

CONSULTATION RESPONSES	Supports	Objects	No objection or no comments	Comments	No reply
Community Council					✓
Local member(s)			✓		
Highways			✓		
Public Protection			✓		
Natural Resources Wales				✓ Concerns	
Welsh Water				✓	
AONB					✓
Canal and Rivers Trust				✓	
Contaminated Land			✓		
Neighbours					✓

RELEVANT HISTORY	ENF/2021/00274 static caravan
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PLANNING POLICY/CONSTRAINTS	YES	ACCEPTABLE	NOT ACCEPTABLE
Outside settlement	✓		✓
Inside settlement			
Conservation Area			
Listed Building/ setting			
Green Barrier	✓		✓
Special Landscape Area			
Flood Risk			
Within Buffer Zone or affecting SAC*	✓		
World Heritage Site	✓		✓
AONB	✓		
Other			

LOCAL PLANNING GUIDANCE	ACCEPTABLE	NOT ACCEPTABLE
13 Housing in countryside		✓
7 Landscape		✓
16 Parking	✓	
17 Trees	✓	
32 WHS		✓
33 Biodiversity		✓
30 Design		✓

KEY ISSUES	Acceptable	Not Acceptable	Observations below	N/A
Residential Amenity	✓			
Design		✓		
Highway safety	✓			
Parking	✓			
Conservation/LB		✓		
Ecology		✓		

Trees	✓			
Other				✓

Supporting statement

The applicant has submitted a supporting statement detailing personal circumstances and requesting temporary permission for 2 years.

The caravan was brought onto the site in August 2021.

OBSERVATIONS:

Principle of the development

The application is for a residential caravan outside settlement limits and within a Green Barrier, Area of Outstanding Natural Beauty, the World Heritage Site Buffer zone and the buffer zone for the River Dee SAC. As such the proposal is contrary to adopted policies on residential development in the countryside as set out in policies EC1 and H5 and several other policies of the Wrexham Unitary Development Plan, and explained further in Local Planning Guidance Notes 7, 13, 32 and 33.

Canal

It would appear that there is a track between the application site and the canal cutting – as opposed to the development being built on the canal cutting itself. If that is the case then the development is unlikely to impact the stability. If the Council are going to refuse the application then I agree it would be unreasonable to request cross sections.

The Canal and Rivers Trust would still welcome clarification in terms of the drainage arrangements as set out in our original letter.

Landscape

The development site lies within the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB) where the primary purpose is the conservation and enhancement of natural beauty.

Due to the scale and the location of the proposals, NRW advise that they are unlikely to significantly affect the purpose of the AONB. However, NRW do not rule out local landscape effects.

Historic Environment

The application site for these proposals is incredibly sensitive. It is within the Buffer Zone for the Pontcysyllte Aqueduct and Canal World Heritage Site, and situated very close to the WHS itself, which is also a Scheduled Ancient Monument. As well as this, the site is within the Clwydian Range and Dee Valley AONB. Whilst none of these designations necessarily preclude this kind of development, more information needs to be provided in order to understand the impact upon them. It would be particularly helpful to understand how the works that have been carried out interact with the cutting for the canal.

The planning statement should be updated to include more details of this. Photos showing wider views of the site from nearby key sites (the WHS in particular) would be helpful to support the proposals.

Ecology

A new septic tank is to be installed to provide foul drainage for a caravan, and so the development has the potential to increase the amount of phosphorus being discharged from the site. As such, further information from the applicant. We advise you to seek further information

has been requested, as identified in NRW guidance for development proposals involving private sewage treatment systems.

NRW advise that if this advice is followed and the LPA is able to conclude that the development is not likely to have a significant effect on the SAC, NRW would have no objection to the proposal. However, should the LPA conclude that the proposed development is likely to have a significant effect on the SAC, there is a need to consult NRW on the Appropriate Assessment under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

No such information has been supplied. There is also no site plan showing landscaping.

Conclusion

The proposal is contrary to adopted policies on housing development in the Countryside, World heritage Site and ecology. The personal circumstances of the applicant have been noted, but these are not considered sufficient to overcome the policy and other objections.

The applicant's human rights have been considered but these again are not considered sufficient to overcome the objections. The appeals and enforcement processes that are likely to follow a decision could well allow for the retention of the caravan for a total period similar to that sought in the application.

RECOMMENDATION	
GRANT	
REFUSE	✓
S106	