
Planning and Design Statement

Outline planning permission for the
erection of 9 detached private
dwellings and all associated works

Prepared for: Mr R Hall

Land north of Cadney Lane
Bettisfield
SY13 2LN

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RJC/LJ

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The logo for Roger Parry & Partners is located in the bottom left corner of the page. It consists of a white square containing the text 'Roger Parry' in a large, bold, yellow sans-serif font, with '& Partners' in a smaller, yellow sans-serif font below it. The square is set against a dark blue background that features a yellow diagonal stripe running from the top left towards the bottom right.

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1.0 Introduction

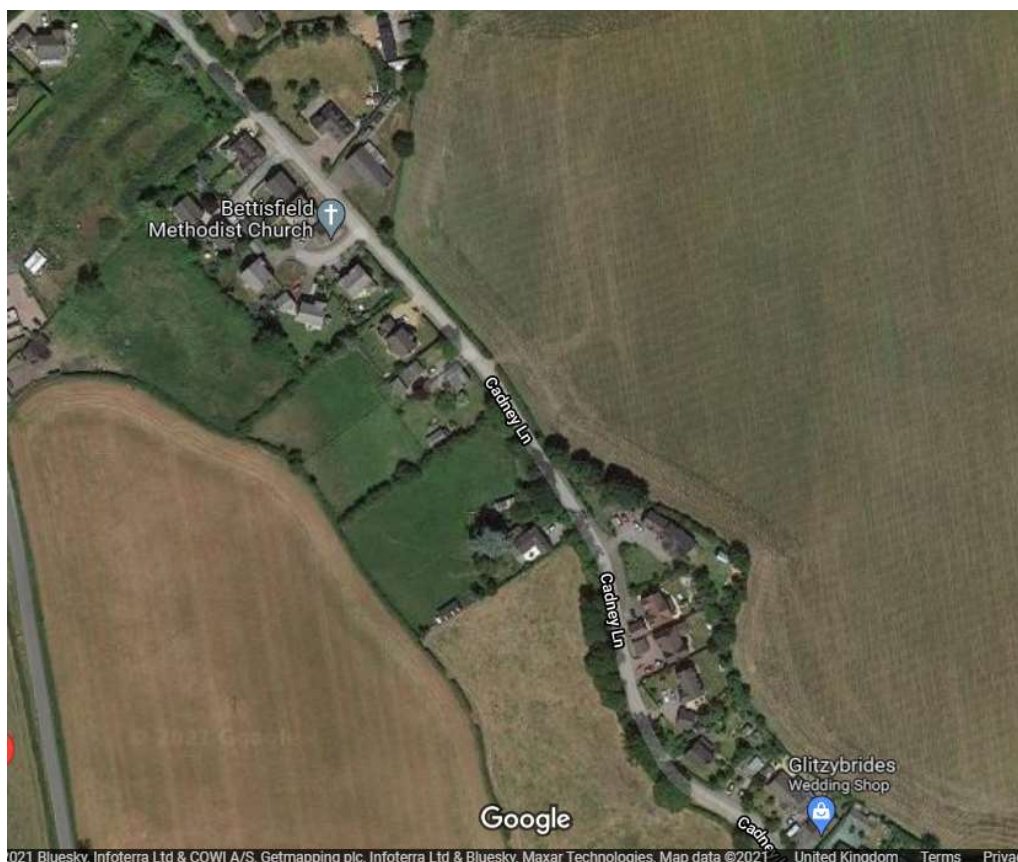
This supporting statement considers the planning issues relating to the application proposals for the erection of 9 detached private dwellings and all associated works on land at Bank Farm, Bettisfield, SY12 0NW. The information included within this statement is intended to assist the Planning Officer in making their decision.

The statement assesses the site and its context by considering the physical, social, economic and planning situation.

2.0 Description of the Site and Surroundings

The application site provides an opportunity for a sustainable development on land located within the village of Bettisfield.

