development will comprise of a terrace of 3 2 bedroom dwellings.

3.2 The drawings submitted with the application include:

- Site Location and Existing Layout Plan
- Proposed Site Layout
- Proposed Floor Plans and Elevations
- Drainage Layout
- Drainage Longsections
- Drainage Manhole Schedules
- Drainage Construction Details

3.3 *Character (including appearance, layout and scale)*

The proposed development responds to the local vernacular of the development cluster, in particular it has been designed to reflect and assimilate with the existing development on Green Farm Court as it will:

- comprise of dwellings at a density similar to that of the Green Farm Court development, making best use of land;
- be a continuation, and infill, of the Green Farm Court development; and
- be constructed from a palette of materials that reflects the adjoining development.

Given the above, the proposed development will reinforce the character and built form of the settlement whilst also providing additional dwellings promoting choice and variety in its dwelling stock.

The site is currently devoid of features that positively contribute to the local environment. The development proposal therefore provides opportunities for the inclusion of features such as native landscape planting which will assist in integrating the development into its landscape setting and will protect the residential amenity of neighbouring residents and future occupants. The proposed development will therefore enhance the quality and character of the local environment.

3.4 *Environmental Sustainability*

- Efficient Use and Protection of Natural Resources

The development site is a flat and level area of vacant land within a residential setting free from development constraints including flooding. The proposal to provide terraced dwellings, on plot sizes that are comparable to recent development elsewhere in the settlement, will therefore make best use of land and assist in ensuring energy consumption is reduced wherever practicable. The development is also able to take advantage of passive solar heating and solar energy installations. Native landscape planting on the site may also increase shelter in this location and will therefore also assist in reducing energy loss.

- Landscaping & Biodiversity

As previously detailed, the site is currently a vacant area of land devoid of features that positively contribute to the local environment. Whilst the site is of low ecological value, the proposed development will include native landscape planting that will enhance the ecological value of the site and assist in integrating the development into its landscape setting including protecting the residential amenity of neighbouring residents and future occupants.

- Utilities and Drainage

The site is served by mains electricity, water and sewerage infrastructure. Surface water will be directed to soak away and porous surfacing will be used where appropriate. Such methods of surface water drainage are considered to be the most environmentally sensitive disposal solutions available for the development proposal.

3.5 *Movement*

The extensive range of services and facilities provided in Penley are within easy walking distance of the development site as the site is located adjoining the main body of the settlement that contains the majority of its existing services and facilities.

In addition, the proposed development is situated adjacent to a public transport corridor and is well served by Bus Service No. 146 linking Wrexham – Overton – Whitchurch. Bus stops for this service are located in Penley on the A539 approximately 350m from the application site. The proposed development will therefore encourage walking, cycling and the use of public transport.

3.6 *Community Safety*

The proposed development is considered to enhance community safety in this location, as it:

- Reinforces the form of the village, improving natural surveillance in this area; and
- Reinforces the cluster of development within which the site is located and therefore increases a driver's perception of being within a settlement.

Access (ensuring ease of access for all)

3.7 The proposed development will be accessed directly off Green Farm Court estate road, which has a single access point onto Ellesmere Lane and car parking is to be provided in accordance with current standards. Given the scale of the development proposal and its access arrangement, it is considered evident that the proposal will not give rise to any adverse effects.

The surrounding highways infrastructure is considered to be more than adequate to serve the proposed development.

Given the relatively flat and level nature of the site, access for disabled persons can be readily achieved and, similarly, the proposed dwellings will be constructed to meet disability access requirements.

4. Planning Policy Framework

National Planning Policy

4.1 National planning policy in Wales is provided in a number of documents including, most significantly, Planning Policy Wales (PPW).

4.2 *Planning Policy Wales*

4.2.1 Planning Policy Wales Edition 12 was adopted in February 2024 and is the key national land use planning policy document for Wales. Planning Policy Wales (PPW) sets out the Welsh Government's land use planning policies with the aim to translate the Government's commitment to sustainable development within the planning system. This is highlighted in the Introduction at paragraph 1.2, which details that the "primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales", this should be considered during plan-making and decision-taking.

