



**OUTLINE PLANNING APPLICATION FOR
PROPOSED RESIDENTIAL DEVELOPMENT
OF 50 DWELLINGS ON LAND ADJACENT
RHOSDDU INDUSTRIAL ESTATE
OLD RHOSROBIN
RHOSROBIN
WREXHAM
LL11 4YL
FOR**

D.S. HOLMES BUILDERS LTD

DESIGN AND ACCESS STATEMENT

Job No: 3819/3
Date: 1st August 2016
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1.0 INTRODUCTION

The purpose of this Design and Access Statement is to provide information in relation to the Outline Application, including the brief and reasons for the extent of development contained within the application.

2.0 EXISTING SITE AND BUILDINGS

- 2.1 The site lies to the north of Rhosddu Industrial Estate, to the west of Main Road/ Llay New Road (B5425) highway, and is to the south of the residential area served by Rhosrobin Road, all as indicated on location plan drawing 3819/3/A(050)06.
- 2.2 The site forms part of a poor quality agricultural field, which is currently let for sheep grazing on short term lets.
- 2.3 The outline application area extends to 1.911 hectares, and the total ownership area is 18.454 hectares.
- 2.4.1 There is a gated vehicular access off Main Road (B5425) highway.
- 2.5 Currently the application site is private land with no public access.
- 2.6 The site is relatively flat, see topographical survey drawing 6963/02 from Powers & Tiltman Ltd which accompanies this application.
- 2.7 There is a dismantled railway to the north of the site which is within our Clients ownership, this is now a green space and which we understand is used as an informal path.

3.0 BRIEF

- 3.1 The Brief was to submit an Outline Planning application for residential development on the site. The extent of the development site to take into account the requirements of highways, ecology and drainage, in addition to the normal planning requirements. With available access to the development off Main Road highway, which would also need to provide access to any remaining part of the overall site within the ownership of our Clients.

4.0 PLANNING STATUS

- 4.1 This is a resubmission of a previous Outline Planning Application for residential development of 50 dwellings ref P/2015/0260 which was withdrawn on 26th May 2015 to allow time for ongoing consultations and to respond to application comments.
- 4.2 Whilst the application site comprises part of the larger site put forward for residential development in the LDP for consideration by the LPA. (LDP candidate site reference RR02CS), more detailed recent assessments would appear to preclude the development of the whole site as previously indicated in the candidate site application.

- 4.3 The previous Outline Planning application P/2015/0260 was an extended application of an application refused under Outline Planning application ref P/2014/0515, and aimed to resolve the issues raised as outlined in the reasons for refusal, which were:

- 1. The site lies outside of a defined limit within a Green barrier.*
- 2. Indicative plans fail to demonstrate that the site can accommodate a well-designed development of 24 dwellings with conveniently located and useable public open space.*
- 3. The site forms part of a much larger land holding and the indicative plans and application documents clearly suggest that there is intent to develop it.*
- 4. There is insufficient information submitted to demonstrate that the site can accommodate 24 dwellings whilst ensuring that the amenity afforded to future occupiers will not be unacceptably comprised by noise from the adjoining Rhosddu Industrial Estate.*
5. Insufficient information has been submitted to demonstrate that the development will not have a detrimental impact upon the favourable conservation status of Great Crested Newts.

- 4.4 This Outline Planning application is a resubmission of previously withdrawn Outline Planning application ref P/2015/0260. This was withdrawn to give additional time to finalise ongoing consultation with NRW, and to respond to WCBC Planning and Biodiversity officers comments. Mr Matthew Phillips (WCBC planning officer) confirmed by email 26th May 2015 the following reasons for refusal would have been applied (prior to the withdrawal of the application):

