



## **PLANNING STATEMENT**

**ON BEHALF OF  
TAYLOR REED HOMES LTD**

**APPLICATION FOR  
ERECTION OF FOUR DETACHED DWELLINGS  
WITH ALL ASSOCIATED WORKS**

**ON LAND REAR OF  
EATONFIELD CLOSE, BETTISFIELD, SY13 2LY**

**Our Ref: EN/MLR/10112**

**August 2023**

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## **1. INTRODUCTION**

1.1 This planning statement has been prepared to accompany the full planning application submitted on behalf of Taylor Reed Homes Ltd for the erection of four dwellings with all associated works on land rear of Eatonfield Close, Bettisfield.

1.2 The application should be read in conjunction with other submitted documents which include:

- Detailed Drawings, Harper Sperring
- Landscape Drawing, BEA Landscape Design Ltd
- Design and Access Statement v2.1, Harper Sperring
- Preliminary Ecological Appraisal, v1.5, Betts Ecology
- Great Crested Newt Survey Report v1.3, Betts Ecology
- Hydraulic Monitoring Report, Waterco
- Transport Technical Note, HSP Consulting
- Arboricultural Impact Assessment & Method Statement Rev A, Tree Solutions Ltd
- Drainage Documentation, Kane Design (Wrexham) Ltd

1.3 This is the resubmission of application P/2022/0002 which was refused in June 2022. This statement is set out as follows:

- Section 2 describes the site and its surroundings
- Section 3 considers the recent planning history including the 2022 decision
- Section 4 discussed any pre application consultation
- Section 5 describes the proposed development
- Section 6 examines the planning policy context
- Section 7 undertakes an assessment of the main planning issues relevant to the determination of the application
- Section 8 looks at the planning balance and draws conclusions as to the acceptability of the proposed development.

## **2. SITE AND SURROUNDINGS**

2.1 The main part of the application site comprises a rectangular parcel of land located on the southern side of the village of Bettisfield, with access into the north western corner from Main Street. The site is generally flat and is currently unused.

- 2.2 The village of Bettisfield abuts the site on three sides with boundaries marked primarily by mature hedgerows. The southern boundary is similarly marked by hedgerows with agricultural land beyond.
- 2.3 Greater detail on the site and surroundings is provided in the separately submitted Design and Access Statement.

### **3. PLANNING HISTORY AND BACKGROUND**

- 3.1 Planning permission was granted for the residential development of the application site in 2006 and 2007 (application references 2006/0962 and 2007/0493) but neither were lawfully implemented. Revised applications for larger schemes were refused in 2015 and 2017 (application references 2015/0555 and 2017/0290) for reasons of lack of information regarding surface water flooding, pollution to the environment from proposed cesspits, and ecological information.
- 3.2 A fresh application was submitted by the current applicant in January 2022, proposing four dwellings with public open space and all other works. The application was validated with reference P/2022/0002 and was subsequently refused on 6 June 2022 for four reasons:
- Lack of information regarding potential harm to protected species and designated sites
  - Lack of information regarding the proposed private foul drainage treatment plant and potential impact on ecology, amenity and public health
  - Unsustainable location resulting in reliance on the private car
  - Lack of information regarding access visibility, layout and highway drainage resulting in harm to highway safety
- 3.3 Notwithstanding the reasons for refusal it is noted that:
- The 2022 application was determined against the same Development Plan as the approved 2006 and 2007 schemes, and the refused 2015 and 2017 schemes. None of the previous schemes were refused on sustainability grounds.
  - There were no objections to the layout or design of the site or to the individual dwellings within it;
  - the response from the NRW dated 18 May 2022 did not raise objection on drainage or ecology grounds (conditions were recommended)

- there was no objection from highways regarding highways drainage

#### 4. PRE APPLICATION CONSULTATION

- 4.1 There has been no formal consultation with Wrexham Council or local residents.
- 4.2 Project highways engineers, HSP Consulting, has liaised with Wrexham County Council Highways regarding highway safety matters. Details of the correspondence are provided in the separately submitted Transport Technical Note but to summarise:
- A new 30mph speed limit is active along Main Street and adequate visibility splays can now be provided
  - Internal layout and turning facilities have been deemed acceptable
  - Adequate parking is provided to meet the Council standards

#### 5. PROPOSED DEVELOPMENT

- 5.1 This application seeks planning permission for the erection of four detached two storey dwellings of individual design with gardens and private parking, taking access from Main Street. A landscaped area of public open space, which includes ecological enhancements, is proposed to the rear of the houses. The design and layout of the individual units is the same as that proposed by the 2022 application.
- 5.2 Further details on the design of the dwellings and the layout of the site are provided in the separate Design and Access Statement, and the submitted drawings (which includes a detailed landscaping plan).

#### 6. PLANNING POLICY CONTEXT

- 6.1 Planning legislation provides that applications for planning permission must be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.
- 6.2 The Development Plan for the application site comprises the **Wrexham Unitary Development Plan 1996-2011 (UDP)** adopted February 2005. The Proposals Map shows the site lies within the Settlement Limit for Bettisfield and beyond the Special Landscape Area which largely surrounds the settlement.

