

PLANNING, DESIGN AND ACCESS STATEMENT

Land east of Tan y Bont, Main Road, Rhosrobin

Prepared on behalf of

The Applicant – Castle Green

November 2021

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1 INTRODUCTION

- 1.1. This Statement has been prepared by Grimster Planning on behalf of our Client, Castle Green (hereafter referred to as the “Applicant”).
- 1.2. The Statement is submitted in support of a reserved matters application (hereafter referred to as the “Application”) submitted to Wrexham County Borough Council for the development of Land east of Tan y Bont, Main Road, Rhosrobin, Wrexham (hereafter referred to as the “Site”).
- 1.3. The Application is submitted pursuant to conditions 1 and 2 of outline planning permission reference P/2016/0189; this extant planning permission has established the principle of residential development on the Site following its approval on appeal (Ref. APP/H6955/A/17/3182282) on 10th June 2019 for the following description of development:

“Residential development of up to 189 dwellings.”

- 1.4. All matters were reserved for future approval with the exception of access.
- 1.5. The description of development for which reserved matters approval is now sought, as stated on the Application Form, comprises the following:

***“Proposed residential development of 189 dwellings at Land east of Tan Y Bont,
Main Road, Rhosrobin, Wrexham”***

- 1.6. This Statement should be read alongside the suite of technical reports and drawings submitted as part of this Application; these are documented in Section 2 of this Statement.
- 1.7. In preparing this Application, reference has been had to the planning conditions attached to outline planning permission reference P/2016/0189 and the plans which formed part of that approval, including those referenced on the Decision Notice.

2 APPLICATION DOCUMENTATION

- 2.1. This Section of the Statement provides details of the technical reports and drawings submitted as part of this Application. In doing so, **Table 1** sets out which conditions, pursuant to outline planning permission reference P/2016/0189, the supporting information is submitted in relation to.
- 2.2. For ease of reference, a copy of the Decision Notice can be found in **Appendix 1** of this Statement.

Table 1: Application Documentation

Planning Condition	Requirement	Document Reference
Planning Conditions		
Condition 1	Details of the appearance, landscaping, layout and scale (hereinafter call the “reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development beings and the development shall be carried out as approved.	Site Layout – RHRO-SP01 Rev. M Floorplans and Elevations – Various Materials Schedule – MRRHOSR-MS-01 Planting Plans – P.1421.21.04 (x9)
Condition 13	Notwithstanding the requirements of Condition 1, the submission of the reserved matters shall include a scheme for all areas of open space and greenspace to be provided as part of the development, including public amenity space and equipped children’s play areas together with a timetable for their provision. The development shall be implemented in accordance with the approved details.	Streetscape Play Equipment Drawings

- 2.3. In addition to the above, the Application comprises the following supporting technical documentation:

- Application Form;
- Planning, Design and Access Statement
- Transport Statement;
- Preliminary Ecological Appraisal;
- Traffic Noise Mitigation Strategy;
- Flood Consequence Assessment and Drainage Management Strategy; and
- Arboricultural Impact Assessment.

- 2.4. Planning permission reference P/2016/0189 comprises additional pre-commencement conditions which the Applicant shall seek to discharge separately in due course.

3 SITE CONTEXT

- 3.1. This Section of the Statement provides details of the Site, namely its location and description.

Site Location

- 3.2. The Site lies within the administrative area of Wrexham County Borough Council.
- 3.3. The Site lies to the north of the Wrexham Urban Area, lying on the northern side of the A483. It is well-connected to local service centres including Rhosrobin and Pandy, and lies within an area characterised by a mix of existing land-uses (including agricultural, commercial and residential).

Site Description

- 3.4. The proposed developable net Site area extends to 5.7 hectares. It comprises permanent pasture land split across five irregular fields. There is no existing built form on the Site.
- 3.5. The Site comprises existing overgrown grassland/scrubland. There are a number of existing trees and hedgerows both within the Site and at its perimeter, albeit none are subject to a Tree Preservation Order. This includes mature hawthorn hedgerows and native tree planting. A new area of tree planting lies within the centre of the Site, comprising ornamental, non-native species.
- 3.6. The Site itself is well-contained by existing road and rail infrastructure at all sides, including New Road, Plas Acton Road, the A483 and the railway together with some strong landscape boundaries in parts. Beyond this permanent infrastructure are existing residential areas lying in each direction.
- 3.7. Access into the Site is currently secured via field gates off New Road and Plas Acton Road. Vehicular access to the proposed development will be consistent with the proposals approved under planning permission ref. P/2016/0189, as per the requirements of condition 5.
- 3.8. The Site is identified as being at low risk of flooding, with a few small pockets of land towards the edges of the Site shown as being at low-risk for surface water flooding. No built development is proposed in these areas (just some private garden space). A small pond, which is now overgrown, is located in the ditch towards the west of the Site, adjacent to the railway line.
- 3.9. In terms of topography, the grounds levels fall slightly towards the centre of the Site.
- 3.10. There are existing telegraph cables which cross part of the Site.

- 3.11. A Scheduled Ancient Monument, Wat's Dyke, crosses the Site in a north/south direction; a public footpath (Footpath 24) follows the length of the Dyke from Plas Acton Road, before turning along the boundary for the A483 to Main Road (where it terminates). The Dyke has survived as an embankment for over 295 metres of its 370 metres in length. The indicative plan submitted with Application Ref. P/2016/0189 showed a considerable undeveloped landscape buffer either side of the Dyke, alongside a series of measures set out in the Scheduled Ancient Monument Management Plan (including the removal of scrub and low-quality trees and dumped material amongst others). It was accepted by CADW that the development of the Site, and the mitigation and compensation set out within the Management Plan, would be acceptable. The Applicant has had regard to the content of the Management Plan in the preparation of this reserved matters Application.
- 3.12. An aerial image of the Site is provided below:

Figure 1: Site Aerial Image



Source: Google Earth

Locational Sustainability

- 3.13. It has been established through the grant of outline planning permission reference P/2016/0189 that the Site occupies a sustainable location for residential development. It's location close to the urban area of Wrexham provides current and future residents with access to a range of shops, services, education, public transport (bus and rail), and leisure and recreation.
- 3.14. In view of the above, the locational sustainability of the Site is not a matter which requires any further consideration as part of this Application.

4 PROPOSED DEVELOPMENT

- 4.1. This Section of the Statement provides details of the proposed development for which reserved matters approval is now sought.

Use

- 4.2. Reserved matters approval is sought for the use of the Site for residential development (Use Class C3), together with associated infrastructure including internal roadways, footpaths, open space provision, drainage and landscaping.

Amount

- 4.3. Reserved matters approval is sought for the development of 189 no. dwellings, consistent with condition 4 of the extant outline planning permission, comprising the following housing mix:
- 26 no. 2-storey mid-terrace properties;
 - 3 no. 2-bed undercroft properties;
 - 18 no. 3-bed end-terraced properties;
 - 66 no. 3-bed detached properties; and
 - 76 no. 4-bed detached properties.
- 4.4. The proposed net density across the Site will be 33.15 dwellings per hectare.
- 4.5. The cumulative net floorspace across the Site will amount to 3,385.96 square metres per hectare.

Affordable Housing

- 4.6. The affordable housing on the Site shall comprise 47 no. dwellings (25%). The location and tenure of the affordable plots will be as follows:
- Plots 20-23;
 - Plots 24-27;
 - Plots 30-37;
 - Plots 53-59;
 - Plots 66-72;
 - Plots 145-147
 - Plots 165-172; and
 - Plots 176-181.