- 1. "I am minded to recommend permission be refused and of the opinion that reason 1 of the previous application (P/2014/0515) is applicable." (See item 1 in 4.3 above)*
- 2. "whilst the indicative plan shows sufficient open space, at least in so far as amount, it fails to demonstrate that the site can accommodate a well-designed development of 50 dwellings. So a modified version of the 2nd reason for refusal of the earlier application would also be applicable." (See item 2 in 4.3 above)*
- 3. "The reason for concluding that the site is the first phase of a larger development is not only the fact that the site is an LDP candidate site... The illustrative plan also shows a layout that stops rather abruptly resulting a rather stark boundary between the development and the open fields beyond. If build as proposed the scheme would look like a part completed development." (See item 3 in 4.3 above)*
- 4. "In light of comments I have received from our ecologist a reason for refusal similar to the final reason for refusal of the previous application is also likely to be applicable." (See item 5 in 4.3 above)*

Refer to Section 18.0 ADDITIONAL INFORMATION for responses to the above previous application observations which have been discussed pre-application and incorporated within this application.

DESIGN

5.0 PROPOSED USE OF DWELLINGS

- 5.1 This outline planning application is for 50No dwellings, of which 13No will be allocated as Affordable Housing, if required by the local planning authority, whilst the remaining 37No will be open market housing.

6.0 ENVIRONMENTAL SUSTAINABILITY

- 6.1 The site is in a sustainable location adjacent to existing residential areas.
- 6.2 The site is also in a sustainable location due to its close proximity to shops, employment, education, leisure/entertainment, hospital and transport hubs. Adequate links provide the opportunity to reduce reliance on private car use and for a significant number of trips to be made either on foot or by cycle.
- 6.3 Whilst it is no longer required to achieve Code for Sustainable Homes standard as part of the planning requirements in Wales, the new dwellings will be built in accordance with the Building Regulations in Wales current at the time of construction.
- 6.4 Biodiversity:
- 6.4.1 An updated Extended Phase 1 Habitat Survey report dated 5th November 2015 undertaken by The Tyrer Partnership is submitted in support of this outline planning application resubmission, which includes an update on consultations with NRW and responses to WCBC Biodiversity officer in respect of bats and badgers.
 - 6.4.2 An updated Great Crested Newt Strategy report dated 5th November 2015 undertaken by The Tyrer Partnership is submitted in support of this Outline Planning application, this includes additional information following ongoing consultation with NRW.
 - 6.4.3 Subject to Planning Consent being granted a Biosecurity scheme will be produced prior to any work commencing at the site.
 - 6.4.4 Extensive and recent GCN surveys have been conducted in the area, and as a result it was agreed at a meeting on 16th February 2015 between Natural Resources Wales (NRW) and The Tyrer Partnership that no further GCN surveys were required in relation to the proposed application site; furthermore the principle and extent of the mitigation was agreed.
 - 6.4.5 The mitigation will comprise two new ponds/ associated hibernacula and new areas of native scrub, with the remaining grassland being allowed to naturally succeed to rough grassland. It has been sited to connect to the railway corridor to the west, on the opposite side of which are located existing/proposed newt mitigation sites and additional ponds. All existing ponds and section of dry land drain to be retained and included within

mitigation site. The new hedgerow planting will eventually provide a natural habitat feature; however permanent fencing around the mitigation site will be implemented to prevent livestock encroachment. See *The Tyrer Partnership Great Crested Newt Mitigation report dated 30th September 2015*.

- 6.4.6 The design and location of the proposed mitigation not only provides an opportunity to enhance and protect GCN on the application site but also retains the land in which existing ponds and ditches lie. Connectivity to the west of the site, where other mitigation is or has been implemented, will ensure that population movement/expansion can occur and that the *"favourable conservation of the species concerned can be maintained"*. See *The Tyrer Partnership Great Crested Newt Mitigation report dated 30th September 2015*.
- 6.4.7 A Section 106 proposal for land set aside for mitigation can secure its long term protection along with management/monitoring of the mitigation site that has, in principle, been agreed with ARC. Therefore if the mitigation as shown in Appendix III of The Tyrer Partnership Great Crested Newt Mitigation report dated 30th September 2015, is implemented then there is no reason to believe that the FCS of the species concerned cannot be maintained at its current Local or County level.
- 6.4.8 Consultations with NRW are at an advanced stage and the revised GCN Mitigation report has been issued to them for final comments, we understand from The Tyrer Partnership that NRW are supportive of the application based on the discussions and revised information that they have received.
- 6.4.9 Consultation with WCBC Biodiversity officer has commenced, and in respect of comments with regard to bats and badgers made by the biodiversity officer to the previous withdrawn application, Stan Irwin of The Tyrer Partnership has confirmed thus; *"essentially bat activity is likely to be highest along the old railway & taking into consideration the small scale of the proposals then loss of habitat is not significant and as long as the old railway is not fragmented or illuminated by development then I would not anticipate any impact upon bats, equally so as then pond/s are being retained then again this valuable foraging resource would still be available to bats but should not be illuminated in anyway. In relation to badgers our extended phase 1 survey identified the presence of badgers and recommended updated surveys prior to any development as badger activity can change from day – day."* At the time of writing no responses were received from the biodiversity officer by The Tyrer Partnership to their emails dated 1st September 2015 and 26th October 2015 confirming responses regarding bats and badgers.