The site provides an opportunity for 9 detached quality private dwellings, the layout has been designed to blend in with the existing rural surroundings and adjoining dwellings. The parcel of land is deemed as infill due to its location between and opposite residential units.



3.0 The Planning Application Proposal

The planning application is submitted for outline planning permission in respect of 9 private detached dwellings on an infill green field site.

The dwellings can be sited and developed without detrimental effect on the surrounding landscape and will provide a positive road frontage layout.

The overall size and planned scale of the proposed dwellings will be designed to reflect sizes and proportions of existing dwellings within the surrounding rural area. Although this is an outline application, we have provided indicative widths, lengths and upper and lower limits.

The proposed dwellings in terms of height and mass will be consistent with the existing surrounding buildings. The combination of sympathetic building height, mass and good separation together with good landscaping ensure a unneighborly development.

10 – 16m Length

8- 12m Width

6.5- 9m Ridge Height

4.0 Planning Policy Context

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states 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.”

*“Local planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the **needs of changing farming practices** or are necessary to achieve compliance with new environmental, hygiene or welfare legislation.”*

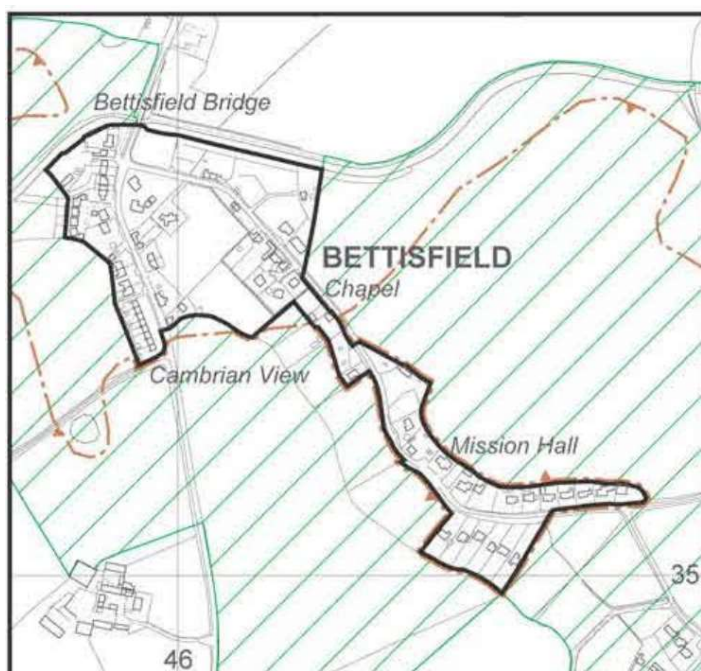
National Planning Policy
Planning Policy Wales
Paragraph 9.2.3 states that:

“Local planning authorities must ensure that sufficient land is genuinely available or will become available to provide a five year supply of land for housing judged against the general objectives and the scale and location of development provided for in the development plan.”

Wrexham Unitary Development Plan 1996-2011

Policy GDP1: All new development should:

- a) Ensure that built development in its scale, design and layout, and in its use of materials and landscaping, accords with the character of the site and makes a positive contribution to the appearance of the nearby locality.
- b) Take account of personal and community safety and security in the design and layout of development and public / private spaces.
- c) Make the best use of design techniques, siting and orientation in order to conserve energy and water resources.
- d) Ensure safe and convenient pedestrian and vehicular access to and from development sites, both on site and in the nearby locality.
- e) Ensure that built development is located where it has convenient access to public transport facilities, and is well related to pedestrian and cycle routes wherever possible.
- f) Ensure the safety and amenity of the public and safeguard the environment from the adverse effects of pollution of water, land or air, hazards from industry and quarrying, and associated noise, odour or vibration arising from development.
- g) Secure public services (e.g. gas, water, electricity) to development at minimum public cost.
- h) Safeguard sites and areas of nature conservation and wildlife interest, and to provide new habitats where there is an unavoidable loss of existing habitats and areas of wildlife interest.
- i) Ensure that development does not result in, or is subject to, flooding, soil erosion, landslides or contamination, either on or off the site.
- j) Have regard to the need to safeguard those areas that possess a strong Welsh cultural and/or linguistic identity from development that could harm this identity.
- k) Secure the development of sustainable communities, through the promotion of the economic, social and environmental well-being of the area.