4.2.2 PPW provides a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise (paragraph 1.18). In this regard, it details that Local Planning Authorities should ensure that the social, economic, environmental and cultural benefits of a proposed development are considered in the decision making process, recognising that, in doing so, there may be occasions when one benefit of a development proposal outweighs others. Key factors in the Local Planning Authority's assessment process include:

- Economic Considerations

Economic considerations include the contribution the proposed development makes to job creation, the growth and regeneration of the local area and the achievement of a more prosperous, low carbon, innovative and resource efficient Wales.

- Social Considerations

Social considerations include the contribution the proposed development makes to meeting society's needs (including housing), how people access employment, services and facilities and how they interact on a daily basis.

- Cultural Considerations

Cultural considerations can include how far the proposal supports the provision of jobs and economic activity and how the area's distinctive offer, including the Welsh language and landscape, is protected and promoted.

- Environmental Considerations

Environmental considerations include how important features of the natural and built environment are protected and enhanced, how environmental risks are prevented or appropriately managed and how efficient and most appropriate use of materials is made (e.g. by maximising energy efficiency, the efficient use of land and sustainable movement).

4.2.3 PPW specifically identifies that "maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites" (paragraph 4.2.18) and that "infilling or minor extensions to existing settlements may be acceptable, in particular where they meet a local need for affordable housing or it can be demonstrated that the proposal will increase local economic activity" (paragraph 3.60).

Local Planning Policy

4.4 *Wrexham Local Development Plan 2*

4.4.1 Wrexham Council adopted its Local Development Plan 2 (LDP2) on the 20th December 2023. The LDP2's adoption has recently been subject of an appeal to the High Courts. The Court of Appeal judgement handed down on the 20th of December 2024 concluded that the Planning and Compulsory Purchase Act 2004 (the 2004 Act) does not impose a duty on a Local Planning Authority to adopt a Local Development Plan. This has the effect of overturning a High Court judgement of 29th November 2023, which had concluded to the contrary.

Nonetheless, the judgement of the 20th December 2024 does not, by itself, alter the status of the LDP2 as 'the development plan', as defined in section 38(4)(c) of the 2004 Act. In accordance with section 38(6) of the 2004 Act, any planning applications or appeals must be determined in accordance with the development plan unless material considerations indicate otherwise. The LDP2 therefore remains adopted and the starting point for the determination of planning applications until the plan becomes unadopted.

4.4.2 The LDP2 policies of most significant to the development proposal are as follows:

- SP2: *Location of Development*

This policy directs new development to defined settlement limits as identified on the Proposals Map. The written justification for the policy, in table 2, identifies that Penley is categorised as a tier 3 'Local Service Centre' settlement where housing development will be delivered on allocated, committed and windfall sites.

- Policy SP15: *Historic and Cultural Environment*

Seeks to ensure that new development conserves, protects, preserves or enhances the Borough's historic and cultural assets including Registered Historic Parks, Gardens and Landscapes.

- Policy H7: *Housing in the Countryside*

Policy H7 details the circumstances in which housing development proposals would be permitted outside of defined settlement boundaries. Such circumstances include where the proposals are for the purposes of agriculture, forestry or other rural enterprise; or it involves the replacement of an existing dwelling; or it involves the subdivision of an existing dwelling; or it involves the conversion of an existing non-residential building; or it is for affordable housing on land adjoining the settlement limits; or it is One Planet development.

- Policy NE5: *Special Landscape Areas*

Gives priority to protecting, managing and enhancing the character and quality of the Borough's Special Landscape Areas (SLAs). The written justification for the policy clarifies that the "designation of a SLA does not preclude development but any proposals must demonstrate that they have been designed to respect the valued characteristics of the recognised landscape" and, in this regard, that "Designs will be required to be of a high standard, appropriate in scale and massing, integrated sympathetically into the landscape as well as ensuring long term management".

- Policy DM1: *Development Management Considerations*

Identifies detailed considerations against which development proposals will be considered, including whether the proposal will accord with or enhance the character, local distinctiveness and appearance of the site, existing building(s) and surrounding landscape/ townscape; not have an unacceptable effect on the amenity of the occupiers of nearby properties/land; take account of personal and community safety and security; prioritise walking, cycling and public transport use; and not give rise to highway safety, pedestrian safety or parking problems.