6.5 Trees And Hedges

- 6.5.1 A Phase 1 Tree Survey & Preliminary Tree Constraints/Impact Assessment Plan undertaken by Tree Solutions reference 14/AIA/WXM/142 (Rev B) dated 20th March 2015 is submitted in support of this outline planning application.

- 6.5.2 This report gives survey observations in relation to the existing trees, hedgerow, etc and the proposals for replacement/ additional trees and hedgerows; please refer accordingly to this document.
- 6.5.3 Either side of the current access gate off Main Road highway is an unmanaged and overgrown hedgerow, which we understand from the arboriculturalist is hawthorn of moderate quality and rated category B2.
- 6.5.4 Apart from the screening to the east boundary as noted in item 8.2, within the application site there are only trees near or adjacent the boundary. Proposed protection of these trees during any works, are contained within Tree Solutions report.
- 6.5.5 Additional tree planting is proposed to replace the screening to be removed from the east boundary (to facilitate the visibility splays of a new vehicular access off Main Road), and the additional tree screening to the industrial estate. New landscaping is to be of native species suitable for the geology of the site, and that will be of benefit to wildlife.
- 6.6 Building Design goals:
 - 6.6.1 To reduce the overall height of the buildings and limit overshadowing, accommodation could be included within roof areas.
 - 6.6.2 Extended overhang to roofs could be utilised, which would help to protect the buildings from rain and provide summer shading.
 - 6.6.3 Construction could include highly insulated masonry walls and concrete floors which will create thermal mass and store heat within the structure for release when the building/room temperature drops.
- 6.7 Solar Energy Features; It is likely that solar energy will be required to achieve satisfactory SAP calculations in relation to future building regulations applications for the proposed dwellings.
- 6.8 Cycle Storage; the details confirming adequate space for secure cycle storage is to be submitted as part of a Reserved Matters application once the house types have been designed.
- 6.9 Daylight; Maximum use of daylight is to be achieved in all main rooms to reduce the need for artificial lighting. Secondary rooms and circulation spaces should also be naturally lit wherever possible, and could include the use of rooflights or light tunnels. Final details to be confirmed as part of a Reserved Matters application.
- 6.10 Supplying And Using Energy And Water; Rainwater harvesting is proposed for all units to enable rainwater to be used for garden and car washing as a minimum, and subject to space could be increased to provide 'grey water' to w.c.'s and possibly washing machines. Final details to be confirmed as part of a Reserved Matters application.

7.0 MOVEMENT TO, FROM AND WITHIN THE DEVELOPMENT

- 7.1 The indicative proposals include the provision of a new vehicular and pedestrian access to the site off Main Road.
- 7.2 Visibility splays provided for the new access road will be 2.4m x 100m (to the North) and 2.4m x 80m (to the South) from the back of the existing highway line, which provide adequate visibility for a 30mph highway. These visibility splays accord to TAN 18: Transport, refer to the Transport Statement dated February 2015 by Highway Planning Services for further information.
- 7.3 An access road width of 5.5 metres, provided with footways on both sides, is considered adequate to serve a residential development of 50 dwellings. Entry kerb radii of up to 10m can be provided. Refer to the Transport Statement dated February 2015 by Highway Planning Services for further information.
- 7.3 The site is relatively level, and will afford level access to the dwellings in line with Building Regulations Document M.
- 7.5 The gardens will also benefit from the general level nature of the site.
- 7.6 The gardens and general space around the dwellings to accord with Wrexham CBC local planning guidance LPG21 (Space around Dwellings).

