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Our ref: DM/23/116/DH
Date: 11th May 2023

Wrexham CBC
Guildhall
Wrexham
LL11 1LG

For the attention of Matthew Phillips

Dear Matthew,

Gamford House - Proposed Redevelopment of the Site With 9 Dwellings and an Office Building Ref: P/2023/0036

Please note that the amended highway access to Plot 10 will be with you today, and thank you for permitting an extension of time to allow us to resolve this issue. In light of the LDP2 not being adopted by the County Borough Council, we feel that the following representation should be considered in the determination of this application under these exceptional circumstances.

It is hoped that this representation will communicate to you our concerns about the handling of this application by a Policy Officer rather than Development Management. We are primarily concerned that a holistic and balanced approach will not be taken, which would take account of the site's sustainable location, its design qualities, regeneration benefits and carbon zero credentials. However, we are further concerned that these proposals will not be considered on their merits, but will attract the negative and nonconstructive criticism that previous proposals for the site have attracted.

We add that the legal and policy analysis of this communication has been considered by Counsel. John Barrett of Kings Chambers Manchester has contributed to this representation.

We would reiterate the following points and request that they are acknowledged and fully considered:

The application site provides an opportunity for a sustainable development on brownfield land located on the outskirts of the large village of Rossett and accords with the settlement pattern of nucleated hamlets, as defined by Natural Resources Wales in their landscape character assessment.

The proposals for 9no. Sustainable Carbon Zero Homes and a commercial office, or alternatively a bungalow, reflect the sequential approach to the identification of residential sites that seeks opportunities for providing capacity within settlements and further capacity in brownfield sites close to the edge of settlements. Importantly, doubt about the site's land use designation have now been removed through the granting of a Lawful Development Certificate for a Mixed Use on 9th July 2021 (application ref. ROS/P/2021/0293).

The emerging Local Plan requirement is to deliver 7,750 homes which equates to 517 per annum. The actual rate of completions over the period 2013 and 2021 has only been 254 units per annum. This amounts to a significant shortfall of housing land in every one of the last 8 years. In addition to dwellings delivered through existing commitments, proposed brownfield and greenfield site housing allocations, the LDP is expected to be delivered by other components including windfall sites. This site presents such an opportunity to contribute to the housing land supply. The acknowledged housing requirements of the County Borough is therefore also relevant and an important consideration, carrying significant positive weight.



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The proposals support both national and local policy frameworks:

National Planning Policy

Future Wales the National Plan 2040

Policy 20 identifies Wrexham and Deeside as a National Growth Area

Planning Policy Wales Edition 11 (PPW11)

Planning Policy Wales (Edition 11) February 2021 at paragraph 1.22 states that:

“Up-to-date development plans are the basis of the planning system and set the context for rational and consistent decision making ... Planning applications must be determined in accordance with the adopted plan, unless material considerations indicate otherwise”.

This legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated.

Active and Social Placemaking and Well-being are the foundations of National policy. The outcomes that this scheme will bring support these principles.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 advises planning authorities that:

“Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be determined in accordance with the plan, unless material considerations indicate otherwise”.

Notwithstanding the degree of conflict with Policy H5, the UDP is out of date, and other material considerations including national policy, the emerging LDP, housing supply, deletion of Green Barrier and Special Landscape Area status, sustainability of location and carbon zero credentials of the proposals outweigh such conflict.

We contend that the scheme meets significant placemaking and well-being objectives and that these are material considerations in the assessment of this application, with significant weight afforded in the planning balance.

Local Planning Policy: Wrexham Unitary Development Plan 1996-2011

The driver for the development of these proposals is the current policy framework of Planning Policy Wales and the local development framework. Despite being time expired the relevant development plan is the Wrexham Unitary Development Plan, as adopted by the Council in February 2005.

The proposals strictly follow the advice contained in the following Local Planning Guidance Notes (LPGN)

LPGN Note 13 – Housing on the Countryside,

LPGN Note 16 – Parking Standards,

LPGN Note 17 – Trees and Development,

LPGN Note 21 – Space Around Dwellings and

LPGN Note 30 - Residential Design Guide.

The applicant has also been aware of the Technical Advice Notes contained within PPW11.

The fundamental principles contained within Development Objectives Policy GDP1 have informed the design process for these proposals.



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Development Principles

The proposals represent an opportunity for the redevelopment of a brownfield site to meet the following objectives of the extant but outdated UDP and the emerging Wrexham Local Development Plan LDP2:

- Redevelopment of brownfield land
- Provision of high-quality residential amenity for residents
- Augmented design standards and building quality in the County Borough
- Protecting and enhancing openness in the countryside
- Meeting a need for high quality executive homes in the County Borough

Green Barrier

The Gamford House site is developed with a much extended two storey farm house and a total of 18no. Processing, workshop and agricultural buildings. The workshops, shippens and pig pens range in height from one to two and a half storeys. The surrounding countryside is flat and characterised by mature hedgerows and established hedgerow trees.

WCBC's note Landscape Character Area 13c, The Dee Terraces, describes the visual character as: Uniformly low-lying flat open farmland with long views where hedgerows permit, field pattern is medium to large scale, with fields regular and semi-regular in shape, a dispersed pattern of attractive villages, hamlets and farms, traditionally of red brick.

Policies within both UDP EC1 and PPW11 allow infill development in the Green Barrier where it can be demonstrated that openness is maintained. The eighteen buildings that currently occupy the site are configured in such a way that they significantly impact upon openness. In contrast, the proposals allow important vistas to be enhanced and afford the opportunity for landscaping to create a rural character and integrate the development into the countryside. PPW11 states that:

'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'.