-
- 4.7. The location of the affordable plots is shown on Drawing Ref. RHRO-SPO1 Rev. K, and these have been pepper-potted throughout the Site.
 - 4.8. The design and material palette of the 47 no. affordable dwellings will be consistent with the proposed market sale dwellings such that they are indistinguishable.

Phasing

- 4.9. The proposed development will be delivered in a single phase over a period of c. 48-54 months.

Layout

- 4.10. The proposed Site Layout is shown on Figure 2. This has taken account of the area of “no build” which was proposed as part of Application Ref. P/2016/0189; this includes land which will remain within the Green Barrier and the Scheduled Ancient Monument (Wat’s Dyke) as shown on Indicative Masterplan/Development Framework Drawing Ref. C3429-P01C approved under Application Ref. P/2016/0189.
- 4.11. The proposed layout has been designed to incorporate a mix of mid and end-terraced, semi-detached and detached properties.
- 4.12. The layout has sought to positively address the street frontages within the Site, albeit at the same time the properties are set back from the road (with driveways, front garden areas) to minimise any potential noise impacts on future residents from passing traffic.
- 4.13. Those properties adjoining the railway line have been orientated such that they back onto the railway line with rear gardens adjacent to the railway.
- 4.14. Careful consideration has been given to the proposed Site layout and boundary treatments. These will include 1.8m boundary walls and fences between plots. No properties back on to the surrounding road network to minimise noise impacts on future occupants.
- 4.15. The proposed dwellings have been designed/orientated such that there is the opportunity for natural surveillance from properties. This includes surveillance of the Local Equipped Area of Play proposed along the eastern boundary of the Site by plots 106-113, and amenity space near to plots 154-156 and, 117 and 153.
- 4.16. The layout has been designed such that it respects the Council’s required separation distances and avoids any issues of overlooking and loss of residential amenity of surrounding existing and future dwellings.

Figure 2: Proposed Site Plan



Scale and Massing

- 4.17. The proposed 189 no. dwellings will all be two-storey in height.
- 4.18. The scale of the proposed dwellings is reflective of the local character and the Site's location which is characterised by two-storey dwellings across a mix of terraced, semi-detached and detached homes.

Materials and Housetypes

- 4.19. Figure 3 below provides details of the proposed 13 house types to be delivered across the Site; full details, including floorplans, are provided as part of the submitted drawing package for approval.

Figure 3: Proposed Housetypes



Housetype: *Elwy Clwyd Clwyd 3 Block Elevations*



Housetype: *Elwy Clwyd Clwyd 3 Block Elevations Gable*



Housetype: Clwyd Clwyd Elwy 3 Block Elevations



Housetype: Elwy and Clwyd 4 Block Elevations Elevations



Housetype: *Bronte Elevations*



Housetype: *Marlow Semi-Detached Elevations*



Housetype: *Oxford Elevations*



Housetype: *Henley Elevations*



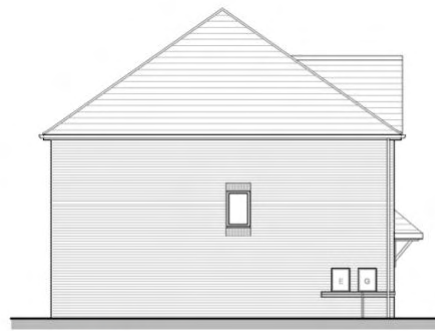
Housetype: Stratford Elevations



Housetype: Ashbury Elevations



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

Housetype: Burlington Elevations



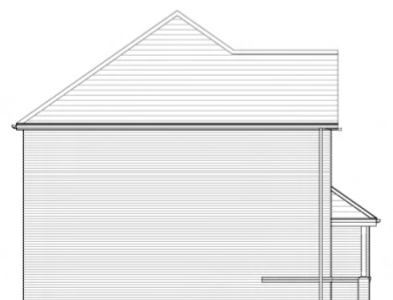
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

Housetype: Canterbury Elevations



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

Housetype: Alderton Elevations



FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

Housetype: Wiltshire Elevations

- 4.20. The palette of materials proposed by the Applicant comprise facing brickwork with contrasting details and some render. Roof materials will include the use of slate grey tiles and half-round grey ridge tiles. Full details of the materials per house type, including windows, door and rainwater goods, are documented in full on the submitted Materials Schedule submitted for approval.
- 4.21. In terms of hard landscape materials, these will take the form of tarmac on the main internal roads and footpaths, with private drives using block paving and contrasting blocks to demark parking spaces. Private pathways and patio areas will comprise concrete paving slabs or similar.

Landscape and Public Open Space

- 4.22. Details of the soft and hard landscaping proposals are provided on Drawing Ref.'s P.1421.21.04 submitted as part of this Application. These proposals provide for the retention of existing landscaping at the Site's boundaries, strengthened with new planting to provide a visual and environmental enhancement to the Site and landscape. This will include the provision of small ornamental tree/shrub planting, native tree planting, and mixed native hedgerows. Gardens will be turfed, with areas of public open space and grassland to be sown with Germinal AberSustain mix or similar.
- 4.23. In terms of open space provision, the proposed development shall comprise 0.51 hectares of public open space.
- 4.24. Amenity space will be provided centrally within the Site near to plots 154-156, and 117-153. A further Local Equipped Area of Play, extending to 400 square metres and comprising seven pieces of play equipment, will be provided to the east of the development area (opposite plots 106-113) and will comprise play equipment. The remaining land outwith the proposed development area will remain within the Green Barrier and be maintained/landscape.
- 4.25. Each of the proposed dwellings will benefit from their own private garden space. Boundary treatments between properties will comprise 1.8m fences, with some boundary treatments between taking the form of a 1.8m high brick wall. Where necessary for noise mitigation purposes, acoustic timber fencing of 2.4m in height is recommended for some properties adjacent to the A483. Details are shown on Drawing Ref. RHRO-SP01 Rev. K submitted as part of the Application.

Access and Car Parking

- 4.26. Vehicular access into the Site will be secured via the creation of a new roundabout on Main Road. This reflects the access arrangements secured as part of Application Ref. P/2016/0189 and referenced in condition 5 (Drawing. Ref. 074-01/GA-02). The S278 design process has commenced and will be progressed with Highways Officers at Wrexham County Borough Council.

- 4.27. The internal road layout with the Site shall comprise a main spine road running from the access from the Main Road roundabout. This will consist of a formal 5.5 metre wide access road and 2-metre wide footways on both sides. A formal turning head will be provided at the eastern end of the spine road to allow delivery and refuse vehicles to manoeuvre safely.
- 4.28. A number of shorter cul-de-sacs are located off the main spine road. Some, but not all, of these have a reduced road width of 4.8m with a footway of 2 metres width on one side and a service strip on the other. These will serve to reduce vehicle speeds. A small number of shared surface drives will be used to connect some of these cul-de-sacs (with no more than six dwellings per private drive).
- 4.29. With regard to the proposed internal roadway design, this has been subject to swept path analysis to ensure that they can safely accommodate refuse and emergency vehicle movements. This is documented in the submitted Transport Statement.
- 4.30. In respect of on-site car parking provision, this will be provided at the following standards:
- **2-bedroom units** – 2 spaces per dwelling
 - **3-bedroom units** – 2 or 3 spaces per dwelling without an integral garage, 3 spaces per dwelling for those with an integral garage
 - **4-bedroom units** – 3 spaces per dwelling including the integral garage.
- 4.31. The proposed development will include integral garages for five of the house types.
- 4.32. In line with the requirements of Application Ref. P/2016/0189, a footway/cycleway link across the Site from Main Road to the junction of Plas Acton Road with Blue Bell Lane will be provided, as well as the provision of a traffic-controlled junction at the Llay New Road junction with Plas Acton Road. The S278 design process has also commenced for these works.