8.0 CHARACTER (INCLUDING AMOUNT, LAYOUT, SCALE AND APPEARANCE)

8.1 AMOUNT;

- 8.1.1 The overall site within our Clients ownership is triangular shaped site with an existing railway line along one edge and a dismantled railway along the other to form the point of the triangle. There is access via the industrial estate road but this is would not be suitable (nor available) for access to a residential development. The only access therefore would be off the Main Road highway, which is where the current access is to the field.
- 8.1.2 This outline planning application is for 50No dwellings on a site area of 1.911 hectares.
- 8.1.3 The number of dwellings is as recommended in the Transport Report, and the maximum number of dwellings suitable off a 'T' junction on to the Main Road highway.
- 8.1.4 The density of the proposal is approximately 26 dwellings / hectare.

8.2 LAYOUT

- 8.2.1 As this is an Outline Planning application, the submitted layout is indicative, and will be addressed in detail as part of a Reserved Matters application.

8.2.2 Car parking proposed;

- 2 car parking spaces for 2 bedroom houses and
- 3 car parking spaces for 3/4 bedroom houses
- Garage spaces are not included within these figures.

The proposed parking is compliant with Local LPG16 Parking Standards: Final details to be confirmed as part of a Reserved Matters application.

8.2.3 As this is an Outline Planning application, the submitted layout is indicative, which will be addressed in detail as part of a Reserved Matters application.

8.3 SCALE

As this is an Outline Planning application, no designs of the houses are submitted with the application and the scale of the dwellings will be addressed in detail as part of a Reserved Matters application. It is anticipated that the dwellings will be 2 storey, which will be of a comparable scale to existing dwellings in the vicinity of the site. They will, therefore, sit comfortably within the existing context.

The approximate plan sizes and heights are indicated on the indicative site plan. The widths vary from 4.5m to 5.5m, whilst the lengths vary from 9m long to 11m long. The indicative heights to ridge are noted as 8m.

8.4 APPEARANCE

8.4.1 As this is an Outline Planning application, no designs of the houses are submitted with the application and the appearance of the dwellings will be addressed in detail as part of a Reserved Matters application.

8.4.2 The materials proposed for the proposed dwellings are to match the finishes found in the existing local housing stock of:

- facing brick
- render
- stone cills and heads
- slate or tiled pitched roofs

8.4.3 The proposed use of traditional materials and methods of construction will enable the new houses (allowing for natural weathering through time) to blend in with the existing surrounding properties.

9.0 COMMUNITY SAFETY

9.1 As this is an Outline Planning application, the proposed layout is indicative and there are no designs of the houses submitted with the application, the community safety will be addressed in detail as part of a Reserved Matters application.

9.2 Consideration will be given to the following in relation to Secure by Design:

- Parking areas to be overlooked unless on the dwelling plot
- All pedestrian routes to be overlooked.
- Dwellings to be designed with security in mind with secure rear gardens with 1.8m secure walling and fencing and 2.1m where boundaries adjoin public footpaths or public open space.
- Dwellings with all doors and ground floor windows meeting PAS 24 2012 or equivalent security standards
- All dwellings to have external service meters
- A suitable scheme for external lighting which provides for adequate lighting of vehicle routes, pedestrian routes and car parking areas
- All road access in residential areas are designed to ensure that maximum vehicle speeds are no more than 20mph

9.3 The proposed boundary walls/fences which offer screening are to be 1.8m high between the adjoining plots.

10.0 DEVELOPMENT APPRAISAL

10.1 The outline proposals are for 50No dwellings (including 13No Affordable) in a sustainable location. Keeping relevance of context as advocated in TAN 12 (A3.2) the impact of 50No additional dwellings adjoining other residential areas is minimal.