18. Bettisfield

The site runs alongside Bettisfield's development boundary, however there is a green field site within the development boundary that has been deemed an unacceptable site to development due to be located in NRW's surface water flooding zone.

Planning Strategy

Sustainable Development:

c) The Rural Villages. The range of services available in these settlements is generally confined to those meeting purely local needs. The settlements themselves are surrounded by attractive countryside and some are not conveniently accessible by public transport. New development is therefore restricted to small sites.

The proposed dwellings will provide infill plots on the within of the Village of Bettisfield. There are community and market bus services available within Bettisfeild Village.

Policy PS4 Development should maintain the existing settlement pattern and character and be integrated with the existing transport network to help reduce the overall need to travel and encourage the use of alternatives to the car.

The proposed dwellings are an infill plot and are keeping with the existing row of dwellings on either side of Cadney Lane. There are bus services available within Bettisfield.

Policy T8 Development granted planning permission will be required to provide vehicle parking spaces either on site or nearby, in accordance with the Council's current parking standards.

A parking area has been shown on the accompanying plans

Policy H5 Outside defined settlement limits new dwellings will only be permitted where:-

- a) proposals accord with Policies H3, H4, and H8; or
- b) proposals comprise infilling subject to Policy GDP1; or

The proposed site lies within a developed area with a built frontage

- c) an essential need to house a full time agricultural or forestry key worker can be established and
- i) the long term financial viability and functional management of the enterprise is proven; and
- ii) the person, due to the nature of the work, has to live on the site rather than in a nearby settlement; and
- iii) there are no suitable buildings nearby which could be converted into a dwelling; and
- iv) the new dwelling is sited adjacent to an existing building, can be landscaped, and is of a form, bulk, design and materials which reflect the locality's rural character.

Any permission will be conditioned to limit residential occupancy to essential workers.

Guidance Note 13

d) Infill development There are isolated groups of dwellings in the countryside, some (but not all) of which form a clearly defined built frontage to a highway. A small gap within such a frontage can normally be infilled by one, or at most two, dwellings without adversely affecting the character and appearance of the area.

Policy H5 states that 'outside defined settlement limits new dwellings will only be permitted where proposals comprise infilling'. Infill proposals are defined as 'the development of one or two residential units in a small gap along a continuously developed highway frontage within a clearly identifiable group of buildings.' Proposals for infill development will be carefully considered in relation to the following elements:

- Number of units: one or two residential units only will be acceptable, any more than this can have an adverse impact on the character and appearance of the countryside and the local distinctiveness of the area;
- Small gap: should be comparable in size and scale to the plots of adjoining properties and should be able to accommodate the number of units proposed. The dwellings should be of a similar size, scale and massing to those in the area with amenity circulation space comparable to adjoining properties;
- Continuously developed highway frontage: dwellings which are sited substantially away from the highway and have large front gardens and/or properties set within large plots with a sizeable gap to neighbouring properties are unlikely to constitute continuously built up frontages. Additional residential development in such cases will harm the rural character of the area.

Group of buildings: there must be a group (5 or more dwellings) of buildings either in a row, on crossroads or in a cul de sac arrangement to allow infill development. Field parcels separating the dwellings would not be appropriate as a small gap and it would be unlikely that this could be defined as a group.