Waste and Recycling

- 4.33. Each of the dwellings will benefit from private waste collection facilities/bin storage areas. This will include internal bin space, as well as external hardstanding areas capable of storing recycling bins.

Drainage

- 4.34. As part of the proposed development, the following drainage measures are proposed, further details of which are set out in the accompanying Flood Consequences Assessment and Drainage Management Strategy:

- **Surface Water** – any impermeable areas that can drain to soakaway (or an alternative method of infiltration) should do so via appropriately designed infiltration-based solution. This would significantly improve the sustainability of the surface water systems. Detailed design will need to be undertaken to confirm the specific SuDS to be utilised following a detailed analysis of levels, ground conditions and attenuation requirements, in conjunction with the SAD at Wrexham County Borough Council; and
- **Foul Water** – consultation has been undertaken with Welsh Water to obtain the sewer records. These have identified a public foul water sewer located on entry to the Site from the south-western boundary and which crosses the Site to the northern corner. The proposed development will require a new formal connection to the public foul sewer locate on-site. Detailed drainage design will be required to confirm the strategy and to identify whether a site-wide gravity connection is feasible, albeit given the existing fall across the Site this is considered likely.

Environmental Sustainability

- 4.35. The proposed development has the potential to generate sustainability benefits. The sustainable location of the Site and the availability of alternative modes of transport, together with the pedestrian and cycle permeability offered within the Site, should encourage non-car travel. Likewise, the new tree and hedgerow landscaping to be delivered as part of the proposed development will make a positive contribution to the landscape and biodiversity value of the Site over time, whilst the proposed development will also incorporate SuDS where proven feasible at the detailed design stage.

5 PLANNING POLICY CONTEXT

- 5.1. For decision-taking, Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that if regard is to be had to the development plan for the purposes of determination, then that determination must be made in accordance with the development plan unless material considerations indicate otherwise.
- 5.2. This requirement of planning law is re-iterated in Paragraph 1.22 of Planning Policy Wales 11 (“PPW11”) published in February 2021.
- 5.3. Accordingly, we set out the relevant development plan and any other material considerations relevant to this Application below:

Local Development Plan

- 5.4. The development plan for the purposes of this Appeal comprises the following:
- Wrexham County Borough Unitary Development Plan (February 2005); and
 - Wrexham Unitary Development Plan Proposals Map.
- 5.5. Given that this Application is made pursuant to conditions 1 and 2 of outline planning permission reference P/2016/0189, and relates to the approval of reserved matters, it is only necessary to consider those policies which are directly relevant to the approval of these detailed matters. Accordingly, these are set out in Table 2 below:

Table 2: Relevant Local Plan Policies

Policy Reference	Policy Title
GDP1	Development Objectives
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
EC11	Archaeology
EC13	Surface Water Run-Off
H7	Affordable Housing
CLF5	Open Space Requirements from New Residential Developments
T8	Parking

Planning Policy Wales

- 5.6. PPW11 is a material consideration in planning decisions. PPW11 sets out the Welsh Government’s approach to sustainable development and core planning principles. This identifies sustainable

development as the process by which to improve the *economic, social, environmental and cultural well-being* of Wales, and proposals should seek to promote sustainable development.

- 5.7. Paragraph 1.18 re-iterates the presumption in favour of sustainable development.
- 5.8. Within PPW11, paragraph 1.22 requires development proposals to be determined in accordance with the adopted development plan unless material considerations indicate otherwise.
- 5.9. Placemaking features strongly within PPW11, identified as a holistic approach to the planning and design of development and spaces. This encourages high-quality development, with major developments creating new places.
- 5.10. Chapter 3 of PPW11 identifies the need to encourage and support the use of the Welsh language. Development proposals should consider the likely impact on the Welsh language and is a material planning consideration. It also seeks to protect the best and most versatile agricultural land unless there is an overriding need for its development.
- 5.11. Chapters 3 and 4 of PPW11 look at locational sustainability. New development should be accessible by walking and cycling, and well-served by public transport, as alternatives to the private car. New development should be located such that it minimises the need to travel and reduces dependency on the private car.
- 5.12. Chapter 4 of PPW11 includes reference to new housing provision, with the need for a supply of land which is deliverable. Local Planning Authorities are required to ensure that the Council's Housing Trajectory forms part of the LDP, and it must set out the expected rate of housing delivery for both market and affordable housing for the LDP period. The Housing Trajectory must be used as the basis for monitoring the delivery of housing delivery in each Authority area. Accurate information on housing delivery assessed against the Trajectory is necessary to form part of the evidence base for development plan Annual Monitoring Reports and for subsequent plan review. Under-delivery against the Housing Trajectory may require a specific early review of an LDP. Monitoring must be undertaken in accordance with the guidance set out in the Development Plans Manual.
- 5.13. Planning applications for housing on sites that comply with an up-to-date development plan should be assumed to be viable. Paragraph 4.2.25 confirms that a community's need for affordable housing is a *material planning consideration* in the determination of planning applications.
- 5.14. Chapter 6 requires development proposals to take account of the wildlife or landscape value of an area (including safeguarding protected species), and states that it is important to balance

conservation objectives with the wider economic needs of local businesses and communities. Landscape value is identified as an intrinsic part of PPW11, and consideration should be given at the outset to any landscape value such that the wellbeing needs can be achieved. The provision of green infrastructure is encouraged, and the quality of the built environment should be enhanced by integrating green infrastructure into new development.

- 5.15. Chapter 6 also covers matters relating to flood-risk and drainage. PPW11 is clear that new development should reduce and not increase the risk of flooding; to this end, Local Planning Authorities are encouraged to work closely with Natural Resources Wales, drainage bodies, sewerage undertakers and relevant authorities in the determination of planning applications. This process should ensure that surface water run-off is controlled as near to the source as possible through the use of sustainable urban drainage systems ("SUDS"), ensuring that development does not increase flooding elsewhere by the loss of flood storage/flood flow route, or increase the problem of surface water run-off. Paragraph 6.6.17 requires that development of one or more dwellings also require approval from the SuDS Approval Body ("SAB") before construction can commence. This is designed to ensure that SuDS infrastructure is properly maintained and functions effectively for its design life.

Technical Advice Notes

- 5.16. Alongside PPW11, a number of Technical Advice Notes ("TAN") have been prepared by the Welsh Government. Those of relevance to the determination of this Appeal comprise the following:

- TAN2 – Planning and Affordable Housing
- TAN5 – Nature Conservation and Planning
- TAN11 – Noise
- TAN12 – Design
- TAN15 – Development and Flood Risk
- TAN16 – Recreation and Open Space
- TAN18 – Transport
- TAN20 – Planning and the Welsh Language
- TAN24 – The Historic Environment

Other Material Planning Considerations

- 5.17. Wrexham County Borough Council has published a number of other material planning considerations and evidential based documents which are considered to be pertinent in the consideration of this Application; further details are set out below.

Local Planning Guidance Notes

5.18. Wrexham County Borough Council has published the following Local Planning Guidance Notes ('LPGN') which are considered relevant in the determination of this Appeal:

- LPGN07 – Landscaping and Development
- LPGN10 – Public Open Space on New Housing Developments
- LPGN16 – Parking Standards
- LPGN17 – Trees and Development
- LPGN21 – Space around Dwellings
- LPGN24 – Designing out Crime
- LPGN27 – Development Contributions to Schools
- LPGN28 – Affordable Housing
- LPGN30 – Design
- LPGN32 – Biodiversity and Development

5.19. Compliance of the proposed development with these LPGNs is considered in Section 6 of this Statement.

6 TECHNICAL ASSESSMENT

- 6.1. This Section of the Statement assesses the proposed development against the relevant policies of the development plan, and other material considerations, as documented in Section 5.

