

Planning Appeal

Proposal: Demolition of Existing Workshop and Application for Outline Planning Permission to Erect 1 No. Detached Dwelling(with all matters reserved)

At

1 Cae Pentre, Singrett Hill, Llay, Wrexham LL12 8RL

Introduction

The site is within the existing residential curtilage of 1 Cae Singrett. It benefits from a standalone permission for a 3 storey industrial unit as a workshop and for the operation of 4 HGV vehicles from the site which has been implemented on the site. There is no demarcation of the residential and industrial areas on site.

The council have advised they have no information on when this use ceased however it is an extant permission. There is no link to an individual to make the permission personal to the previous owner. The unit and HGV operation can be used separately to the living accommodation of the existing house.

The committee report which was used to inform and advise councillors on the planning department's guidance on policy details and the principle of development and mentions Policy PS1. However a key factor in the determination of this application should have also been PS3 and the development on brownfield sites. While previously developed land is mentioned, the specific policy has not been referenced which is a key factor.

Policy PS3 was detailed in the refusal notice but reading through the committee report has clearly been given no thought, let alone adequate weighting.

Planning Application P/2017/0951

No objections were received from the consultation process. The application was determined at planning committee at the request of the Local Councillor.

During the committee discussions, councillors commented that the application should be refused as it was clearly contrary to policy. If the report would have included all relevant policies as detailed above, the councillors would have been able to make a more balanced decision as opposed to the limited policies that had been included.

Reason for Refusal

1.

The development is located outside any defined settlement limit and does not accord with the Council's strategic policies for the location of new residential development. Whilst the Council acknowledge its shortfall in allocated land to demonstrate a 5 year housing land supply, it considers that the scale of this development will not make a significant contribution to this shortfall which would outweigh this strategy. As such, the development is considered to be contrary to policy PS1, PS2, PS3, PS4, and H5 of the Wrexham Unitary Development Plan.

Policy PS1

New developments for housing, employment, and community services will be directed to within defined settlement limits/employment areas.

While the development is clearly outside the settlement limit this is the only one policy of the four strategic policies in relation to 'The Broad Location of Development'.

Policy PS2

Development must not detrimentally affect countryside, landscape/townscape character, open space, or the quality of the natural environment.

The council have detailed the 3 storey industrial building as a large structure within their committee report and also recognised that the area can be used as storage and a base for 4 HGV's. This does have an impact on the visual amenity of the area.

The structure which is not in keeping with the adjacent houses is extremely dominant. It is also built on the extreme left hand side of the side against the boundary which continues onto open countryside.

To replace with a modest dwelling, in keeping with the adjacent units, will have a lesser impact. The proposal is also to be built away from the boundary. The built form will be much improved.

The opportunity to remove the parking of 4 HGV's from this location will not only have an aesthetic improvement but also reduce vehicle emissions in the area having an environmental benefit.

The proposal removes an operation which currently has a detrimental impact on the countryside, these dramatic improvements in relation to PS2 far outweigh the fact that the proposal does not comply with Policy PS1.

Policy PS3

Development should use previously developed brownfield land comprising vacant, derelict or underused land in preference to the use of Greenfield land, wherever possible, particularly so where Greenfield land is of ecological, landscape or amenity value, or comprise agricultural land of grades 1,2 or 3a quality.

While the committee report discusses previously developed land, it does not identify this parcel of land as being brownfield or does it address or comment on the proposal in relation to the PS3 policy.

The refusal notice incorrectly lists Policy PS3. As this is clearly a brownfield site, the proposal fully complies with this Policy.

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.

While the residential units along this section of highway are limited, the proposal continues the theme and orientation. This will result in an additional dwelling which will compliment the area. No conflict with form or separation distances will exist.

The site is served with excellent highway links to both Gresford and Llay which leads onto the A483 bypass to either Chester or Wrexham Town centre. While the location of the site will require occupants to use a private car, the planning officer has failed to interpret the reasoning behind the Policy.

The reasons to reduce the need for alternative uses to the car, is to encourage walking and cycling links as detailed within the Wrexham UDP. This is ultimately about reducing emissions from vehicles.

A 3 bedroom property in this location will generate 2-3 private cars. The emissions from newer cars, as opposed to the 4 HGV's that can operate from the site is a huge improvement. Add to this that a smaller HGV operator will probably use older vehicles as opposed to a newer fleet, and that the drivers of these 4 vehicles would need to travel back and to this location at the start and end of their working day, then the emission and pollution gains are huge.

Strategic Policies

Overall the proposal clearly complies with 3 of the 4 policies of the UDP in relation to the location of development. Both visual gains and environmental gains are clear. The weighting of these together with the current short fall on the housing land supply are worthy of support when accurately assessed, against the policies listed.

Policy H5

Again the planning officer has referred to a policy but does not seem to have scratched below the surface of the wording to the true meaning.

Paragraph 6.12 of the Wrexham UDP refers to Policy H5.

‘This policy is designed to prevent new housing in the form of isolated dwellings, the consolidation of sporadic groups, or the extension of ribbon development in the countryside as it would result in a loss of visual quality and landscape character and adversely affect agriculture.’

Again the existing site conditions do not appear to have been taken into account. Visual quality and the landscape character have already been spoilt with the previous approval of a 3-storey structure.

The new proposal would reduce the visual impact and improve the landscape; therefore it supports the purpose of the Policy.

2.

The development is proposed within area designated as green barrier. The proposal is considered to be inappropriate development as defined by Planning Policy Wales and would not accord with requirements of policy EC1 of the Wrexham Unitary Development Plan.

Policy EC1

Together with section 5 Environment and Conservation, the Wrexham UDP states paragraph 5.1

‘The County Borough contains several derelict and underused or neglected sites and hazardous industrial uses. The Council is committed to action to rectify the damage done in the past, to prevent further deterioration and to conserve and enhance those landscape and townscape elements.’

With the opportunity to remove industrial development and replace with a smaller scale residential scheme this area will be significantly enhanced. So while the proposal does not accord with agriculture, forestry or recreation it improves openness to the Green Barrier and does therefore not conflict with the policy.

Conclusions

In relation to the committee report presented, I do not believe it has given a true reflection on all policies detailed within the refusal, and those mentioned have been judge against the wording and not the goals of the specific policies.

While not all brownfield sites are worthy of redevelopment, they should not be dismissed purely on the basis that they are outside the settlement limit which has been done in this case. As detailed above, the principle of building within defined settlement limits is only one of four strategic policies to consider in relation to locations of development.

I believe that the proposal conforms with all but one of the policies detailed within the refusal and given the enhancements and benefits that the weight of the policies which are complied with provide sufficient justification for this development to proceed outside a defined settlement area.

I therefore respectfully request that the inspector visits the site and grants planning permission for this proposal.

Stuart Hatherall

for Blueprint Architectural Services