Planning Policy Wales:

9.3 Development management and housing

9.3.2 Sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, in particular for affordable housing to meet local need, may be acceptable, though much will depend upon the character of the surroundings and the number of such groups in the area. Significant incremental expansion of housing in rural settlements and small towns should be avoided where this is likely to result in unacceptable expansion of travel demand to urban centres and where travel needs are unlikely to be well served by public transport. Residential development in the vicinity of existing industrial uses should be restricted if the presence of houses is likely to lead residents to try to curtail the industrial use.

Section 38 of the Planning and Compulsory Purchase Act 2004

“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”.

Relevant Appeals:

We are aware of the disapplication of TAN1, however we attach commentary on recent decisions. These appeal decisions (all issued after 26th March 2020) are both timely and helpful in demonstrating that housing delivery is still an important consideration. We have not identified any planning appeal decisions in which the revocation of the requirement to demonstrate a five year housing supply has directly resulted in the housing need case being rejected by an Inspector.

Whilst the weight to be given to the under-delivery of housing is now a matter for the decision maker and will depend on the circumstances of each case, Inspector Thickett sets out some useful and logical parameters for considering the weight to be attributed to under-delivery:

Land South of Rhos Road, Penyffordd, Flintshire (APP/A6835/A/3243303) – Appendix 1

36 dwellings for people over the age of 55

The unallocated appeal site lies outside the settlement boundary. In allowing the appeal on 27th April 2020 the head of the Planning Inspectorate in Wales, Tony Thickett, stated (paragraph 8):

“The changes to PPW and revocation of TAN1 have not reduced the importance of delivering new housing, just the way delivery is planned, measured and monitored. PPW, as revised, states that: ‘Under-delivery against the trajectory may require a specific early review of the development plan’. In my view that is a clear indication that the government

is committed to ensuring that the planning system delivers the housing Wales needs and that under delivery is a material consideration” (Lichfields emphasis).

Mr Thickett helpfully clarified that, despite the recent policy changes, the under-delivery of housing remains a material consideration. He then sets out matters to be considered in determining the weight to be attributed to under delivery, as follows:

1. The extent of the shortfall;
2. The length of time there has been a shortfall; and,
3. How soon the Council will be able to demonstrate through an adopted LDP, how the housing needs of the area are to be met.

He concluded that, in this case, the shortfall was significant both in terms of quantum and the amount of time that the housing land supply had been inadequate. The fact that the Unitary Development Plan (UDP) is time expired and that Flintshire’s first LDP is still some 12-18 months away from adoption means that a Plan-led solution to the housing shortfall will not be forthcoming in the near future. Against this context, the Inspector accepted that the site is needed to provide a short-term solution to the housing supply issues.

Land North of Highfields, Coedely, Tonyrefail (APP/L6940/A/20/324639) - Appendix 2

76 dwellings

Similar to the Penyffordd appeal, this site also lies outside the settlement boundary and is set in the context of an LDP that is nearly time expired with very limited progress made on a LDP review.

In allowing the appeal on 12th June 2020, Inspector Joanne Burstson explained at paragraph 44 that:

“...the current 5YHLS situation is serious in that there is a significant shortfall. Consequently, while the proposal would be contrary to the development plan taken as a whole, material considerations indicate that the determination should be otherwise than in accordance with that plan.”

Again, the Inspector notes the recent changes to national policy and guidance and states at paragraph 33 that:

“Given the revocation of TAN 1 the decision maker has the discretion, based on the evidence and facts of the appeal, to determine the weight to be applied to housing need. In the case before me the Council accepts that they can only demonstrate a housing land supply (HLS) of 1.3 years. In this respect I also note the appellant’s evidence that there has been a persistent under delivery in the supply of housing for some 13 years and that this is likely to continue given the projected timescale for the adoption of the LDP Review.” (Lichfields emphasis).