Principle of Development

- 6.2. The principle of residential development on the Site has previously been established through the granting of outline planning permission reference P/2016/0189 on 10th June 2019 for the delivery of up to 189 dwellings.
- 6.3. This reserved matters Application is consistent with the aforementioned extant outline planning permission (namely condition 4 for no more than 189 dwellings) and the approved indicative masterplan/development framework.
- 6.4. Accordingly, the principle of development is not a matter for consideration in the determination of this Application. The delivery of the approved 189 dwellings on the Site will make a valuable and much-needed contribution towards housing delivery in Wrexham in what is accepted to be a sustainable location, and on a Site which is deliverable within 48-54 months from the commencement of development.

Housing Mix

- 6.5. Reserved matters approval is sought for the development of 189 no. dwellings, comprising the following mix:
- 26 no. 2-storey mid-terrace properties;
 - 3 no. 2-bed undercroft properties;
 - 18 no. 3-bed end-terraced properties;
 - 66 no. 3-bed detached properties; and
 - 76 no. 4-bed detached properties.
- 6.6. The proposed net density across the Site will be 33.15 dwellings per hectare.
- 6.7. The cumulative net floorspace across the Site will amount to 3,385.96 square metres per hectare.
- 6.8. The affordable housing on the Site shall comprise 47 no. dwellings (25%), consistent with Application Ref. P/2016/0189.
- 6.9. The proposed development, which will include ten house types, will deliver a mix of housing tenures, types and sizes to support the creation of a balanced and inclusive community.

- 6.10. Accordingly, the proposed housing mix is considered to respond positively to and is consistent with Local Development Plan Policy H7, the Council's Local Housing Market Assessment, LPGN28, TAN2 and PPW11.

Layout and Design

- 6.11. To inform the detailed design process, regard has been had in the first instance to the principles established through outline planning permission reference 2016/0189 as set out in the Design and Access Statement and the indicative masterplan/development framework drawing ref. C3429-P01C approved as part of Application Ref. P/2016/0189.
- 6.12. To this end, the proposals incorporate the following design principles:
- The layout and siting of the proposed dwellings conforms with the Council's separation and spacing standards set out in LPGN21, whilst positively addressing the street frontages within the Site;
 - The appearance (design and materiality) of the 47 no. affordable homes will be consistent with the market sale homes, consistent with LPGN28;
 - The proposed palette of materials has considered the character within the surrounding area, and consented/recent development in order to try and maintain a consistent and high-quality approach throughout the development, consistent with LPGN30;
 - The layout has sought to minimise the impact on existing trees and vegetation, and new landscaping is proposed as part of the development to deliver environmental improvements in line with LPGN07, LPGN17 and LPGN32;
 - None of the proposed properties back on to the surrounding road network to minimise noise impacts on future occupants;
 - The layout provides for the natural surveillance of the proposed LEAP and other pockets of amenity space throughout the Site in line with the LPGN10 and LPGN24, whilst maintaining appropriate separation distances from the proposed dwellings; and
 - The proposed car parking standards and garages sizes are consistent with the Council's standards set out in LPGN16.
- 6.13. The proposed 189 no. dwellings will all be a two-storey in height. The scale of the proposed dwellings is reflective of the local character and the Site's location, including recent and committed housing development close to the Site.
- 6.14. The density of development, at 33.15 dwellings per hectare, is consistent with the guidance contained in the local development plan and national planning policy, providing for the efficient use of land.

- 6.15. Accordingly, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policy GDP1, LPGN07, LPGN10, LPGN16, LPGN17, LPGN21, LPGN24, LPGN28, LPGN30 and LPGN32, TAN2, TAN5, TAN12 and TAN16, and PPW11.

Public Open Space and Landscaping

- 6.16. Details of the soft and hard landscaping proposals are provided on Drawing Ref.'s P.1421.21.04 submitted as part of this Application, consistent with the requirements of condition 1 of Application Ref. P/2016/0189.
- 6.17. In terms of open space provision, the proposed development shall comprise 0.51 hectares of public open space. A Local Equipped Area of Play extending to 400 square metres will be provided as part of the proposed development. Smaller pockets of informal amenity space shall be delivered within the Site. A footpath will continue to be provided adjacent to the railway line.
- 6.18. Each of the proposed dwellings will benefit from its own private garden space.
- 6.19. Accordingly, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policies GDP1 and CLF5, LPGN10, TAN16 and PPW11.

Highways and Road Safety

- 6.20. Details of the proposed access arrangements are set out in Section 4 of this Statement. These are consistent with the access arrangements approved as part of Application Ref. P/2016/0189.
- 6.21. The impact on the local highway network has previously been assessed as part of the aforementioned Application Ref. P/2016/0189 and have been deemed acceptable. That is not a matter for consideration as part of this Application. Nor too is the locational sustainability of the Site.
- 6.22. The Proposed Site Plan has been designed such that it provides the opportunity for walking and cycling amongst future residents of the Site, offering environmental, health and well-being benefits to facilitate and encourage sustainable modes of travel.
- 6.23. Swept path analysis has been undertaken which shows that the internal road layout is capable of accommodating refuse vehicles.
- 6.24. Appropriate levels of off-road car parking per dwelling will be provided within the Site as documented in Section 4 of this Statement, as well as integral garages for five of the proposed house types.

- 6.25. Accordingly, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policies GDP1 and T8, LPGN16, TAN18 and PPW11.

Noise

- 6.26. Given the natural containment and proximity of the Site adjacent to road and railway infrastructure, a Traffic Noise Mitigation Strategy has been prepared and is submitted as part of this Application. The noise mitigation scheme set out within this Strategy comprise the following:
- Sound insulation measures will be necessary for some residential properties in respect of minimising road traffic noise from the A483. For the exposed elevations of dwellings, the following mitigation measures are recommended:
 - Living rooms fitted with double glazing of at least 32 dB; and
 - Bedrooms fitted with double glazing of at least 30 dB.
 - The habitable rooms of some dwellings adjacent to the A483 are recommended to comprise specialist acoustic vents instead of standard window frame slot vents;
 - All other dwellings across the Site should comprise standard double glazing and standard in-frame trickle ventilation; and
 - Acoustic timber fencing of a minimum height of 2.4m is recommended for some of the gardens adjacent to the A483 boundary of the Site.
- 6.27. By adhering to the aforementioned recommendations, which are in line with relevant British Standards, the proposed development will respond positively to and be consistent with Local Development Plan Policy GDP1, TAN11 and PPW11.