10.2 The site is outside of settlement limits within a Green Barrier and the development would lead to the loss of Grade 2 Agricultural Land, though in this instance the loss would only be 1.911 hectares for development. The loss would therefore not be significant, given that access and use of the land is restricted by existing development, railway lines and a main highway.

10.3 As Grade 2 agricultural land the proposals conflict with policies EC1 and EC2, but the amount is not significant and the site is bounded by existing development and transport routes which precludes the effective use of this site for agricultural purposes, it being an isolated pocket enclosed by existing development.

11.0 DESIGN APPRAISAL

11.1 The principal of development is detailed within this DAS report, the final layout and designs of which will be to LPA approval and subject of a future Reserved Matters application.

11.2 The character of the development both in scale, appearance and selected materials are to LPA approval and will be subject of a future Reserved Matters application.

12.0 DRAINAGE

Refer to Waterco Flood Consequences Assessment and Drainage Strategy dated March 2015, key points in relation to the surface and foul water drainage are:

- 12.1 New foul water drains to connect into existing public foul sewer located in Main Road. A pumping station may be required to achieve the connection.
- 12.2 The site is located within Flood Zone A on the Welsh Government Development Advice Map and Flood Zone 1 on the EA Flood Map.
- 12.3 The development will increase the impermeable area of the site by approximately 26%. This results in an increase in surface water runoff rates and volumes. In order to ensure the increase in surface water runoff rates and volumes will not have an impact elsewhere, SuDS will be incorporated.
- 12.4 Surface water discharge to watercourse is not practical, and discharge to the public sewer system is not available, nor permitted. Rainwater harvesting is to be used to reduce runoff volumes prior to discharge to soakaways (see 12.5).
- 12.5 Soakaways should be used where feasible (subject to infiltration tests). An alternative is to discharge surface water into a pond. Any proposed ponds will drain by infiltration.

ACCESS

13.0 ACCESS POLICY/APPROACH

- 13.1 See details in section 7.0 *Movement to, from and within the development*.
- 13.2 All of the residential units are to comply with current Document M Building Regulation requirements. Initial consideration to inclusive design as follows:

13.2.1 EXTERNAL

- The parking and access is generally level, but will include 1:12 and 1:15 ramps where required to gain access into the units via level platforms. Level platforms to have water run off gradients of 1:20.
- Contrasting materials at change of levels and adjacent outward opening doors/windows near footpaths.
- Guarding to edges where step exceeds 600mm.

13.2.2 NEW DWELLINGS

- Barrier free thresholds to entrance.
- Entrance door width suitable for wheelchair user.
- Internal door width and corridor widths to be as Document M.
- Toilet facility on access storey as required under Document M.

13.3 LIFETIME HOMES

13.2.1 These dwellings would be suitable to accommodate features recommended in “Lifetime Homes” by the Joseph Rowntree Foundation:

- Sloping or level entrances
- Covered illuminated front door
- Downstairs toilet
- Ground floor bedroom
- Wider hall with suitably sized doorways

The above allow more flexible use of homes by those with severe mobility problems, i.e. broken leg, resident elderly relative, etc.”

14.0 STATUTORY DEVELOPMENT PLAN POLICIES RELATING TO ACCESS

14.1 See details in section 7.0 *Movement to, from and within the development*.

15.0 SPECIFIC ACCESS ISSUES

15.1 See details in section 7.0 *Movement to, from and within the development*.

16.0 MAINTENANCE OF ACCESS TO THE DEVELOPMENT

16.1 The proposals for the new access within the Transport Statement dated February 2015 (by Highway Planning Services) provides details of adequate access, whilst planning permission would protect this access proposal.

16.2 Protection and maintenance of access will be by normal private residential means.

16.3 Reflect the principles of ‘inclusive design’

16.3.1 The plots will afford level access in line with Building Regulations Document M, refer to sections above and section 7.0 of this DAS report.