Interestingly, the Inspector actually made use of the five-year supply method to quantify the shortfall. This is likely to be a reflection of the fact that appeal was made prior to the revocation of the five-year land requirement policy and evidence was presented in respect of this matter. The Inspector used this evidence to highlight the severity of the housing land supply problem in Rhondda Cynon Taf County Borough and the need for intervention. We would not, however, expect to see detailed discussions about the five-year housing land supply position in planning appeal decisions going forward.

In explaining the need for the site, the Inspector went on to highlight revised paragraph 4.2.12 of PPW which states: “...that planning authorities should also identify when interventions may be required to deliver the housing supply, including for specific sites.”

The Inspector clearly felt that allowing this appeal represented a suitable intervention that would assist in the delivery of housing supply in Rhondda Cynon Taf.

Land west of Bryn Isa, Vicarage Lane, Gresford, Wrexham (APP/H6955/A/19/3240973) – Appendix 3

44 dwellings

This appeal was dismissed on 24th April 2020 mainly on green wedge impacts but nevertheless contains a useful commentary here about the consideration of housing land supply, particularly in relation to the weight to be given to an emerging LDP in remedying the lack of housing delivery.

The Inspector (Joanne Burstons) explained that the decision maker has discretion, based on the evidence and facts of the appeal, to determine the weight to be applied to housing need. In this case the Council again agreed that there was a shortfall of housing land supply but argued that it was taking steps to address this through the emerging LDP. However, in respect of this point, the Inspector stated (paragraphs 36 and 37):

“Whilst the eLDP is at an advanced stage, I am mindful that the Plan’s examination is still ongoing, and the Inspectors are yet to submit their report. In such circumstances I consider that only limited weight can be given to the eLDP.

Nonetheless, it is not for me to make a judgement on the outcome of the ongoing LDP examination. Therefore, as it stands there is a need for housing, a matter which weighs significantly in favour of the appeal.” (Lichfields emphasis).

This decision is helpful in noting that until the LDP is found sound then it cannot be concluded that the Council is taking reasonable and timely action to remedy the lack of housing delivery. In the context of the current state of play in respect of LDP preparation and review across Wales, this conclusion will cause some concern for many authorities.

We refer you to Appeal Reference APP/H6955/A/20/3249747 (Appendix 4). The planning appeal relates to housing supply outside of the development boundary of Penley, Wrexham. The planning appeal was allowed.

6.3 Sustainable Development – The Development

The following sustainability issues have been considered:

- The proposed dwellings will be insulated (roof, walls and floors) according to the most recent building regulation standards in order to reduce heat loss in winter and excess solar gains in summer (300 mm of cross layered loft insulation, 100mm of cavity wall insulation and 100mm of insulation under the concrete ground floor slab),
- Glazing will be sealed double glazing with a 16mm air space and ‘low E glazing’ to reduce heat loss.
- Wherever possible materials will be sourced and produced locally and will come from a source that can be renewed without harm to the environment. High quality reclaimed materials can save resources and may also provide a better match with the surrounding development,
- The scheme will avoid the use of tropical hardwood and look for timber which is certified as coming from sustainable sources,
- The site is serviced by mains water, electricity and drainage.
- Foul water drainage will be pumped to a biodisc treatment plant with discharge into a near by water source.
- The development of this land will contribute to the aim of sustainability through the productive use of this vacant and previously developed land.

Although only outline the above points will ensure that the properties are 'sustainable' in terms of its building design and the supply and use of energy in accordance with the Council's UDP Policy.

6.4 Design of the Development

Good design and layout from a new development can help to achieve the objectives of making the best use of land and improving the quality and attractiveness of residential areas. Good design, local distinctiveness and the integration of the development into the existing built environment will ensure that there will be a positive impact upon the character and appearance of the locality.

6.5 Use

The application proposes to erect 9 detached private residential dwellings with associated parking areas on an infill plot within the village of Bettisfield.

6.6 Amount

The application site area comprises of nine dwellings with associated car parking areas. The total area of the dwelling plots equates to 0.65 of a hectare.