Nature Conservation

- 6.28. Given the time that has passed since the previous Ecological Assessment on the Site was undertaken, a new Preliminary Ecological Appraisal has been prepared and is submitted with this Application to establish whether there have been any changes to the Site's conditions and its ecological value. However, this does not alter the fact that the principle of development on the Site is acceptable.
- 6.29. This latest Assessment has established that:
- There is no evidence of badgers on the Site or within 30m of the Site. It is recommended that an update badger survey is undertaken prior to the commencement of development;
 - There are no existing buildings on the Site. Some of the existing trees on the Site are identified as having low to moderate potential for roosting bats, as shown in Appendix B of the Assessment. When overlaid against the plans contained in Appendix 2 of the submitted Arboricultural Impact Assessment, it is clear that some of these trees (labelled TR1-TR10

in the Preliminary Ecological Appraisal) are identified for removal. Accordingly, in line with the recommendations set out in the Appraisal, ground inspections followed by aerial tree inspections will first need to be carried out prior to removal. This will establish whether the trees in questions are used for bat roosting;

- No evidence of barn owls has been identified on the Site and none of the mature trees on the Site were found to provide features of sufficient size for barn owls;
- All wooded vegetation on the Site has the potential to support nesting birds. Where possible, existing vegetation should be retained. All clearance works should take place outside of the bird nesting season;
- There are no ponds on the Site capable of supporting Great Crested Newts. The nearest pond within 250m of the Site is separated from it by existing road infrastructure. Consequently, Great Crested Newts are considered to be absent from the Site. However, for the avoidance of doubt it is recommended that development proceed under reasonable avoidance measures;
- The Site offers some potential for hedgehog. As such, all dense vegetation to be affected by the proposed development should be subject to a hand search prior to disturbance taking place. Further, it is recommended that the proposed development allow for the movement of hedgehog through the Site via a series of holes/gaps if close-panel fencing or walls are to be used;
- The Site is not considered to be an important resource for invertebrates;
- Habitat within the Site is of limited suitability for reptiles. The Site also possesses no suitable waterbodies. No further survey work or mitigation is required. However, for the avoidance of doubt it is recommended that development proceed under reasonable avoidance measures; and
- The Site does not offer any suitable habitat for Water Voles. Accordingly, no further survey work is required.

- 6.30. In view of the conclusions of the updated Assessment, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policies GDP1 and EC6, LPGN32, TAN5 and PPW11.

Trees and Hedgerows

- 6.31. In order to establish the impact of the proposed Site Layout Plan on existing trees and hedgerows across the Site, an Arboricultural Impact Assessment has been prepared and is submitted with this Application. This has established that the following hedgerows and trees (including groups of trees) will need to be removed from the Site in order to accommodate the proposed development:

- H1, Category B2/C2
- T3, Category B2/C2

- T4, Category B2
- T5, Category B2
- T6, Category B2
- G14, Category C2
- T25, Category C2
- T26, Category A1/B1
- T27, Category B1/C1
- T28, Category C2
- T29, Category B1
- T30, Category B2/C2
- G16 (in part), Category C2

6.32. Only T26 is identified as a Category A tree.

6.33. The loss of these trees will be compensated for through replacement tree planting as part of a comprehensive landscaping scheme as shown on the submitted Planting Plans.

6.34. As a consequence of the proposed development, the Assessment has also identified the potential for some retained trees to be negatively impacted as a result of general construction activity (trees T1, G4 T11 and T31). Accordingly, tree protection measures are proposed to minimise/mitigate the impact of the proposed development on these species, including canopy pruning, root pruning, protective fencing, specialised surface design/geotextile, and careful excavations.

6.35. Accordingly, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policies GDP1 and EC4, LPGN17, TAN5 and PPW11.

Flood-Risk and Drainage

6.36. Details of the surface water and foul water drainage proposed as part of the development are set out in Section 4 of this Statement and the accompanying Flood Consequences Assessment and Drainage Management Strategy. These are considered to be acceptable, subject to further detailed design work and consultation with the SAB at Wrexham County Borough Council and Welsh Water.

6.37. Details relating to Condition 9 of Application Ref. P/2016/0189 were approved by Wrexham County Borough Council on 21st December 2020.

6.38. Accordingly, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policies GDP1 and EC13, TAN15 and PPW11.

Heritage

- 6.39. The Proposed Site Plan has had regard to the approved masterplan/development framework approved under Application Ref. P/2016/0189 and contained at Appendix 2 of this Statement. In doing so, the Proposed Site Plan maintains the undeveloped landscape buffer either side of the Scheduled Ancient Monument known as Wat's Dyke. The measures set out in the Scheduled Ancient Monument Management Plan (approved under Application Ref. P/2016/0189) will be implemented as part of the proposed development.
- 6.40. Accordingly, the proposed development is considered to respond positively to and is consistent with Local Development Plan Policies GDP1 and EC11, TAN23 and PPW11.

7 CONCLUSIONS

7.1. This Statement has been prepared in support of a reserved matters application for the proposed development of Land east of Tan y Bont, Main Road, Rhosrobin, Wrexham. It is submitted pursuant to conditions 1 and 2 of outline planning permission reference P/2016/0189, and also comprises details pursuant to associated planning conditions.

7.2. The description of development for which reserved matters approval is sought is:

“Proposed residential development of 189 dwellings at Land east of Tan Y Bont, Main Road, Rhosrobin, Wrexham”

7.3. This Statement has demonstrated that the proposed development is consistent with relevant policies contained within the local development plan, as well as the principles established and accepted through outline planning permission reference P/2016/0189.

7.4. As well as the development plan, the proposed development also complies with other material guidance contained in Wrexham Council’s adopted Local Planning Guidance Notes, the relevant Technical Advice Notes, and PPW11. It will deliver sustainable development consistent with paragraph of PPW11, delivering a range of social, economic, environmental and cultural well-being benefits accepted through the approval of Application Ref. P/2016/0189.

7.5. The proposed high-quality development will make a significant and positive contribution towards boosting Wrexham’s housing needs (and the longstanding housing shortfall), delivering 47 no. affordable homes as part of a wider high-quality scheme which is deliverable within c. 48-54 months from the date of commencement. It is an immediately deliverable development.

7.6. In the overall planning balance, the proposed development is considered to be acceptable; the Applicant therefore kindly requests that reserved matters approval be granted for this sustainable development in accordance with the development plan and PPW11.

Julie James AC/AM
Y Gweinidog Tai a Llywodraeth Leol
Minister for Housing and Local Government



Llywodraeth Cymru
Welsh Government

Eich cyf/ Your ref: C3429 New Road, Rhosrobin
Ein cyf/ Our ref: qA1345967

Mr Guy Evans
Cassidy and Ashton
10 Hunters Walk
Canal Street
Chester
CH1 4EB

10 June 2019

Dear Mr Evans

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEAL BY WELSH TOWN PLANNING AND HOUSING TRUST LIMITED, MRS I
DUTTON, MR J DUTTON, MR P DAVIES AND MR D GRIFFITHS IN CONJUNCTION WITH
LIBERTY PROPERTIES
OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 189
DWELLINGS WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS AT LAND EAST
OF TAN Y BONT, MAIN ROAD, RHOSROBIN, WREXHAM
APPEAL REFERENCE: APP/HY955/A/17/3182282**

1. Consideration has been given to the original and addendum reports of the Inspector, Kay Sheffield BA (Hons) DipTP MRTPI, who held Hearings for your client's appeal against Wrexham County Borough Council's ("the Council") refusal of outline planning application P/2016/0189. The application is for "residential development of up to 189 dwellings" on land east of Tan y Bont, Main Road, Rhosrobin, Wrexham.
2. In accordance with section 79 and paragraph 3(1) of Schedule 6 to the Town and Country Planning Act ("the 1990 Act"), the appeal was recovered for determination by the Welsh Ministers. The reason for the direction is that the proposal is for a residential development of more than 150 houses on more than 6 hectares of land. Under the provisions of the Government of Wales Act 2006, the power to determine applications under section 79 of the 1990 Act has been transferred to the Welsh Ministers. These functions are within the portfolio of the Minister for Housing and Local Government and have been exercised by me as Minister.
3. In exercising their functions as part of carrying out Sustainable Development in accordance with the Well-Being of Future Generations (Wales) Act 2015 ("the WFG Act"), section 2 of the Planning (Wales) Act 2015 requires the Welsh Ministers, as a

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

public body, to ensure the development and use of land contributes towards improving the economic, social, environmental and cultural well-being of Wales. In order to act in this manner, the Welsh Ministers have taken into account the ways of working set out in section 4 of 'SPSF1: Core Guidance, Shared Purpose: Shared Future – Statutory Guidance' on the WFG Act through examination of the appeal by way of a Hearing in accordance with the Town and Country Planning (Hearings Procedure) (Wales) Rules 2003.