5. Planning Appraisal

5.1 The main planning issues concern the following:

- Principle of Development
- Sustainable Development
- Landscape Impact
- Historic Environment Impact
- Ecological Impact

Principle of Development

5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the development plan unless there are material circumstances which 'indicate otherwise'. The Development Plan in Wrexham currently consists of the adopted LDP2.

5.3 The LDP2 directs new housing development to within the settlement boundaries of named settlements including Penley, which is designated a 'Local Service Centre' within the LDP2, and therefore a focus for housing growth in the local area. It is recognised that the proposed development site lies adjacent to, but outside of the settlement boundary of Penley. Nonetheless, the site is bounded to the north, south and west by existing residential development, and to the east by Ellesmere Lane. It is evident therefore that the application site lies within the built form of the settlement.

5.4 In addition, policy H7 details that housing development may be acceptable on land outside but adjoining settlement limits when the proposals are for affordable housing. Whilst the dwellings proposed in this application are open market, they are smaller, lower cost, dwellings that would make an important contribution to the variety and choice of housing in the settlement.

5.5 In summary, it is considered that the proposed development broadly accords with the aims and objectives of the adopted Local Development Plan and the principal of the proposal should, on balance, be considered acceptable.

Sustainable Development

5.6 As previously detailed, PPW states that the planning system provides for a presumption in favour of sustainable development.

5.7 There are different dimensions to “sustainable” development: economic, social, cultural and environmental and it is considered that the development proposal will contribute to all of these, as set out below:

- Economic

The proposed housing will provide local employment during the construction phase and benefits to the local economy through the use of local suppliers and services.
The dwellings will also accommodate additional residents in the community, within walking and cycling distance of the services and facilities provided in Penley. These additional residents will help to sustain and improve the viability of local services.

- Social

The development will make a significant contribution to Penley’s housing requirements given the proposed provision of smaller, lower cost, open market dwellings. Such provision will provide people in need of a smaller open market dwelling with an appropriate form and tenure of residential accommodation and will therefore positively affect their health, well-being, quality of life and opportunities open to them.
The dwellings provided will assist people to meet their housing needs within the local area, ensuring that occupants live within, and contribute, to the vitality of the local community.
As previously detailed, additional residents in the local community also increase demand for, and therefore improve the resilience of, local community services, including the Primary School.

- Cultural

Cultural considerations include the provision of jobs and economic activity and how the Welsh language and landscape, is protected and promoted.
The proposed development therefore provides cultural benefits through the creation of jobs during the construction phase of the scheme and will enable occupants of the proposed dwellings to support local community services and facilities and play an active role in community life. The proposed development’s impact upon landscape is considered further elsewhere in this document.

- Environmental

The site is unaffected by any environmental constraints. No unacceptable adverse environmental impacts have therefore been identified as arising from the proposals. In this regard, as detailed elsewhere in this statement, a Preliminary Ecological Appraisal (including Green Infrastructure Statement) has been produced to identify a number of ecological enhancements that

may be included within the development to ensure that the proposal gives rise to environmental benefits.

5.8 It is evident from the above information that the proposal constitutes a sustainable form of development and should be considered and determined in the context of Planning Policy Wales' 'presumption in favour of sustainable development'.

Landscape Impact

5.9 The site lies within an area designated as a 'Special Landscape Area' (SLA). SLAs are non-statutory designations applied by a local authority to define areas of high landscape importance within their administrative boundary. Such designations should not unduly restrict acceptable development and, as previously detailed, the supporting text to LDP2 policy NE5 highlights that an SLA designation "does not preclude development but any proposals must demonstrate that they have been designed to respect the valued characteristics of the recognised landscape".

5.10 As detailed in paragraph 4.92 of the LDP2, SLAs have been designated on the basis of the LANDMAP assessment process. LANDMAP identifies that the application site lies within the 'English Maelor' Landscape Character Area (Area 13b). This area is "an area of undulating lowland farmland and small villages which retains evidence of historic landscapes and of alternating English and Welsh influence". The landscape character assessment identifies management guidelines for the area, the most relevant of which for the development proposal is the need to preserve local distinctiveness, as the character of rural villages and their setting are particularly sensitive to new development.