6.7 Layout

The site layout has been designed to include 9 detached private two story dwellings that respects the key vantage points into and through the site. The site creates a sustainable building form and layout and provides a positive road frontage to Cadney Lane. The proposed dwellings have been designed with large gardens and parking spaces.



The proposed site layout

6.8 Scale

The overall size and planned scale of the proposed dwellings will be designed to reflect sizes and proportions of existing dwellings within the surrounding area and will be determined on the reserved matters application. The upper and lower limits of the proposed footprint scale and size of the proposed dwellings have been designed to allow for a traditional design.

The proposed dwellings in terms of height and mass will be consistent with the existing surrounding buildings. The combination of sympathetic building height, mass and good separation together with good landscaping ensure a neighbourly development.

6.9 External Appearance

The design will be considered on the reserved matters application, however the appearance of the proposed dwellings will be designed to respect and reflect the local style and character of the surrounding properties within the immediate area.

6.10 Siting

The proposed plots have been designed to provide an infill development site with a positive road frontage to Cadney Lane.

The development of this site would clearly be in keeping with the established pattern of development in the vicinity and meets the requirements of policies set out in the UDP.

Given the above points, this scheme meets the requirements of UDP Policy in that it meets the relevant criteria continued within the relevant policy.

6.11 Access

The proposed access is an exciting access off Cadney Lane the access has sufficient visibility in both directions.

7.0 Assessment of Access and Inclusive Design against Planning Policies

Locational Criteria

One of the key requirements of inclusive design is the need to ensure that development is accessible to all users. This relates not only to its detailed design but also to its locational characteristics. In this case the site is accessible to all and is sited within an area where its occupiers would not have to rely solely either on the private car or on public transport. All users of the development would have equal and convenient access to the development itself and also to the local community and service facilities as those facilities are accessible by a range or means of transport.

8.0 Flood Risk – Flood Consequence Assessment

The site is located outside the NRW's Indicative Flood Plan area which shows the 0.1% annual probability of extreme flood. The development fulfils the criteria TAN 15 – development and flood risk, and there will be no detrimental impact upon the development through flood risk and no loss of flood storage capacity.

9.0 Conclusion

The proposed scheme is for an outline planning application with all matters reserved for the principle of 9 residential private dwellings.

The proposed scheme complies with guidelines in accordance with relevant sections from Wrexham councils UDP as well as Planning Policy Wales.

The proposed development assists in sustainable development due it being an infill plot located on the edge of a village with good pedestrian and vehicular access. The site also has good access to public transport network links which are within a short distance from the application site.

The proposed dwelling design adds visual interest to the locality by introducing a high quality, distinctive style and positive frontage development. The resultant scheme will contribute to the rural setting, and respects the key vantage points into and through the site, providing a harmonious layout design which will complement the other buildings in the vicinity.

The scheme creates a successful blend of traditional building styles with a modern approach to design and detailing.

The design and scale of the proposed dwellings will be submitted with a reserved matters application however it will be sympathetically designed to preserve and enhance its character & setting and reflects the scale and character of the properties in the vicinity, with a modern appearance with traditional features throughout, which complies with relevant policies of the Wrexham County Council UDP and guidance notes.

The surrounding adjoining properties would not be affected by the development and sufficient space is provided within the curtilage of the new development site for the proposed future occupiers. The private amenity areas are of sufficient size to support the size of dwelling created.

The site runs alongside Bettisfield's development boundary. There is a green field site within the development boundary however this has been deemed an unacceptable site for development

due to being located in NRW's surface water flooding zone. The proposed site would provide suitable infill development with providing a positive road frontage design layout.

On the basis of the above, the applicant considers that this scheme would result in no demonstrable harm to any interests of acknowledged importance.

Whilst the proposal is a departure from the development plan, the Council's current lack of housing land supply carries significant weight in favor of this development and given that the proposal would otherwise comply with the development plan and national planning policies we respectfully ask that permission is granted.