4. The Inspector held a Hearing on 14 February 2018 and a site visit was carried out on the same date.
5. On 18 July 2018, the Cabinet Secretary for Energy, Planning and Rural Affairs wrote to all Heads of Planning in Wales to issue a 'Call for Evidence' to explore ways the planning system can assist in increasing the delivery of new homes in sustainable locations. As a result, paragraph 6.2 of Technical Advice Note (TAN) 1: Joint Housing Land Availability Studies was dis-applied. It is now a matter for decision makers to determine the weight to be attributed to the need to increase housing land supply where a Local Planning Authority (LPA) has a shortfall in its housing land.
6. In accordance with the Town and Country Planning (Hearings Procedure) (Wales) 2003 Rules, on 31 July the First Minister issued a letter to all parties which took part in the appeal hearing giving them the opportunity to make representations or ask for the reopening of the hearing to take account of a new matter of fact.
7. A Planning Inspector, appointed by the Welsh Ministers reopened the Hearing on 21 February 2019.
8. The Inspector recommends the appeal is allowed and planning permission granted. Copies of the Inspector's original report and addendum report (IR) are enclosed. All references to paragraph numbers, unless otherwise stated, are to the addendum report.

Main Consideration

9. The main issue considered in the Inspector's addendum report is whether the lack of a five-year housing land supply is a consideration sufficient to outweigh any conflict with local and national planning policies (IR41). I agree with the Inspector that this is the main issue due to the absence of an adopted Local Development Plan (LDP).
10. In the Inspector's original report it was accepted that the proposal would constitute inappropriate development in the Green Barrier (original IR80-82) and that planning permission should not be granted for such development except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Barrier as stated in paragraph 3.70 of Planning Policy Wales (PPW) 10. However, in making the recommendation to allow the appeal, the Inspector took account of paragraph 6.2 of TAN 1 and afforded considerable weight to the need to increase housing land supply due to the absence of an adopted LDP, as part of the very exceptional circumstances in favour of the appeal (IR39).
11. The Inspector is of the view that, following the dis-application of paragraph 6.2 of TAN 1 it is now a matter for the decision maker to determine the weight which should be attributed to the need to increase housing land supply where a Council has a shortfall in housing land. However, as stated in paragraph 10 of the letter from the First Minister dated 31 July 2018, the Welsh Government considers the need to

increase housing land supply should not be given considerable weight. It disagrees with the weight afforded in the Inspector's original report to the need to increase housing land supply and with the reasoning that very exceptional circumstances exist to justify the proposed development within the Green Barrier (IR40).

12. I consider the primary consideration is that the Council has neither an up-to-date Unitary Development Plan (UDP) nor an adopted Local Development Plan (LDP). The Inspector states it is therefore considered to have zero housing land supply. The Inspector states that the requirement in Planning Policy Wales (PPW) 10 that the Council must ensure that sufficient land is genuinely available or will become available to provide and maintain a five-year supply of land for housing is not met (IR42). I agree with the Inspector and consider the absence of either an up to date Unitary Development Plan (UDP) or an adopted LDP is the crucial factor in this case.
13. The Council has submitted the Deposit Wrexham Local Development Plan 2013 – 2028 (LDP) for examination, at the time of the Hearing, consultation on focussed changes to it was ongoing and there was no firm programme for its examination (IR9). The Inspector is of the view the provision of a five-year housing land supply is a matter which will be addressed by the LDP. The Council considers that sufficient land is proposed for allocation in the plan to meet the identified need for housing and maintain a five-year supply over the plan period. Whether or not the LDP is sound is a matter for the Examining Inspector for the LDP and not this appeal. However, the Inspector states that, as the LDP has not yet been examined and is unlikely to be adopted until early 2020, limited weight can be applied to it. Furthermore, the Inspector is of the view that there are certain matters in respect of housing land supply which are material to the appeal (IR43).
14. The Council's housing completion figures confirm a consistent and significant under-supply which over the period 2013 to 2018 accounts for approximately 1380 units against a proposed average LDP requirement of 517 per annum. The evidence suggests the shortfall will increase over the next year at least. Although the Council is confident it can deliver the projected housing requirements, the Inspector states, if they are to be achieved, there will need to be a significant increase in the number of completions over the remaining 9 years of the plan period. The Council is aware that unless more land is brought forward for development prior to the adoption of the LDP, there is a risk that the housing requirements will not be met. The Inspector is of the view that it is evident that there is no immediate prospect of completions from proposed allocations in the LDP and suitable sites therefore need to be brought forward for development prior to the adoption of the LDP, if the housing trajectory is to be achieved (IR44).
15. The Inspector is of the view that although in the LDP the appeal site is in open countryside and part of a Green Wedge, it is surrounded on three sides by existing built development within the settlement limit of Wrexham Town and represents a logical extension to the settlement. In the event the examination of the LDP identified a need for additional housing land the Council agreed the appeal site was a strong candidate to satisfy that need (IR45).
16. The appeal scheme would contribute up to 189 dwellings, 25% of which would be affordable. It is in a sustainable location being well related to local services and facilities and accessible by sustainable means of transport. The proposal provides a realistic opportunity to accommodate residential growth in a sustainable location. In addition the evidence confirms that it is not a speculative development, but one which would be brought forward quickly and completed within four years. The Inspector

considers the proposal would therefore make an important contribution to housing supply (IR46).

17. The Inspector acknowledges the appeal site may not be allocated for development in the Deposit LDP, however, she states there is no certainty over the final outcome of the plan and the evidence supports an urgent need to increase housing land supply. Given the underlying evidence, the Inspector is of the view the appeal site would provide residential development on land which would satisfy the requirements of the Council's Preferred Strategy (IR47).
18. The Inspector states, given the current position in respect of the Council's housing land supply, the identified need to bring sites forward for development prior to the adoption of the LDP, if the housing trajectory is to be achieved, and there being no immediate prospect of completions from proposed allocations in the LDP, she is in agreement with the parties that considerable weight should continue to be attributed to the need to increase housing land supply in the determination of the appeal. Furthermore, the Inspector considers the site could be developed with the minimum of delay and would thus make a significant contribution to housing numbers at a time when a significant increase in completions is required. The Inspector is of the opinion 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 paragraph 6.2 of TAN 1 (IR48). I agree with the Inspector that the proposal will make a contribution to housing numbers at a time when a increase in completions is required, particularly due to the absence of an adopted LDP.
19. Paragraphs 89 to 104 of the Inspector's original report detail further material considerations.

Historic Heritage

20. The Inspector notes the conservation of archaeological remains is a material consideration in determining an application. She also notes where nationally important archaeological remains and their settings are likely to be affected by development, there should be a presumption in favour of their physical protection in situ. The section of Wats Dyke which crosses the appeal site has been identified as one of the last unenclosed sections of the monument and, as confirmed by Cadw, the proposal would have a significant effect on its setting (Original IR89).
21. However, the Inspector is of the view the creation of a substantial landscape buffer to either side of the Dyke and the restriction of built development to the western side of the site would help protect the Scheduled Ancient Monument (SAM) in situ. Furthermore, she states the measures in the Scheduled Ancient Monument Management Plan (SAMMP) would improve the appearance and setting of the Dyke and secure its long term management. The Inspector considers these factors, together with the management of the wider landscape buffer, would help preserve the heritage asset in the longer term (Original IR90).
22. The Inspector notes it is generally accepted the effect of the development on the SAM would be successfully mitigated and compensated for via the SAMMP. The Inspector is of the view the implementation of the management plan would compensate for the damage which would be caused to the setting. The Inspector is also of the view the proposals present an opportunity to secure measures which would preserve it in the longer term, none of the measures is directly dependent on the development taking place (Original IR91-92).