16.3.2 The new dwellings future designs to take into account elements of life-time living, for example:

- Level access from drive and garage for pedestrian access.
- Approved Building Regulations Document M entrance with an accessible ground floor toilet facility. Wider halls and suitably sized doorways at ground floor to allow ambulant disabled assisted movement
- Large open plan kitchen.
- Ground floor bedrooms with an en suite bathrooms or a shower rooms

17.0 PLANNING POLICY

17.1 The relevant policies in relation to this site which were applied to the refusal of Outline Planning application ref P/2014/0515 were:

CLF5	Open space requirements from new residential developments
EC1	Green Barriers
EC2	Agricultural Land
EC4	Hedgerows, Trees and Woodland
EC6	Biodiversity Conservation
GDP1	Development objectives
H5	Housing in the countryside
H7	Affordable housing within new developments
PS1	Settlement limits
PS2	Development and the environment
T8	Parking

17.2 At a national policy level this application relates to:

- Planning Policy Wales Edition 6, February 2014
- Technical Advice Note TAN 2 : Planning And Affordable Housing 2006
- Technical Advice Note TAN 12 : Design 2009
- Technical Advice Note TAN 18: Transport

17.3 Relevant Local Planning Policies in relation to affordable housing:

- Wrexham Unitary Development Plan policy H7

17.4 Relevant Local Planning Guidance:

The design of the development is to comply with the following Wrexham CBC local planning guidance:

- LPG6 Access.
- LPG7 Landscape and Development.
- LPG16 Parking Standards.
- LPG17 Trees and Development.
- LPG21 Space around Dwellings.
- LPG24 Designing out Crime.
- LPG28 Affordable Housing.

18.0 ADDITIONAL INFORMATION

- 18.1 The indicative sketch layout shows that a suitable layout for 50 dwellings, together with adequate privacy distances, gardens, means of access and amenity spaces can be accommodated within the application area. Mr Matthew Phillips (WCBC Planning Officer) confirmed in an email dated 23rd September 2015 following issue of a revised sketch plan (included within this application) that *"the plan demonstrates that the proposed number of units could be accommodated and that it would be possible to achieve an acceptable layout."* (likely reason 2 for withdrawn application P/2015/0260)
- 18.2 As previously noted, the extent of the site is dictated by the number of dwellings that can be accommodated off the only access from the Main Road highway. Whilst this is not the extent and number of dwellings that our Clients had hoped for, given the triangular nature of the site which is bounded by existing development, railway lines and a main highway which has the only apparent suitable means of access, it appears to be the solution for this particular site. An access to the retained field will form part of the application proposals, this will be for retained agricultural purpose only, and not intended as a possible future extension to this application development proposal. (Previous refused application ref P/2014/0515 reason 3 and likely reason 3 for withdrawn application P/2015/0260)
- 18.3 Following a meeting between Natural Resources Wales (NRW) and The Tyrer Partnership, given the extensive recent GCN surveys in the area, no further GCN surveys were required in relation to the proposed application site; furthermore the principle and extent of the mitigation was agreed. The design and location of the proposed mitigation not only provides an opportunity to enhance and protect GCN on the application site but also retains the land in which existing ponds and ditches lie. Connectivity to the west of the site, where other mitigation is or has been implemented, will ensure that population movement/expansion can occur and that the *"favourable conservation of the species concerned can be maintained"*. A Section 106 proposal for land set aside for mitigation can secure its long term protection along with management/monitoring of the mitigation site that has, in principle, been agreed with ARC. Therefore if the mitigation as proposed is implemented then there is no reason to believe that the FCS of the species concerned cannot be maintained at its current Local or County level. (Previous refused application ref P/2014/0515 reason 5)
- 18.4 Further to pre-application meeting with Mr Matthew Phillips (WCBC Planning officer) on 16th July 2015 we understand that the local authority will take into account the precedent set by the refusal and subsequent dismissal at appeal of the nearby Castlemead development (planning application ref P/2014/0480 and appeal ref APP/H6955/A/14/2229480).

Whilst we appreciate there are similarities in the applications we believe that our site should be viewed differently because of its location within the locality, there are no open fields adjoining the application and the majority of the green barrier space will remain intact. The application site is bounded by either development or means of transport, access is limited so use for agricultural purposes is also limited.