5.11 The proposed residential development utilises an area of vacant land that is enclosed by existing residential development. In addition, the proposal has been designed to reflect and assimilate with the existing development on Green Farm Court reinforcing the character and built form of the settlement and will provide opportunities for the inclusion of features such as native landscape planting on a site that is currently devoid of such features, ensuring that it will integrate within its landscape setting.

5.12 Given the above, it is considered evident that the proposal will not conflict with any of the 'development management guidelines' provided for this area in the Local Landscape Character Assessment. No unacceptable adverse landscape and visual impacts are therefore likely to arise as a result of the proposed development.

Historic Environment Impact

5.13 As identified on the LDP2 constraints mapping (extract provided at figure 4) the application site also lies within a Registered Historic Landscape designation. LDP2 policy SP15 makes clear that new development must conserve, protect, preserve or enhance such an historic asset.

5.14 Welsh Government planning policy guidance contained within Technical Advice Note 24 (TAN24) 'The Historic Environment', advises that the Register of Historic Landscapes in Wales is a non-statutory advisory register and that its purpose is two-fold, as follows:
"*Firstly, when major change might be contemplated, it is intended to inform policy making and decision making at a strategic level about the historic importance of the areas identified*"; and
"*Secondly, information on the register should be taken into account when determining planning applications where the development requires Environmental Impact Assessment or, if on call in, in the opinion of Welsh Ministers, is of a sufficient scale to have more than a local impact on the historic landscape*".

5.15 It is evident that, given the guidance contained within TAN24, the development proposed in this application is not of sufficient scale to trigger the purposes of the Registered Historic Landscape designation. Nonetheless, as detailed previously in this statement, the nature, design and location of the proposal ensures that it will accord with LDP2 policy SP15 as it will reflect and assimilate with adjoining development, reinforcing the character and built form of the settlement.

Ecological Impact

5.16 An Ecological Appraisal (PJ Ecological Solutions, May 2025) has been undertaken of the proposed development site. The appraisal was undertaken to establish the ecological value of the application site, assess the potential impact of the development on protected species or sites and identify whether any further survey work may be required.

5.17 The Appraisal's findings include that the development site is disturbed land/poor semi-improved grassland of very low ecological value, the loss of which will have an adverse ecological impact of only low local significance. The Appraisal recommends a number of mitigation and enhancement measures including:

- the planting of 3no. fruit trees within the curtilage of each of the proposed dwellings;

- the provision of a swift box within each dwelling; and
- the provision of a bat tube within each dwelling.

5.15 The Green Infrastructure Statement provided as Appendix 3 of the Ecological Appraisal concludes that the implementation of the mitigation and enhancements measures detailed above will result in the proposed development providing "*a clear biodiversity net benefit/a net gain in local green infrastructure*".

6. Conclusion

6.1 This statement is submitted in support of a planning application for a proposed residential development of 3 dwellings on land in Penley, a settlement which the adopted Wrexham LDP2 designates as a 'Local Service Centre' and therefore a focus for new development.

6.2 It is recognised that the application site lies outside of the settlement's development boundary. However, adopted LDP2 policies would enable the provision of affordable housing on the site. Whilst the dwellings proposed in this application are open market, they are smaller, lower cost, dwellings. In addition, the application site, whilst outside of the designated settlement boundary, is a vacant parcel of land on an existing residential estate. It is evident, therefore, that the proposal would form a natural infill of the built form of the settlement. It is therefore concluded that the proposal meets with the aims and objectives of the LDP2.

6.3 As demonstrated elsewhere in this statement, the proposal directly accords with the different dimensions to sustainable development: economic, social, cultural and environmental, and it should therefore be considered in the context of the presumption in favour of sustainable development provided in Planning Policy Wales.

6.4 No unacceptable adverse impacts have been identified as arising from the proposed development.

6.5 Given the above, it is considered evident that the proposals fully accord with the Well-being of Future Generations Act goals, National Sustainable Placemaking Outcomes, the Sustainable Development Principle contained within national planning policy and the aims and objectives of the adopted LDP2. Therefore, when applying the planning balance (detailed within paragraphs 2.26-2.28 of PPW), we believe that the application should be supported.