23. The Inspector concludes on this matter the lack of housing land supply, together with the contribution the site would make to housing provision and its compliance with the Preferred Strategy carry significant weight in favour of the appeal. The works to ensure the long term preservation of the heritage asset are not directly dependent on the development and therefore do not add weight in favour of the proposal. Although, the Inspector also recognises that it is unlikely the benefits would come forward in the absence of the proposal (Original IR93).
24. It is noted that Paragraph 6.1.24 of PPW 10 states it will only be in exceptional circumstances that planning permission will be granted if development would result in a direct adverse impact on a scheduled monument. I am satisfied the proposal will not have a direct adverse impact on the scheduled monument in this case.

Landscape and Visual Effects

25. The Inspector notes the site has value as part of the Green Barrier and in preserving the setting of the SAM. Nonetheless, it is almost entirely surrounded by built development and the part which is adjacent to open countryside is bounded by the railway. Although the site is currently devoid of built development, the Inspector considers its edge of settlement location gives it a semi-urban character. It is also not considered to be a high quality landscape. The erection of houses on the western end of the site would extend the urban edge of Old Rhosrobin eastwards beyond Main Road. However, such an extension has already taken place on the northern boundary of the site and the proposal would not extend any further east than this existing development (Original IR94).
26. The Inspector is of the view the indicative layout and supporting evidence suggest a scheme appropriate to the local surroundings could be devised. There is no dispute the development would visually alter the site. Although the Council recognised the development would have a significant effect on the appearance of the site, it raised no objection to the proposal on grounds of landscape character or visual amenity. The Inspector has reached the same conclusion (Original IR95).

Loss of Agricultural Land

27. In previous Agricultural Land Classification (ALC) surveys about 75% of the site, including the land which would be built upon, was recorded as Grade 3a and therefore Best and Most Versatile (BMV) land. However, the submitted agricultural land classification report concluded that the site is likely to be Grade 3b land. Whilst the Council questioned the accuracy of the survey, as it claimed the correct guidelines had not been followed, the Inspector concluded that it did not provide any substantive evidence to support its claims. It is noted that the Inspector is in agreement with the Council that, although there may be conflict with Policy EC2 of the UDP, which only permits development on agricultural land of Grades 1, 2 and 3a, the dismissal of the appeal on these grounds is not justified. (Original IR96-97).

Highway Improvements

28. The development would result in increased traffic on the local highway network and the representations made by interested parties raised concerns that this would exacerbate existing traffic congestion problems. The Inspector is satisfied that the highway improvements associated with the scheme would benefit the wider community as well as residents of the site (Original IR98).

Other Similar Proposals

29. The Inspector considers there are significant differences between the other decisions on similar residential developments raised in evidence and the appeal, which must be determined on its own merits (Original IR99-101).

Concerns Raised by Local Residents

30. In addition to the matters already addressed, interested parties also raised concerns regarding the effect on local wildlife, noise, air quality, the number of affordable housing units and the ability of local services to cope with an increase in population which the proposal would bring about (Original IR102).
31. In respect of wildlife, the Inspector is satisfied from her inspection of the site, consideration of the technical reports and responses from statutory consultees that the site could be developed without adverse impact on statutorily protected species (Original IR103).
32. The Inspector is satisfied that matters of noise and air quality and flooding were addressed in the various reports which accompanied the application. The Inspector confirms the number of affordable units proposed is in compliance with the Council's policy. With regards to local services, there would be a need for additional educational facilities as a result of the development, financial provision for which is addressed in the Unilateral Undertaking. The Inspector is satisfied that there is no definitive evidence of any capacity issues with regard to local health practices or the local health board (Original IR104).
33. In the light of the evidence the Inspector confirms the overall conclusions reached in her original report remain unchanged and the Inspector continues to recommend that the appeal be allowed, subject to the conditions as set out in the Schedule to the original report.
34. In reaching her recommendation the Inspector has taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. The Inspector considers this decision is in accordance with the Act's sustainable development principle, through its contribution towards the Welsh Ministers' well-being objective of "supporting safe, cohesive and resilient communities."

Conditions and Unilateral Undertaking

35. I have considered the conditions set out at the Annex to the Inspector's report and, subject to minor changes, agree they are necessary and reasonable and meet the tests in Welsh Government Circular 016/2014, "The Use of Planning Conditions for Development Management".
36. I am satisfied the obligations in the UU, dated 6 February 2018, meet the appropriate tests in Section 122(2) of the Community Infrastructure Levy Regulations 2010 and Circular 13/97, "Planning Obligations". As such I have given weight to the UU in the determination of this appeal (IR108).

FORMAL DECISION

37. It is recognised that the appeal site lies outside the defined settlement boundary and the proposal does comprise inappropriate development within the Green Barrier. PPW 10 states 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 wedge.

38. It is considered the appeal site, whilst located outside the settlement boundary, is in a sustainable location in terms of access to services, amenities and public transport. The Inspector has not been presented with evidence of any capacity issues with regards to the local health services and the Unilateral Undertaking makes provision for a financial contribution for additional primary school places.
39. It is acknowledged that the application is made in outline, however, the indicative layout and submitted details, with the imposition of conditions to provide control over detailed design considerations, is capable of delivering a scheme which addresses the national sustainable placemaking outcomes. The scheme makes provision for a pedestrian and cycle way across the site, which would connect with existing highway infrastructure and other settlements, access to open space and equipped children's play areas. This would meet the National Sustainable Placemaking Outcome to 'Facilitate Accessible and Healthy Environments' (PPW 10, Figure 4, page 20).
40. It is considered the proposed development of up to 189 dwellings, of which 25% would comprise affordable units, would make a contribution towards housing land supply in the area, which has not been adequately addressed due to the absence of an up to date UDP (1996 to 2011) or an adopted LDP. Whilst the development would comprise inappropriate development in a green wedge, I am satisfied, in this case, when all the above factors are taken into account, in their totality, they constitute the very exceptional circumstances necessary to outweigh any harm to the green wedge. I am also satisfied there are no other matters which weigh against the appeal.
41. In exercise of the power referred to in paragraph 2 of this decision letter, I hereby allow this appeal and grant planning permission for the "outline application for residential development of up to 189 dwellings with all matters reserved except for access" on Land East of Tan y Bont, Main Road, Rhosrobin, Wrexham (Ref: P/2016/0189) subject to the conditions in the schedule below and the accompanying signed Unilateral Agreement.

42. In reaching this decision, I have considered the duty to carry out sustainable development under section 2 of the Planning (Wales) Act 2015. The decision made accords with the sustainable development principle set out in the WFG Act 2015 and the well-being objectives of the Welsh Ministers in that it contributes to the objective to 'build resilient communities, culture and language' and contributes to 'driving sustainable growth'.

43. A copy of this letter has been sent to Wrexham County Borough Council and to those persons and organisations who appeared at the Hearing.

Yours sincerely

A handwritten signature in blue ink that reads "Julie James". The signature is written in a cursive, flowing style.