- 6.3 The key material considerations are **Planning Policy Wales**, February 2021 and the various **Technical Advice Notes**, including TAN 18 on transport. Various of the Council's **Local Planning Guidance Notes** are also relevant, including 16, Parking Standards, and 17, Trees.
- 6.4 The binding report into the **Wrexham Local Development Plan 2013-2028 (LDP)** was received by the Council in February 2023 but the Council has determined not to adopt the Plan. A judicial review into the matter will be held and the Welsh Government will consider the Council's failure to adopt the Plan. In the light of this the Plan cannot be given full weight.

## 7. PLANNING ASSESSMENT

- 7.1 This section assesses the proposal against the policies of the Development Plan taking into account any material considerations. It starts by considering the principle of the proposal before looking at the issues covered by the 2022 refusal before considering any other matters.

### Principle of the Proposal

- 7.2 Policy PS1 of the Wrexham UDP states that new development for housing, employment and community services will be directed to defined settlement limits. Policy H2 continues that residential development on unannotated land within settlement limits will be permitted subject to compliance with Policy GDP1. Policy GDP1 sets a number of criteria against which all development proposals must be considered.
- 7.3 The Wrexham Local Development Plan 2013-2028 similarly seeks to direct new development to sites within settlement limits as defined on the Proposals Map, in accordance with Policy DM1, Development Management Considerations, which is itself similar to adopted Policy GDP1.
- 7.4 The Proposals Map for the Wrexham UDP shows the application site lies within the Settlement Limit for Bettisfield. The Proposals Map for the emerging Wrexham LDP similarly identifies that the application site lies within the Settlement Limit for Bettisfield. As such the principle of housing on the site accords with the Development Plan – the emerging LDP confirming no change in approach for the future.

- 7.5 In drawing this conclusion it is noted that the inclusion of the site within the settlement limit has twice led to the grant of planning permission for housing on the site (2006 and 2007). Although applications were refused in 2015 and 2017 this was not on matters of principle but detailed issues relating to ecology and drainage only. There has been no change in the Development Plan since the determination of the 2006, 2007, 2015 and 2017 applications and thus no reason for a change in assessment.
- 7.6 The above notwithstanding, the 2022 application was refused on sustainability grounds (reason 3), the Council concluding that the site is remote from public transport and local services and is therefore an unacceptable location in principle for new housing. Reference is made to conflict with Planning Policy Wales and Policies GDP1 and PS4 of the UDP. The officers report provides no assessment of sustainability or the referred to policies, to explain why something which has been deemed acceptable previously is no longer acceptable when there have been no policy changes and, indeed, emerging policies maintain the same stance.
- 7.7 The only assessment appears to be that provided in the response from the Highway Authority (dated 24 May 2022) which stated that the site is located on a remote, rural road with limited footway provision and no local services or facilities which may be considered an unsustainable location. The assessment continues that the development may not be considered to meet the requirements of the settlement policies in TAN 18, and reference is made to a similar development for 9 dwellings at Happy Days Coaches, Mill Lane, Bronington (planning reference P/2021/0137).
- 7.8 The Highways assessment does not conclude that the site is unsustainable, only that it may be deemed unsustainable in the light of a similar development elsewhere and reference to TAN 18. TAN 18 is dated 2007 and was in place when the previous applications for the site were considered. No conflict was identified. The Bronington site was not within the settlement limits – it was a rural location beyond any identified settlement boundary. This key difference sets the two sites apart.
- 7.9 The Council considered in detail which locations were suitable for housing and which were not when preparing the adopted UDP and the emerging LDP. The site in question, in both plans, lies within settlement limits making it suitable, in principle, for housing. If it was not deemed acceptable in principle the settlement boundary would have been drawn to exclude the land. The Bronington site, which lies outside the

limits, is entirely different – deemed by the Council to be unsuitable, in principle, for housing.

7.10 In the light of this the site is not deemed unsustainable. The Development Plan indicates it is an appropriate location for housing.

7.11 For reference, the settlement of Bettisfield may have limited services and facilities, but it does now have some public transport providing alternatives to the private car. As identified on the Bettisfield Village web:

- The Rainbow Centre operates a community bus from Hammer and Bettisfield to Stans Supermarket every Friday
- There is a service from Bettisfield to Wrexham every Monday
- A new community bus service has been launched by NS Wheelers providing local services to Ellesmere, Wem, Whitchurch and Market Drayton

The applicant would be happy to provide a welcome pack to new residents of the proposed dwellings highlighting the sustainable transport options.

### **Flooding and Drainage**

7.12 The second reason for refusal from the 2022 application alleged insufficient information was provided regarding the proposed private foul drainage treatment plant to conclude there would be no harm to ecology, amenity or public health. This was despite the NRW consultation response dated 22 May 2022 which did not object to the proposal on flooding or drainage grounds, but instead recommended conditions.