19.0 SUMMARY

19.1 In considering the principle of development on the site, please note the following points:

- The site is in a sustainable location (see section 12 for supporting statements).
- The indicative sketch scheme indicates that 50 dwellings can be accommodated on the site. Density of which is 26/hectare, which is appropriate for the area.
- The orientation and space around the dwellings can achieve the requirements of the relative Local Planning Guidance notes.
- Modes of transport other than use of the car are available nearby (bus and train)
- The site is within an area of other residential developments, both historical and new, which means that the main services are in place which can be utilised by this site.
- The site will be accessed from Main Road via a 'T' junction. The Transport Statement confirms that the visibility splays, access radii, access road width and footpaths would support a development of 50 dwellings. Within the outline application indicative layout there is sufficient space for off-street parking and communal parking courtyards that provide adequate parking spaces for residents and visitors.
- The loss of 3.822 hectares (1.911 hectares for development and of 1.911 hectares for GCN mitigation) of agricultural land of limited use due to access and location, would not impact on the use of the remaining 14.632 hectares.
- The design and location of the proposed GCN mitigation not only provides an opportunity to enhance and protect GCN on the application site but also retains the land in which existing ponds and ditches lie. Connectivity to the west of the site, where other mitigation is or has been implemented, will ensure that population movement/expansion can occur and that the *"favourable conservation of the species concerned can be maintained"*.
- Following NRW and WCBC biodiversity comments a future GCN mitigation strategy for the whole site has been included within the application documentation. (see The Tyrer Partnership GCN Strategy report dated 5th November 2015).
- A Section 106 proposal for land set aside for mitigation can secure its long term protection along with management/monitoring of the mitigation site that has, in principle, been agreed with ARC. If the mitigation is implemented then there is no reason to believe that the FCS of the species concerned cannot be maintained at its current Local or County level.
- The overall site within our Clients ownership is triangular shaped site with an existing railway line along one edge and a dismantled railway along the other to form the point of the triangle. There is access via the industrial estate road but this is would not be suitable (nor available) for access to a residential development. The only access therefore would be off the Main Road highway, which is where the current access is to the field.

- Planning Policy Wales requires Local Planning Authorities to ensure that sufficient land is genuinely available or will become available to provide a 5 year supply of land for housing. The most recently published Joint Housing Land Availability Study (JHLAS) (2013) found that Wrexham has a housing land supply of 3.4 years. This equates to a 'deficit' of 673 dwellings. Dwellings proposed on sites allocated for housing in the UDP and/or already benefiting from planning permission have already been taken into account by the most recent JHLAS
- Technical Advice Note (TAN) 1: Joint Housing Land Availability Studies advises that the results of the JHLAS should be treated as a material consideration in determining planning applications for housing. Where the JHLAS shows a land supply below the 5 year requirement TAN1 (paragraph 5.1) advises that the need to increase supply should be given considerable weight when dealing with planning applications, provided that the development would otherwise comply with national planning policies.
- The Wrexham Local Development Plan identifies land required to meet the housing needs of the County Borough over the period of the plan, however it is, we understand, still being prepared and should not be given any weight in the consideration of this application.
- The Council is required by Planning Policy Wales to have and maintain a 5 year housing land supply. This requirement applies whether the Council has an up to date development plan or not. In cases like this the Council can only consider whether the need to increase the supply of housing land and the merits of an individual proposal justify departing from the provisions of an adopted development plan. It would therefore not be reasonable to defer or refuse individual planning applications until such time that the LDP has reached a more advanced stage.
- The pressing need for additional housing land is one valid reason for giving favourably consideration to the release of appropriate sites for residential development within the Green Barrier.
- Planning Policy Wales includes a presumption in favour of sustainable development. The site is in a sustainable location in that it is passed by regular bus services between Wrexham and Llay via Gwersyllt. It is also 1km from Gwersyllt district shopping centre and 1.2km from Gwersyllt railway station – both capable of being accessed by the bus services passing the site.
- Many of the settlements/areas in the County Borough that can be considered sustainable are either partially or wholly bounded by Green Barriers. It will therefore be extremely difficult to significantly increase the supply of housing unless some exceptions to the current UDP policies are made in appropriate cases. The existing development and transport infrastructure bounding the site mean that the proposed development will not project into the wider rural landscape. Furthermore it will not extend further westwards into the remaining area of the site within our Clients ownership, which is Green Barrier, due to the limitation on the number of dwellings off the Main Road highway.