It is proposed that the scheme before you will enhance rather than harm the character and function of the Green Barrier at this location insofar as this is an issue following the Examination of the eLP by independent an Inspectors.

An important feature of this brownfield site is that it is surrounded by land that is in the ownership of the applicant and provides a unique opportunity to integrate the development into the surrounding countryside through sensitive landscaping and the maintenance of openness on the site. The extract from the Landscape Character Assessment report is reproduced below to illustrate the landscape context of the site.

Weight Afforded to UDP, PPW11 and LDP2

It is clear that the existing Wrexham Unitary Development Plan 1996 – 2011 is not up to date, and we consider that there are also significant material considerations which now weigh in favour of granting planning permission.

The extant development plan for the County Borough remains as the Wrexham Unitary Development Plan (UDP) 1996-2011. The UDP was formally adopted in February 2005. However as stated in the Chief Officer Economy & Planning LDP report to Council on 18 April 2023¹:

¹ [\(Public Pack\) Agenda Document for Executive Board, 18/04/2023 10:30 \(wrexham.gov.uk\)](#)



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"the plan is out of date; being underpinned by an evidence base that is over 20 years old. This has been confirmed in recent years by applications and appeals allowed for developments that do not conform with UDP policies. In all cases, there have been material considerations, including evidence prepared to underpin the LDP, that have been considered to carry sufficient weight to justify a departure from certain UDP policies. Some UDP policies do not align with the latest national planning policy".

Wrexham Local Development Plan (LDP) 2013-2028.

The binding Inspectors' Report was received from Planning and Environment Decisions Wales (PEDW) on 27 February 2023. This represents the end of the Examination of the Wrexham LDP. The Inspectors have concluded that, with the recommended binding changes outlined in the report be incorporated into the LDP, the Plan satisfies the requirements of Section 64(5) of the Planning and Compulsory Purchase Act 2004 and meets the tests of soundness set out in LDP Wales.

On the 18 April 2023, Wrexham County Borough Council decided not to adopt the LDP. However, the LDP, which has been found sound at Examination, would now be afforded very significant weight as a material consideration in the determination of planning applications. The LDP2 up to date evidence base which confirms that Gamford House will be excluded from the Green Barrier and SLA designations. Given that these proposed amendments to the sound LDP are now well-established they warrant considerable weight to be afforded to them.

We remain confident that the proposals to erect 9no. five bed dwellings and an office/bungalow at Gamford House would enhance the character of the open countryside and that can be a justified departure within the terms of PPW11 paragraph 3.55 :-

'Previously developed (also referred to as brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all previously developed land is suitable for development. This may be, for example, because of its unsustainable location, the presence of protected species or valuable habitats or industrial heritage, or because it is highly contaminated.'

and paragraph 3.60 :-

'However, new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area'.

The proposal is not in an unsustainable location, the presence of protected species or valuable habitats or industrial heritage are issues that do not arise in this case nor is contamination an impediment to the development of the site. The site is obviously not "away from existing settlements". We feel that the current proposals respect and enhance the character of the surrounding area.

Housing Supply

The emerging Local Plan requirement is to deliver 7,750 homes which equates to 517 per annum. The actual rate of completions over the period 2013 and 2021 has only been 254 units per annum². This amounts to a significant under supply of housing land in every one of the last 8 years.

² <https://wrexham-consult.objective.co.uk/file/5946895> - Table 2



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In addition to dwellings delivered through proposed housing allocations, the LDP is expected to be delivered by other components including windfall sites. This site presents such an opportunity. The acknowledged housing requirements of the County Borough is therefore also relevant and important consideration in the weight afforded to this proposal.

It is clear that the existing Wrexham Unitary Development Plan 1996 – 2011 is not up to date, and there are also significant material considerations which weigh in favour of granting planning permission:

- the need to increase housing supply due to a shortage of land genuinely available for housing
- the presumption in favour of sustainable development
- the land does not project into wider countryside but lies close to the defined settlement boundary, separated from it by agricultural land in the clients' ownership
- the site is previously developed brownfield land
- The nearby services and facilities at the Local Service Centre Tier 3 of Rossett ensure that the site is in a highly sustainable location
- If the emerging LDP housing requirements are to be achieved there will need to be a significant increase in the number of completions over the remaining plan period. That can only be achieved if more windfall opportunities are brought forward for development
- Given that LDP2, has been found sound at Examination, it should be afforded very significant weight as a material consideration in the determination of planning applications.

The wider qualities of the proposals for redevelopment of this previously developed site would enhance the character of this sustainable location, whilst introducing a use that will be a less intrusive and environmentally challenging than its previous uses.

Public consultation on the proposals was undertaken in October 2022 with the co-operation of the Rossett Community Council and Wrexham CBC Community Agents. The outcome was overwhelmingly in favour of redevelopment of the site, with particular support indicated for the carbon zero credentials of the proposals.

The proposals afford an opportunity for Wrexham CBC to benefit from a flagship project that sets the standard in high quality sustainable design. It is considered that openness and protection of the character of the countryside, augmented standards of design and residential amenity, improvements to the quality of the housing offer and sensitive integration of a development into the landscape can all be achieved at this location.

It is, therefore, respectfully requested that the proposals and their wider impacts are fully considered with a view to a recommendation of approval.

Yours sincerely,

David Horton BA(Hons) DipEP MRTPI – Director