7.13 It is noted that the officers report into the 2022 application did not object on any specific flooding or drainage grounds, but did appear to confuse the proposal, which was for cess tanks, with septic tanks, and missed reference on the submitted drawings to the tanks being emptied outside the River Dee catchment / SAC area.

7.14 Submitted as part of this application are updated drainage documents prepared by Alan Kane of Kane Design. These confirm that foul drainage will be stored on site in cess tanks (fitted in accordance with BS 6297) which will be emptied outside the River Dee catchment / SAC area. The applicant is willing to accept the condition previously proposed by the NRW that all foul drainage shall be contained within a sealed and watertight cesspool, fitted with a level warning device to indicate when the tank needs emptying.

7.15 In terms of surface water the application is accompanied by a Hydraulic Modelling Report prepared by Waterco which analyses the flood risk for the site from both fluvial and pluvial flooding and identifies the parts of the site which are suitable for development. As further explained in the submitted Design and Access Statement the recommendations of Hydraulic Modelling Report are followed and the proposal will not result in any increase in flooding from surface water.

7.16 It is noted that there was no objection to the 2022 proposal on flooding or surface water drainage grounds and, with the scheme being almost identical, no objection is now anticipated.

### **Ecology and Protected Sites**

7.17 The first reason for refusal from the 2022 application alleged insufficient information was provided to conclude there would be no harm to protected species and designated sites including the Fenn's, Whixall, Bettisfield, Wem and Cadney Mosses SSSI and the Fenn's, Whixall, Bettisfield Mosses National Nature Reserve (NNR).

7.18 This reason is surprising given the NRW letter of 22 May 2022 confirmed the proposal would not have an adverse impact on any designed sites or on ecology more generally.

7.19 Impact on the protected sites is related to the removal of foul waste from the site and is discussed in the preceding section where it is concluded to be acceptable.

7.20 On ecology more generally the NRW letter recommended conditions regarding Great Crested Newts and biosecurity. With this in mind the current application is accompanied by a fresh Preliminary Ecological Appraisal and a separate Great Crested Newt Survey Report, both prepared by Betts Ecology. Great crested newts have been found in the locality and as such the PEA identifies that a mitigation licence will be required prior to commencement of development. Once obtained (and for which planning permission is a prerequisite) the impact on protected species and biosecurity is deemed acceptable.

7.21 The report specifically recommends that bird and bat boxes, and permeability for commuting hedgehogs, be incorporated into the layout. The applicant is content to comply with this recommendation. Various recommendations are also made regarding planting and these are incorporated into the submitted Hard and Soft Landscape Plan

**Highway Safety**

- 7.22 The fourth reason for refusal in the 2022 application related to the provision of inadequate information regarding access visibility, layout and highway drainage (although the response to the application did not raise issues regarding highway drainage). This stemmed from an objection from Wrexham County Highways.
- 7.23 As outlined in section 4 of this report project highways engineers HSP Consulting has liaised with Wrexham County Highways who have now agreed there are no highways objections to the current proposal. The submitted Transport Technical Note provides further details on the changes and discussions with County Highways.
- 7.24 Parking is provided in accordance with the Council's Local Planning Guidance Note 16 and UDP Policy T8.

**Other Detailed Considerations**

- 7.25 There are a range of other detailed considerations which are set out in the subsequent paragraphs.

**Design**

- 7.26 As set out in the Design and Access Statement, the proposed scheme takes its design cues from the village of Bettisfield and will create a high quality development which will respect and enhance the immediate locality. No objection was raised to the design or layout of the 2022 application scheme and this application provides an almost identical scheme without modifications to the house types or general layout. The proposal is therefore deemed compliant with the policies of the UDP (including PS2, PS4 and GDP1) and the Council's Local Planning Guidance Note 30.

**Trees**

- 7.27 There are a small number of trees within the application site. A separate Arboricultural Impact Assessment and Method Statement prepared by Tree Solutions Ltd accompanies this application and confirms there will be no adverse impact on existing trees as a result of the proposed development. Significant new planting is proposed to enhance the locality. The proposal therefore accords with UDP Policy EC4 and Local Planning Guidance Notes 7 and 17.

***Neighbour Amenity***

- 7.28 The proposal accords with the separation distances to existing dwellings and will not result in unacceptable levels of overlooking, overbearing impact or loss of light. A high level of amenity will be generated for the residents of the proposed development.

**8. CONCLUSIONS**

- 8.1 The application proposes the erection of four detached dwellings on land to the rear of Eatonfield Close, Bettisfield with all associated works including the provision of public open space and altered access arrangements. It is the resubmission of application P/2022/0002 which was refused in June 2022.
- 8.2 The application site lies within the Settlement Limits for the village of Bettisfield where the UDP supports windfall housing development. Planning permission has previously been granted for the residential development of the site, and there has been no change in the Development Plan since. Concerns raised during the 2022 application regarding drainage, highways and ecology have been addressed through the submission of updated and fresh reports.
- 8.3 The application complies with the policies of the Development Plan and in the absence of material considerations which indicate otherwise planning permission should be granted.

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