- Planning Policy Wales advises that high quality agricultural land (Grades 1, 2 and 3a) should only be developed if there is an overriding need for the development. In this particular case there is an overriding need for additional housing land in the County Borough. The land is also physically divorced from any other agricultural land in the locality therefore its part development will not prevent or compromise the continued use of any other land for agricultural purposes.
- Deliverability: For sites to contribute towards the 5 year housing land supply, sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development;

- Planning constraints;

The proposals conflict with a number of UDP policies however as noted above; the lack of a 5 year land supply should be a significant material consideration in favour of the site being developed. Furthermore the development of the site would accord with the presumption in favour of sustainable development set out in Planning Policy Wales.

- Physical constraints;

The site is relatively level thus making it a comparatively straight forward site to develop.

- Ownership constraints;

Our Clients are in ownership of the site, there are no issues that would prevent the site from being developed.

- Economic viability

Given recent new developments nearby, there are no apparent reasons that it would not be viable.

- This is an Outline Application which includes an indicative sketch site layout to demonstrate that an adequate layout could be achieved on the site. The final layout and designs of the dwellings to ensure a satisfactory mix of dwelling sizes and appearance, can be controlled by the LPA through future applications.
- The indicative site layout shows that there is sufficient distance between the proposed dwellings and the site boundaries to ensure that no gardens of any adjacent dwellings are unduly overlooked. The development will therefore not unacceptably impact upon the standard of amenity afforded to the occupiers of existing dwellings by way of overlooking, loss of light or by being overbearing. The indicative layout of the development also suggests that it will provide future occupiers of the proposed dwellings with adequate standards of amenity.
- The indicative layout suggests that the open space requirement to accord with policy CLF5, can be achieved. The open space provision strikes an appropriate balance between areas for recreation whilst also contributing towards the appearance of the development.

- In accordance with policy H7 and LPG28 the affordable housing requirement for the development is 12.5 dwellings. Section 5.0 confirms that 13No affordable dwellings are proposed as part of this Outline Application. Though LPG28 advises that 12No could be provided with the 0.5 of a dwelling provided as a commuted sum. The affordable dwellings are to be secured by a Planning Obligation.
- Foul Drainage; New foul water drains to connect into existing public foul sewer located in Main Road.
- *Surface Water*; Surface water discharge to watercourse is not practical, and discharge to the public sewer system is not available, nor permitted. Rainwater harvesting is to be used to reduce runoff volumes prior to discharge to soakaways. Soakaways are to be used where feasible (subject to infiltration tests). An alternative is to discharge surface water into a pond. Any proposed ponds will drain by infiltration.

19.2 Whilst representing a departure from some of the policies of the adopted UDP, we believe that on balance the development of the site is justified in this instance due to:

- Lack of a 5 year land supply in Wrexham
- Sustainable location of the site
- Current nature of the site, and restrictions to the development of the whole site.
- Minimal impact on the Green Barrier, as it is bounded by development and transport routes.
- Proposed GCN mitigation would provide an opportunity to enhance and protect GCN on the application site and that the favourable conservation of the species concerned can be maintained.
- A strategy for future GCN mitigation for the whole site is included which indicates the connection with current and proposed mitigation sites, including that of this application.
- An acceptable form of development can be achieved.
- Insofar as the Green Barrier issue is concerned the relatively insignificant harm needs to be weighed against the urgent need to increase housing land supply.
- The Council knows it will have to release some Green Barrier sites to address the significant shortfall in housing land supply but there has been considerable delay in reviewing Green Barrier as part of the development plan review process.
- The proposed development is a limited natural small infill between existing commercial and residential sites and the applicant's remaining land to the west will continue as green field.
- The proposal provides community benefits, further improvements, footpaths, public access etc.
- Loss of 1.911ha of currently unused agricultural land is insignificant to fulfil a pressing need for more homes should be supported.
- The proposal to provide 50No homes in a convenient, sustainable location including 13No as affordable much needed in the area.

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