Julie James AC/AM

Y Gweinidog Tai a Llywodraeth Leol

Minister for Housing and Local Government

Schedule of Conditions

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Any application for approval of the reserved matters shall be made to the local planning authority not later than two years from the date of this permission.
3. The development shall begin either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. This planning permission provides for a maximum of 189 dwellings.
5. The access into the site shall be laid out in accordance with drawing No. 074-01/GA-02 prior to the occupation of any dwelling erected on the site under the terms of this planning permission.
6. Construction work shall not begin until a scheme for protecting the proposed dwellings from noise from the A483 trunk road has been submitted to and approved in writing by the local planning authority. All works which form part of the scheme shall be completed before any dwelling on the site is occupied. The work shall be carried out in accordance with the approved details.
7. No development shall take place until a timetable for the implementation of the measures specified in the Total Heritage Scheduled Ancient Monument Management Plan reference: ROS/16/002 and dated January 2017 has been submitted to and approved in writing by the local planning authority. Thereafter the measures set out in the Management Plan shall be implemented in accordance with the approved timetable.
8. No development shall commence until a scheme for the disposal of surface water has been submitted to and agreed in writing by the local planning authority. The scheme shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of receiving ground water and/or surface waters;
 - ii) specify the responsibilities of each party for the implementation of the Sustainable Urban Drainage Scheme, together with a timetable for that implementation; and
 - iii) provide a timescale for implementation, management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented in accordance with the approved details.

9. No development shall commence until a scheme for the provision of foul sewerage infrastructure has been submitted to and agreed in writing by the local planning authority. The scheme shall include details of and be informed by a Hydraulic

Modelling Assessment. No dwelling hereby permitted shall be occupied until the foul sewerage infrastructure has been provided in full and in accordance with the scheme as approved.

10. No development shall commence until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. The Construction Method Statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) wheel washing facilities;
 - v) measures to control the emission of dust and dirt from construction works;
 - vi) measures to prevent damage to Wat's Dyke Scheduled Ancient Monument during the construction period;
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - viii) hours of working.
11. No development shall commence until a detailed Arboricultural Method Statement has been submitted to and agreed in writing by the local planning authority. The development shall only take place in strict accordance with the Arboricultural Method Statement which shall include:
 - i) a specification for tree protective fencing and ground protection measures in accordance with British Standard 5837:2012;
 - ii) a Tree Protection plan showing the location of the trees to be removed and retained with their crown spreads, Root Protection Areas, Construction Exclusion Zones and location of protective fencing and ground protection measures accurately plotted;
 - iii) a full specification for any access, driveway, path, underground services or wall foundations within retained tree Root Protection Areas or Construction Exclusion Zones, including any related sections and method for avoiding damage to retained trees;
 - iv) details of general arboricultural matters including proposed practices with regards to cement mixing, material storage and fires;
 - v) details of the frequency of supervisory visits and procedures for notifying the findings of such visits to the local planning authority;
 - vi) details of all proposed tree works, including felling and pruning.
12. No development shall commence until a scheme detailing the provision of a footway/cycleway link across the site from Main Road to the junction of Plas Acton Road with Blue Bell Lane and a timetable for its completion has been submitted to and agreed in writing by the local planning authority. The footway/cycleway link shall be completed in accordance with the approved details.
13. Notwithstanding the requirements of condition 1, the submission of the reserved matters shall include a scheme for all areas of open space and greenspace to be provided as part of the development, including public amenity space and equipped children's play areas together with a timetable for their provision. The development shall be implemented in accordance with the approved details.
14. No development shall take place until a long term Landscape Management Plan for the identified areas of public open space and maintained land (as referenced on the

indicative masterplan/development framework drawing number Ref: C3429-PO1C) has been submitted to and approved in writing by the local planning authority. The management plan shall provide: details and measures to ensure the long term protection of the open land; the timing of the implementation of the plan; management responsibilities; maintenance schedules and procedures for the replacement of failed planting for all landscaped areas other than private gardens. The approved scheme shall be implemented prior to the occupation of any of the properties hereby approved.

15. No development shall take place until a programme of archaeological works has been submitted to and approved in writing by the local planning authority. The programme shall include a written scheme of investigation and a timetable for the investigation. The works shall be undertaken in accordance with the approved programme. A written report recording any archaeological works undertaken on the site shall be submitted to the local planning authority within three months of the completion of any archaeological investigation unless an alternative timescale for submission of the report is first agreed in writing by the local planning authority.
16. No development shall take place until a scheme detailing the provision of a traffic controlled junction at the Llay New Road junction with Plas Acton Road has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the occupation of the first dwelling hereby approved.
17. Notwithstanding the requirements of condition 1, full details of the timings and phasing of the development shall be submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the details as approved.
18. The development shall be carried out in accordance with the recommendations contained in Section 7 of the Ecological Assessment 2016 (TEP Report Ref: 4731.01.001).

Notification of initiation of development and display of notice

You must comply with your duties in section 71ZB (notification of initiation of development and display of notice: Wales) of the Town and Country Planning Act 1990. The duties include the following:

Notice of initiation of development

Before beginning any development to which this planning permission relates, notice must be given to the local planning authority in the form set out in Schedule 5A to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details which must be given to the local planning authority to comply with this duty.

Display of notice

The person carrying out development to which this planning permission relates must display at or near the place where the development is being carried out, at all times when it is being carried out, a notice of this planning permission in the form set out in Schedule 5B to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or in a form substantially to the like effect. The form sets out the details the person carrying out development must display to comply with this duty.

The person carrying out development must ensure the notice is:

- (a) firmly affixed and displayed in a prominent place at or near the place where the development is being carried out;
- (b) legible and easily visible to the public without having to enter the site; and
- (c) printed on durable material. The person carrying out development should take reasonable steps to protect the notice (against it being removed, obscured or defaced) and, if need be, replace it.



KEY



MAIN ACCESS / VEHICLE ACCESS



ACCESS IMPROVEMENT TO EXISTING HIGHWAY



PUBLIC RIGHT OF WAY



PROPOSED CYCLE PATH
• UPTO 3M WIDE
• BOUND MATERIAL SURFACE
• LOW LEVEL ILLUMINATION ALONG ROUTE



DEVELOPMENT BOUNDARY



KEY SETTING - EXISTING LONG DISTANCE VIEWS TO HORIZON & SETTING OF WAT'S DYKE PERMANENTLY MAINTAINED



STREETS



EMERGENCY ACCESS ROAD



ACOUSTIC ATTENUATION



DEVELOPMENT AREA
MEDIUM LEVEL DENSITY; UPTO 30no. Units pha
2 - 2.5 STOREY HEIGHT
DEVELOPMENT AREA; 6.31ha
UPTO 189NO. DWELLINGS



EXTENT OF WAT'S DYKE



NO BUILD BUFFER ZONE FOR SCHEDULED ANCIENT MONUMENT
ENHANCEMENT / IMPROVEMENT OF WAT'S DYKE BY AGREEMENT WITH L.A
• 30m West
• 10m East

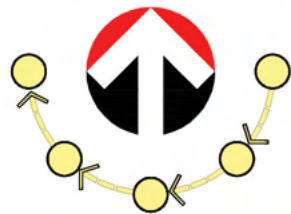


MAINTAINED LAND
(PERMANENT GREEN BARRIER)



LANDSCAPING
(PERMANENT GREEN BARRIER)
POS AREA; 2.6ha

TOTAL UPTO 189NO. DWELLINGS



NEW ROAD - RHOSROBIN, WREXHAM
INDICATIVE MASTERPLAN / DEVELOPMENT FRAMEWORK

C3429 - P01C
SCALE - 1:2000 @ A2

Cassidy+
Ashton

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